The WYA training was created at the request of staff members interested in the reading list used by Anna to prepare training seminars and advocacy work. The need for formation continually increases as the advocacy work acquires a more pressing nature, and people begin to come to WYA from ever more diverse backgrounds.

General purpose of the training

To help our members:
- understand and analyse today’s most pressing issues from the perspective of dignity, freedom, and solidarity
- promote and defend policies centered on the dignity of the human person at international and national levels.
- foster a culture of life in all activities and actions of our member.

Specific purpose of the training

Training members allows the staff to identify those members who can be responsible for running WYA projects. Such projects include spearheading regional committees or campus groups, attending commissions and other advocacy events, and becoming interns. It is especially important to have a wide geographic range of well-trained committee members, to ensure that any event undertaken is according to the best practices of WYA.

The training is graded to improve the staff’s ability to identify the more capable members. A certain grade and level of training may be required for applications to various activities.

The new structure comprises three sets of training: an introductory course, which is mandatory for members interested in advocacy, internships, the ISF and other international events, and two specialized courses on particular issues.

General Guidelines for Grading

Members should be able to understand the key concepts, work with UN Language, and creatively connect the main idea to human dignity.

It is recommended that the word limit for most answers be about 500 words. There will be an answer key at the end of each chapter.

Grades:

a. 95 and above: The best answers will connect the ideas presented in the readings with an example of a case study and offer solutions centred around the dignity of the human person. This member could apply to help with training discussions, attend the ISF and other advocacy events, be a camp counselor and an intern.

b. 85 to 95 - Good answers, though missing a clear connection between the main idea, the case study and clear usage of UN Language. This member could apply to attend commissions, the ISF, or an internship.

c. 85 and below - Somewhat good answer but has not fully understood the ideas behind our work and would need further discussions of the readings. It’s not recommended that these members do advocacy or be a camp counselor.
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"We must not listen to those who advise us 'being men to think human thoughts, and being mortal to think mortal thoughts,' but must put on immortality as much as is possible and strain every nerve to live according to that best part of us, which, being small in bulk, yet much more in its power and honour surpasses all else."

Aristotle
*Nichomachean Ethics*
Chapter 1 Objectives- Foundational History

This first chapter serves as an introduction to the founding of World Youth Alliance and the WYA Charter. Members should understand what WYA was responding to at its inception, and what the core ideas are which serve as the foundation for all of WYA’s work.

Readings

i. Before 1999 and World Youth Alliance ...07
ii. Anna Halpine, Human Dignity and Totalitarianism ...09
iii. A copy of the pink flyer handed out in 1999 ...13
iv. The WYA Charter ...14

Question

1. What are the three main ideas in the charter, and how do they serve as an alternative to the ideas proposed by the ICPD Youth Caucus?
Before 1999 and World Youth Alliance

The founding of World Youth Alliance (WYA) was a response to the proposed adoption of coercive measures for developing countries through a set of UN agencies and international non-governmental organizations. WYA called for the re-centering of all policy debates towards the person in order to offer integral solutions to deep rooted problems.

These actions had begun after the drafting of a National Security Memorandum (NSSM 200) by the then-Secretary of State Henry Kissinger, which called attention to the growing population in the least developed countries in contrast to the stabilised or declining population of the developed world. Drawing from the analysis done by the Royal Commission on Population (RCP) for the British Government in the late forties, Kissinger concluded that it was detrimental to the economic and security interests of the United States to allow these countries to grow unchecked.

Policies for development were to be tied to programmes that encouraged a reduction in family size. This was highlighted as the only way of making a country more economically progressive, based on the argument that, by not having to import more than it produced in order to feed its growing population, a country would have a better distribution of resources. The deceitfulness of this statement is quickly identified by contrasting it with the conclusions of the RCP:

"The commission found that Britain is gravely threatened by population growth in its colonies, since ‘a populous country has decided advantages over a sparsely-populated one for industrial production.’ The combined effects of increasing population and industrialization in its colonies, it warned, ‘might be decisive in its effects on the prestige and influence of the West,’ especially effecting ‘military strength and security’."^{1}

Those commissioned to study the effects of population decline in the United Kingdom found the decline detrimental to Britain’s economic prospects; but decided to encourage a similar population decline in its colonies to avoid being economically and otherwise overpowered by them.

Considering the post World War II redistribution of world power, including the emergence of some former British colonial protectorates, the list of countries Kissinger chose as targets for the first development packages is not surprising:

"Special attention should be paid to the 13 key countries in which the United States has a special political and strategic interest: India, Bangladesh, Pakistan, Indonesia, Thailand, the Philippines, Turkey, Nigeria, Egypt, Ethiopia, Mexico, Brazil, and Colombia."^{2}

These countries were chosen on the basis of their expanding populations, "since it would quickly increase their relative political, economic, and military strength."^{3}

This was pure *realpolitik*, reminiscent of the division of Africa amongst European states after the Napoleonic war, which allowed for further imperial expansion without disturbing the balance of power in continental Europe. It is important to remember that, at the time of the NSSM 200, policy-makers realized that in order to more properly implement policies at the national level, it was necessary to engage civil

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3 Ibid.
society. This would invite national participation so that policy implementation would not be perceived as foreign "imposition." Other issues were introduced such as promoting population control and the restructuring of society through the redefinition of social institutions. It was packaged for the member states of the United Nations as aid for the developing world, and as promoting the advancement of individual rights to the developed world. The once purely political agenda became a social agenda of a far-reaching nature.

These elements were all presented and developed in a series of conferences beginning with the 1978 World Population Conference in Budapest and culminating at the Conference of Population and Development in 1995. At the 5-year review of Cairo in 1999, the United States, under the Clinton administration, brought in a Youth Caucus claiming to represent the interests and rights of all 3 billion of the world’s youth. They demanded the enactment of three rights: abortion as an international human right, deletion of parental rights, and sexual and reproductive rights and services for children from the age of 10. Attending the conference, 21-year-old Anna Halpine understood the political implications of this small group of handpicked young people, and decided to draft a flyer and distribute it on the general floor of the conference to give voice to the millions of youth not represented by the Youth Caucus. This action stopped the usual proceedings for several hours, during which time many delegates from the developing world approached Anna Halpine and asked her to have a permanent presence at the UN, and to go to their countries to work with their young people.
Human Dignity and Totalitarianism

Anna Halpine

Lecture given at Schloss Neuwaldegg, Vienna, November 5, 2004

It is a great honor and with real humility that I address you today. I am a young citizen of the West; I grew up in Canada and the United States, and have had the privileges, securities, freedoms and joys that such an experience brings. My life experience is one of hope and fulfillment – everything that could be done for me to realize my potential, my talents, and to develop in an atmosphere of encouragement and joy has been done. My thoughts on this topic therefore, are of a different nature from the experiences and statements that most of you will offer. What you have lived has been a source of inspiration to me. What you have suffered has shown me, and others like me, the great heights that the human person is able to soar. I would like to outline why this experience which you have had is still inspiring young people around the world today.

Fifteen years ago this month the Berlin wall came down. This wall marked both the real and the symbolic divide between East and West in Europe; the divide between societies built upon the freedom of the person and societies structured in opposition to that freedom. At the time, I was a child. But this event, and the events which preceded it, have marked my life in significant ways.

In 1999 the World Youth Alliance was founded in New York at the United Nations. At a conference on Population and Development, thirty-two young people were brought in to the negotiations and given the floor. They stated that they represented all three (3) billion of the world’s youth, and demanded the following: abortion as a human right, sexual rights for children and a deletion of parents’ rights. They refused, at a conference convened to discuss the needs of the world’s people, to discuss access to clean water, sanitation, education, shelter etc. I realized that these youth did not represent me, and that there were millions of other young people in the world whose voices were not being heard. As a reaction of conscience, I went, with a few others, back into the assembly the next morning and distributed pink flyers that stated that these youth did not represent all of the world’s youth. We were received by the delegates with joy and were told that we must have a permanent presence at the United Nations, and that we must come to their countries and work with their young people.

A year later, we returned to the United Nations for Beijing +5, a global conference on women. At this conference I continued to try to understand why the agenda was so narrow, what the reason for such actions could be, and what the underlying vision of both the UN and many member states must be. At one point, the United States delegation offered a short oral proposal. The proposal was this: “Human rights grant human dignity”. This proposal reverses the human rights tradition that the United Nations and all human rights are now based on. Up until now, there has been no dispute that the dignity of the person is the basis for human rights. Reversing this language threatens the whole human rights project since it places the definition of the person in the hands of the state. The proposal was rejected, but in that moment I was able to see that the debate at the UN is fundamentally a debate about the human person. Do we, as a global community, see the human person as an object which can be used and discarded at will, or do we see the human person as a being with inviolable dignity, which stands at the center of everything that we do?

It was at this time that the link between what we are doing at the World Youth Alliance and what was happening behind the Iron Curtain before 1989 becomes clearer. Václav Havel, in his extraordinary essay “The Power of the Powerless”, talks about the aims of the resistance movements in then Czechoslovakia and Poland. They were not movements which were motivated politically; rather, they were motivated in order to begin to reclaim their dignity as individuals living for and within the truth. The fact that living in the truth had such severe consequences for the Communist regime was secondary to the
principles which animated these individual actions. Political action came later, out of a renewed social awareness and culture which recognized and nurtured the truth about the human person. Havel takes great pains to clarify that the authentic dissident movements, and the authentic expressions of renewal which came out of them were simply the result of many small efforts of individual people who decided each and every day to live the truth in themselves and to live that truth in the world around them. Because of this, the political consequences came later, and came out of organic sources rather than an initial strategic plan. Havel puts it this way: "These movements, therefore, always affect the power structure as such indirectly, as a part of society as a whole, for they are primarily addressing the hidden spheres of society, since it is not a matter of confronting the regime on the level of actual power." (Havel, The Power of the Powerless, Palach press, 1985 p.83) Havel, the Chartists and Solidarity all understood this clear and primary force of culture as lived out in individuals and communities as the most powerful force available to them, and ultimately for the shaping of societies and nations.

In 1991 Pope John Paul II wrote a letter to the world entitled Centesimus Annus. In it, the Pope reflects on the collapse of Communism in central and Eastern Europe, and comments on what he sees as having happened. At the very beginning, in paragraph 13, the Pope makes a critical statement. Communism, he says, collapsed not for political or economic failure, but because it was based on a lie about the human person. This statement cuts to the heart of modern personal and social failure. It recognizes the necessity of affirming and safeguarding all human life as the cornerstone of free and just societies. It recognizes the great need of modern societies to articulate and understand the human person. When we answer this question correctly, we have the tools needed to build our communities. When we don’t, we have seen the many varied ways in which projects, institutions and nations break apart.

In Vienna in 1946 Viktor Frankl published a small book now titled "Man’s Search for Meaning". It chronicles his experience in the concentration camps of Auschwitz and Dachau, and in it Frankl makes two key points. He states that man is free. Man can be shackled and chained, as at Auschwitz, yet retain his freedom. He speaks of the men who, at risk to their lives saved a crust of bread for another prisoner, and he says, “this is freedom”. He speaks also of the guards, who did the same. Frankl also says that in order to survive man needs one thing; meaning and purpose to his life. He speaks of reminding the prisoners of what this could be; remembering their wives, their children, who might somehow have survived, reminding them of the book that only they could write. And he says that from the moment a man gave up meaning and purpose in his life, Frankl knew he would be dead within 72 hours. Meaning and purpose were more important in sustaining life in Auschwitz than food, medical care or other basic needs.

Jacques Maritain, another European of the same generation, worked with UNESCO as an expert advisor during the drafting of the Universal Declaration of Human Rights. Maritain wrote a famous essay outlining his response to the declaration in which he worked through the primary struggles at the heart of the document. How could men of mutually opposing beliefs come to agreement on a set of rights? Maritain relates an incident from a meeting at UNESCO to discuss the declaration. "... someone was astonished that certain proponents of violently opposed ideologies had agreed on the draft of a list of rights. Yes, they replied, we agree on these rights, providing we are not asked why. With the "why", the dispute begins." (Maritain, Man and the State, Catholic University of America Press, Washington DC, 1998. p. 77) Maritain concluded with his own remarks: "Since the aim of UNESCO is a practical aim, agreement among its members can be spontaneously achieved, not on common speculative notions, but on common practical notions, not on the affirmation of the same conception of the world, man, and knowledge, but on the affirmation of the same set of convictions concerning action. This is doubtless very little, it is the last refuge of intellectual agreement among men. It is, however, enough to undertake a great work; and it would mean a great deal to become aware of this body of common practical convictions." (Ibid, pp 77-78)
This question of the why remains the area in which new developments and discussions continue to be held, and this question of the why is the continuous question of ‘who is the person’? Is the human person an entity to which the state grants rights and the protection of those rights, or is man or woman a being with intrinsic dignity, already in possession of those rights, which must simply be recognized and respected by the state? This question, which was at the heart of the debate of the drafting committee of the Universal Declaration of Human Rights, which was at the heart of the dissident and resistance movements under Communism, continues to be at the heart of all major debates at the United Nations and in each of our nation states. How we answer this question determines the direction of both our policy and our culture, and ultimately the vision of humanity which we will entrust to the world today and for the next generation. Most clearly, however, this question must first be decided in the hearts of individual people who then make a commitment to live in a manner expressive of these convictions. From here, these ideas will take root and flourish in the culture, and only from there can we legitimately and effectively hope to impact policy and the debates of the state.

In affirming this, it is clear to me that great claims are being made not only about who the human person is, but on the relationship that this question has to the kind of societies we build. In particular, the claim that ideas and culture are ultimately the key shapers of the foundation of our societies seems to be a particularly foreign idea, at least in the areas of policy and education that I have experienced. What has struck me about this is the natural way in which culture asserts this claim. I have indicated the great movements of Central and Eastern Europe. We can see this in the way that universities, entertainment and the arts continue to change lives and impact the culture. Looking at the great questions confronting the world today we can see the impact that ideas, cultural institutions and academia have had on those discussions.

My background is as a musician; I studied piano throughout University and spent the greater part of my teens and early twenties studying the theory, history, and great pieces of the classical music repertoire. I was fascinated by the individuals that I encountered, and in love with the music that I was playing. As a musician, I was engaged in an area where most of my other peers had genuine disinterest or total apathy regarding political questions. While I maintained a cursory interest in politics, I too, was focused first and foremost on the appreciation and understanding of art and music. Despite this, there were two figures who stand out in my mind; one from Poland and the other from Russia; the great Polish pianist and diplomat Paderewski, and the Russian composer Shostakovich. These men, and others, have helped me to understand the very direct link that exists between beauty, the transcendent, and the truth about what it is to be truly human.

Paderewski placed his art at the service of his country, even while serving at the highest elected office. His art was used to uplift the crowds, and buy time for the resistance movements to meet in the green room during his performance. Art and policy existed side by side.

Shostakovich lived more recently, under the Communist regime in Russia until his death in 1975. For many years of his life, Shostakovich lived and worked with his suitcase packed and ready at the door. He never knew when his music would bring him accolades from the state or immediate deportation. Although constantly invited to serve as a state composer and follow direct rules for his art, Shostakovich chose to freely compose and express himself and his art as authentically as he was able.

There are others; the writers, painters, poets, musicians, philosophers and many other great men and women of courage who pursued their thoughts and ideas despite the great risk it brought to their lives. This is what Havel calls living in truth, and this is what the Communists understood so correctly as posing the greatest threat to their society of lies. What is amazing is the clarity with which the Communist and other totalitarian regimes recognize the power of beauty, truth and culture to topple seemingly impregnable tyrannies – dictatorships which are backed up by armies, spy systems and a systematic and
repressive violence quake with fear before a poem, a play, a symphony and short story. The power of truth is most powerful to those who are actively spinning lies.

In our work at the World Youth Alliance, the examples of Solidarity in Poland and Charter 77 have been a constant inspiration. There was the great injection of hope at the election of Pope John Paul II, who started his pontificate with the words "Be not afraid!" and then took that message straight into Poland. There was the work of Václav Havel, and the other members of Charter 77, who articulated the problems created when "the center of power is identical to the center of truth." (Havel, "The Power of the Powerless," 25) There were the great activities and unsung heroes of the underground, led in each country primarily by the intellectuals, the poets, the writers and the mystics. There were the ex-patriots, writing and suffering in solidarity, who were honestly andsearchingly describing the interior struggles of individuals and movements; Czesław Miłosz, the Polish poet and Nobel laureate comes to mind. In all of this there was sustained vibrancy, a life lived with purpose and intent, and a culture that recognized the choices in front of it.

The ideas and principles which animated the resistance movements under Communism remain in many ways the same ideas and principles still needed in the world. On a global scale the dignity of the person is being threatened in real ways. Human cloning, abortion, HIV/AIDS and the ways which we distribute foreign aid are all symptoms of a flawed understanding of the human person. Our work has involved participation at international conferences, discussion and dialogues with Ambassadors, diplomats, heads of State and young people. We have seen the global response of young people as well as those in government, policy and culture to the ideas which we are proposing. There is an embrace of the dignity of the person, and of the need to experience this on our own and restore it to the culture. What we are witnessing is a new cultural transformation among a generation of youth who are being inspired and equipped with the tools necessary to propose a clear vision of the person to the world. As before, it is the best and brightest who are rising to this challenge, and who are stepping forward to be the lights in a generation and for the whole culture.

The achievements of the resistance movements remain a sure guide and inspiration for us. These movements understood the power of truth; the power of culture; and the power of working together for a common aim. The leadership of these movements confronted reality, shared their vision with the people and trusted that the force of their vision, grounded in the reality of truth, would sustain them in adversity and ultimately free them from the lies enmeshed in the culture. Beyond that, their actions and courage eventually toppled one of the most powerful and evil empires in the world. The lasting legacy that these leaders leave the world is that of a new generation, inspired by their thoughts and actions and willing to take up the challenge to build a world worthy of those people who dwell within it.
“UNFPA YOUTH” DO NOT REPRESENT ALL YOUTH

The eight “proposals” of the “UNFPA Youth” do not address the real needs of the vast majority of youth around the world. Rather, they are aimed only at sex, money and power, and make bold demands for governments to adopt the same agenda.

We reject their vision of our future.

On behalf of the youth from around the world who have been deliberately excluded from the youth forum process we would like to re-emphasize the following aspects of the Cairo document:

- We understand that youth rights are already ensured by the Universal Declaration of Human Rights and reaffirmed by Principle 1 of the Cairo document, and therefore we do not need to create new rights and privileges;

- We endorse and live the principles of sexual restraint and responsibility and reject the promotion of unlimited sexual rights, which lead to illegitimacy, disease, and disillusionment;

- We implore parents to exercise their prior rights and responsibilities to direct the religious and moral education of their children in conformity with their own convictions and not to relinquish these rights to governments and to UN agencies;

The development of the whole person includes the moral, spiritual, emotional, intellectual as well as the physical dimensions. Please do not reduce us to our sexual faculties. Our main concerns are issues relating to education, family, employment and development.

Please don’t “reserve and move on”. Hold fast to principles for our future.

real youth
THE WORLD YOUTH ALLIANCE CHARTER

The World Youth Alliance is composed of young men and women from every part of the world. In cooperation with other organs of the international community, primarily the United Nations and the European Union, the World Youth Alliance is committed to building free and just societies through a culture of life. That culture affirms the inalienable dignity of the person, defends the intrinsic right to life, nurtures the family, and fosters a social climate favorable to integral development, solidarity, and mutual respect.

We recognize that the intrinsic dignity of the person is the foundation of every human right. We believe this dignity is independent of any individual condition and that no human community can grant or rescind that dignity.

We are convinced that the intrinsic dignity possessed by every human being from conception to natural death is the foundation of everyone’s right to life. We believe that this inalienable right to life is the basis of a free and just society and we believe that society through law and culture has an obligation to protect the dignity of the person and thus protect the right to life.

We affirm that the fundamental unit of human society is the family, where men and women learn to live in genuine freedom and solidarity, and where individuals are equipped to fulfill their social obligations. We believe that the political community at the local, national and international level is obliged to protect and nurture the family.

We believe that the authentic development of society can occur only in a culture that fosters integral human development - characterized by physical, spiritual, mental, and emotional growth, in a climate of respect for the human person and the family.

We invite all those who share these convictions to join us in affirming them and give them effect in public life at all levels.
“Your reason and your passion are the rudder and the sails of your seafaring soul. If either your sails or your rudder be broken you can but toss and drift, or else be held at a stand still in mid-seas.

For reason, ruling alone, is a force confining; and a passion unattended, is a flame that burns to its own destruction. Therefore let your soul exalt your reason to the height of passion, that it may sing; and let it direct your passion with reason, that your passion may live through its own daily resurrection, and like the phoenix rise above its own ashes.”

Khalil Gibran
*The Prophet*
Chapter 2 Objectives- Human Dignity

This chapter explores the concept of human dignity. The idea of the dignity of the person is the foundation of the human rights project, and is at the core of the work of World Youth Alliance. Understanding and articulating the concept of human dignity is fundamental to developing cultural or policy proposals that affirm the dignity of the person.

Together, the readings provide an argument for the existence of objective value in the experience of human action. This experience of value provides us with an explanation, based on human experience, of the concept of human dignity.

The arguments in this chapter are fundamental to understanding and articulating the concept of the dignity of the person. Special attention should be given to understanding and synthesizing these ideas, as well as attempting to integrate them into the ideas found in future chapters of Track A. While the Malik, Lewis, and Buber articles must be read and understood in order to answer the questions in Chapter 2 and beyond, the Wojtyla article is included for the more advanced students in philosophy, and recommended to all even if the precise points of the article cannot be fully understood.

Readings

i. Charles Malik, Introduction from Man in the Struggle for Peace ...18
ii. Martin Buber, I and Thou ...24
iii. C.S. Lewis, “Men without Chests” from The Abolition of Man ...32
iv. Karol Wojtyla, The Problem of the Separation of Experience from the Act in Ethics ...39
v. Mahatma Gandhi, Devotion to Truth ...53
vi. Member’s Corner: “A Quest for Human Dignity” ...54
viii. WYA Declaration on the Human Person ...56

Questions

In the first reading, Charles Malik claims that the struggle for peace begins at the level of each individual person, since each person must first struggle with the idea of being and becoming. The struggle takes place because we recognize a tension between the value of our being and the expression that we give this through the actions we take in our lives, thus determining who and what we become. The struggle is rooted in the very being of man himself, but it can be resolved only when man makes peace with the reality of who he is. Malik writes: “Man struggles for peace, and for other things too, because he is essentially a struggling-caring being – struggling and caring, above everything else, for the integrity of his being.”

Buber’s essay “I-Thou” recognizes that the value of an individual is revealed through his relationships with others. An “I-Thou” relationship is characterized by the recognition that the objective value I find in myself is also the objective value that I see in the other. This objective affirmation of value enables a truly subjective experience; in objectively affirming the other, my own subjective value is also affirmed. This
experience of subjectivity thus gains an objective reality when the value of the person is experienced and affirmed.

1. What is the relationship between the nature of man as a “struggling-caring” being, and the “I-Thou” relationship that Buber speaks of? Can the struggle that Malik identifies be resolved at some level through the experience of mutual subjectivity?

2. Lewis writes about the identification of objective value as the necessary prerequisite of rational thought and action. If we cannot provide grounds or justification for the identification of objective value, can we provide any coherent argument or defense for the idea of the dignity of the person?

Optional question to replace question 2 for those who are able to read the Wojtyla article.

2. (optional) Wojtyla provides an analysis of the experience of value through action. How does the intentionality of the act relate to the objective evaluation of the value of the act? Is the argument that a subjective experience can give rise to the knowledge of objective value persuasive?
We are thrown into this world of struggle and care. We made neither our world nor ourselves: we find ourselves in this state. Before we can even ask the question "Why?" we must first exist, and, existing, we must recognize our condition such as it is: we are being of care, beings who have our mind on all sorts of problems and concerns. Only such an existing being can "recognize" his state, and, in recognizing it, can ask the question "Why?" about it or about any other thing. The man who is not struggling or the man who is completely carefree does not exist. This is our human condition, this is what it means to be a man, this is our fate. Here the word "fate" has nothing to do with chance or fatalism, with predestination or the necessity of nature, if by any of these terms is meant that in struggling and caring we are not essentially free and accountable. Any notion that for anything involving our caring decision we can invoke some kismet, some deus ex machina, to relieve us of responsibility for that decision is utterly foreign to our mind. Man is as fated and doomed to be free and responsible as to struggle and care. He is thrown into this world and left to struggle and swim on his own. In fact, it is precisely because his possibilities are never completely closed before him, but he can always throw himself upon any one of them (at least he can be silly or he can be true), that his life is ever a life of struggling care. He cares and struggles because he is free; because, that is, he can always be one of a number of possibilities, and in being one, he has thereby for that occasion categorically excluded all the rest. This natural tragedy (the hallmark of his human limitation) whereby there is ruthless destruction of possibilities on every decision and choice is the ultimate ground of his anguish. His heart aches because he must destroy. But what he must destroy, that is left to his freedom. When we say, "This is our fate," we mean this is our essential nature, this is the sort of being we are. And this being originally and inalienably includes our freedom.

All this is part, indeed it is but the elementary part, of the teaching of Heidegger. But regardless of Heidegger's ultimate motives in not wanting explicitly to ground this fundamental insight in the Judaeo-Christian tradition (it is quite reasonable to suppose that, personally-existentially, he himself owes it to this tradition), but choosing instead to invoke a fable from outside this tradition, a fable "which is pre-ontological in character" and whose "demonstrative force is merely historical," this insight is absolutely integral to the Judaeo-Christian tradition. The Old Testament begins with this judgment upon man, which appears essentially to have stamped his being for all time:

And the Lord God called unto Adam, and said unto him, Where art thou? And he said, I heard thy voice in the garden, and I was afraid, because I was naked; and I hid myself....And unto Adam [the Lord God] said, Because thou hast.... eaten of the tree....cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life.... In the sweat of they face shalt thou eat, tillthou return unto the ground; for out of it wast though taken: for dust thou art, and dust shalt thou return.6

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4 Ibid., pp. 241-243
6 Genesis 3.
This passage is full of suggestions precisely for the sort of ontological analytic of man that Heidegger would delight in. The passage can be easily purged of any special mythological-theological overtones or interpretations arising from the "cursing" of "the ground" and the "eating in sorrow" and "in the sweat of thy face," as well as from the other imagery used; when thus purged, the passage would clearly reveal the pure phenomenological notion of care (Sorge) in the Heideggerian sense. Although the Psalms do not purport to be a systematic-philosophical treatise on the ontology of man, and although David was not trained in the techniques of descriptive phenomenology nor steeped in the Kantian critical-transcendental method of uncovering the a priori "conditions of the possibility of a thing," still the Psalms, rightly and correctly understood, are the greatest fundamental ontological-existential work ever written. They portray in the clearest and most authentic manner every possible existential mood and state of being into which man can fall. They provide all the necessary material for a complete ontological system, and not only this: if philosophical ontology, but its very nature and claims, is able to reveal, through the systematic disclosure of phenomenology, only those structures which belong "by nature" to human existence, and if, side by side with this disclosure, there is also at least an intimation of a genuine realm of transcendence, a realm which can only be pointed to from a distance but can never be penetrated by any ontology or any human reason, then the Psalms supply, not only material for a complete "natural" ontology, but much positive information about that realm of transcendence itself.

The Book of Job is another great ontological storehouse within the Western tradition; the material it yields on "the human condition," not only for the special interpretation of Christian theology, but precisely for the requirements of philosophical ontology, is virtually inexhaustible. The Books of Ecclesiastes and of the Proverbs contain marvelous ontological disclosures about man and his state. One may say that the basic theme of the New Testament is the conquest of death through death, the redemption of the finite by the infinite taking on the form of the finite, the overcoming of essential human limitation and corruption by the perfect and incorruptible deigning to become and converse with man. But on these, are more ontological-existential than these.

In face, what does the whole Bible purport itself to be? It purports itself to be the Word of God, in a sense to be responsibility determined by theology. But the God of the Bible is the creator of heaven and earth, of everything visible and invisible, and therefore certainly of man, whom, the Bible affirms, God created in a very deep sense in "his own likeness and image." Now a whole tome, composed of scores of books, worked out by innumerable minds over the span of some twenty centuries; a tome whose explicit theme throughout is the ground of all existence, including above all human existence; a tome, moreover, written, not about "ideas" or "structures" or "phenomena" of existence, nor about the direct, immediate, personal existence of some philosopher, but about actual, existing, historical men and peoples, in their actual, historical dealings with the ground of their existence: such a book must obviously occupy a unique position in all the annals of ontology; it must serve as the fountainhead par excellence of all existential-ontological material. 8

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7 On the point that Heidegger's analytic makes no "ontical assertion about the 'corruption of human nature,' see Heidegger, op. cit., p. 224. But our reference to the New Testament need not involve any "special theology" or doctrine of "sin and corruption"; we are here only saying that genuine ontological structures can be culled in abundance there.

8 Consider further the following passages from the Bible. These were certainly not written expressly to meet the needs of some speculative existential philosopher. They contain more material than what is "conceptually" proper only for ontology. But they help, together with hundreds of other passages that could also be cited, to exhibit the Bible as a fundamental mine of ontological suggestion:

"Yet man is born unto trouble, as sparks fly upward." Job 5:7.
"Man that is born of a woman is of few days, and full of trouble." Job 14:1
Nothing would appear more incongruous than to introduce this book with this strange meditation on the human condition and the relations between Heidegger and the Bible. But apparent incongruity here is not the last word. We will therefore proceed to dispel it.

In Heideggerian terms, man is a struggling-caring being. In Biblical terms, man is a being estranged from the ground of his being; and because he is thus estranged, and he knows it, he desperately seeks that ground again. Put in better terms still, man is a creature; but whereas all other visible creatures just obey and rise no fuss about it whatever, this particular creature, man, has developed a sort of misunderstanding, even a sort of quarrel, between himself and his creator; he therefore seeks to "settle" this quarrel, or, better, his creator himself has sought to "settle" it for him. While this quarrel, this "enmity," lasts, he can never have peace; and so long as he exists, it will last. The struggle for peace, then, is grounded in a much deeper and more original struggle. Man struggles for peace because he is essentially a struggling being. But for this original ontological-existential struggling, there would be peace; his struggling essence makes possible his struggle for peace. It is not that he is all happy and peaceful to start with, and then, turning around, he "finds," as it were casually, that there is something the matter with the world (in his family, in his immediate environment, in his country, between the nations); and so he sets about reforming the world. It is not that he is descending from the peace of Mount Olympus to distribute peace upon the world. To start with, man exists in such a fashion that he is not at peace either with himself or with the ground of his being—struggling and caring, above everything else, for the integrity of his being. He is struggling for outward peace of his own soul. In all such struggles there is an aspect of "the blind leading the blind," of "physician heal thyself." Man is the struggle for peace, if he is serious about it, if he really knows what it is all about, can only take his task with a sense of humor, even with a certain measure of cynicism. That is why most diplomats smile: it is not hypocrisy; it is a sort of metaphysical awareness of the human impossibility of their task. Man must first put his own spiritual house in order before he can help to establish peace in the world; or, at least, he is completely reconciled to God. There is a fundamental Christian dogma which, if he is a Christian, can help him immensely in this regard: the dogma that the reconciliation is already vicariously accomplished for him. That ought, to some extent, to put his mind "at peace"; at least to the extent of releasing him to struggle, in all humility, as best he can, and with such means and material as he may command, for the peace of the world. The struggle for peace cannot be understood exactly for what it is until it is viewed as an aspect of a much deeper struggle in the very being of man.

Now, some of the most creative minds of the West are trying to think out their ontology independently of the fountainhead of all ontology, a fountainhead which is at the base of all Western existence. This is a most significant phenomenon. These minds appear to be ashamed to face their existence; they seem embarrassed by it; somehow, they do not feel "free" in its presence. In the name of the autonomy of reason, they develop a view of human existence which is quite divorced from the actual, historical ground of that existence. There is something artificial, something even superficial and pathetic, in this attempt. It seeks existence and integrality with passion and singleness of mind, but there is about it a shying from, a disowning, even an ingratitude for, the ground of all existence. What is the ultimate reason for this secularizing and humanizing, this de-theologizing, de-spiritualizing and de-Christianizing, For what hath man of all his labour, and of the vexation of his heart, wherein he hath laboured under the sun? For all his days are sorrows, and his travail grief; yea, his heart taketh not rest in the night." Ecclesiastes 2:22-23.
"That which hath been is names already, and it is known that it is man." Ecclesiastes 6:10.
"Man is like to vanity: his days are as a shadow that passeth away." Psalm 144:4
"For we know that the whole creation groaneth and travaileth in pain together until now." Romans 8:22.
tendency? May it not have something to do with the sort of being that man is—a being who does get ashamed of his cause and ground, a being that recognizes his ground by rebelling against it, or even by maintaining a golden silence about it? Why this shame? Why this ingratitude? Why this disowning? Why this silence? It could have arisen from the suffering of two wars. A deeper struggle than any that has been noted so far appears to be called for here to overcome this disowning shame, and therewith to try to re-establish harmony and peace between man and his ground. Whether in this deeper struggle man can re-establish this harmony and peace on his own is of course the perennial question.

This phenomenon extends far beyond the confines of contemporary existential philosophy: in face, this philosophy itself is rooted in the radical existential estrangement pervading the spirit of this age. Atheism is fundamentally only a rebellion against the real, living, historical "ground." The entire tone, the fundamental orientation, of present-day existence-political, social, literary, artistic, scientific, philosophical, cultural—is secular, nonreligious, even anti-religious and atheistic. "There is" the material world with its vast resources; "there is" man, however its powers are interpreted: that is all. Man and the world between themselves are absolutely self-sufficient; man needs absolutely nothing outside his possibilities to master the world, including of course himself and others. No wonder people talk of a "post-Christian" age, although their spirit is more to welcome and confirm than to regret and combat this tendency. We face therefore the phenomenon, in the practical-historical-cultural sphere, of the pride of existence and of human self-sufficiency. Man proudly refuses to acknowledge his ground, his origin, his dependence, and to draw the shattering consequences that that acknowledgment entails. So long as this radical existential pride holds sway, not only is individuals here and there, but in the fundamental direction and tone of a whole epoch, can any thinking man, with a broken and contrite heart, really expect any peace on earth?

We thus raise the question as to whether the peace that is sought after and struggled for under such conditions is not elusive; whether man is not only deluding himself when he thinks that through pride, cleverness, and self-sufficiency he can attain peace; whether on the pure presupposition of reason, nature, man, and existence, peace is possible; whether under such conditions even the best will in the world avails; whether the struggle then is not in the end blind and hopeless; and whether, therefore, all that one is hoping to achieve is simply not to let the peace be disturbed through him and in his time. He says in his heart: The thing is hopeless, so let me at least not be responsible myself; let whoever comes after me take responsibility for the thing himself. In all diplomatic, political, and international existence, there is a point at which the phenomenon if "passing the buck" is bound to manifest itself. How can man, forsaking his origin, disowning his ground, hugging himself alone, ever attain peace? Peace is some kind of harmony and order, a species of equilibrium and tranquility, a form of justice; but when man, either willfully or misguidedly, turns his back on his creative origin, is he any longer sure that there is much harmony and order, much equilibrium, tranquility and justice, left in him?

Let there be no misunderstanding on one point: Man will certainly keep on struggling—struggling for the highest prize, which is certainly peace. Man will struggle with the utmost sincerity and good faith, and with everything he has and is. He will achieve whatever measure of peace is humanly possible. No war at any time is altogether inevitable; something could always happen—and through human agency it could be made to happen—that could prevent, or at least that could postpone, any war. Thus, one will never relent in working day and night for the cause of peace. Nothing could be more noble. But let the slightest germ of doubt enter his head that on account of his pride, his self-sufficiency, his willful disowning of his origin and his ground, and his self-congratulation and self-satisfaction he has at last "caught" his existence and displayed it all by himself, the peace he seeks with such a spirit and under such aegis is altogether false and illusory, and the deepest sadness will overtake his heart. He is no longer sure of himself. His whole attempt is vitiated at the core. He appears to himself beaten in advance. The greatest goal in the world—peace—is then revealed a veritable mirage, resting on insecure foundations. He appears
silly in his own eyes. His self-respect and his sense of seriousness become undermined. A dislocation assails his being. The 'struggle' appears quite hypocritical- in the final analysis, without hope. One indulges in it as a game, really sporting with destiny; it is not the real thing. Although you will never fail an occasion when it presents itself, you somehow know that you are engaged in a patching-up operation. You may have helped in averting this war, and you may with justice feel profound satisfaction, saying to yourself: That is all I can do, let others now do their part. But you know that that is not enough; for you are not seeking only your own glory, or that the world should applaud you for having "saved the peace." or that you should then merit the Nobel Prize. You are interested in something much more profound and much more serious. You really want to know whether lasting peace is possible; for a non-lasting peace is clearly not peace. You are asking about the nature and essence and possibility of peace. for although you have done your best and saved it this time, how can it last if human passion continues to take its own course, unpurged and uncontrolled? How can it last if man is such that self-love (Augustine) is the ultimate principle by which he is governed? Must you not then leave aside all your hypocrisy, all your sporting, all your patching up, all your struggling for peace, in order to enter into a new sphere of struggle altogether-the struggle for coming to terms with, and getting hold of, the mystery of your own nature and being and ground?

there is something at once necessary and noble, and false and sad, about the struggle for peace: necessary, because caring-free man must struggle; noble, because the struggle here is for the greatest prize; but false, because man is struggling in his own power; and, therefore, sad, because he know that such a struggle, for all its heroic and noble necessity, is doomed in the end to tragic failure.

"The peacemakers shall be called the children of God." nothing from the point of view of our discussion could be more strange and significant than this statement. It is full of ontological meat. It affirms that there is a direct relationship between peacemaking and having the right relationship to God-the ground of being and existence. It implies that you cannot make peace if you violate this right relationship. All struggling for peace where this relationship is broken is therefore false and futile. A proud and self-sufficient being, turning his back on his ground and origin, can never make peace. Western civilization, in dislocating itself from its source and creator, is not in the best position to make and secure peace.

III

Men struggle for peace on a thousand fronts. One such arena is the United Nations. Here the peace meant is "international peace and security": the absence of armed conflict between the nations as well as "the development of friendly relations" among them. from the moment Secretary Stettinius banged the gavel on April 25, 1945, opening the San Francisco Conference on International Organization, to the moment almost exactly fourteen years later when I, in my capacity then as President of the General Assembly of the United Nations, banged the gavel in New York closing the Assembly's Thirteenth Session, I had close and almost uninterrupted relations, in one form or another, with the United Nations. it was my privilege during this period, in addition to doing many other things, both to represent the Republic of Lebanon on delegations to many United Nations organs and to serve as an elected officer of many of its bodies. Besides being continuous, my experience at the United Nations was most inner, intimate, and intense. The first part of this book contains but the barest and most preliminary sketch of some of my existential conclusions from this experience. the individual human person here is struggling always with a view to bringing about some understanding, some concord, some "realization of tensions," some positive agreement between nations; not indeed at any price, but under the guidance and with the determination of some notion of justice, as embodied principally in recognized international law and in the Charter of the United Nations. But above both Charter and law, the most decisive element is the living agreement of free
agents. When there is a dispute or a conflict or even war, and when the parties concerned freely agree to some settlement, the agreement is itself the law and the charter of that situation. Once an agreement is reached, and however it is reached, nobody thinks any more of the United Nations, of international law, or even of justice. The parties concerned are now quite satisfied, and that is the end of the matter so far as "international peace and security" are concerned. There is no law or power above the will of the parties concerned; this is another way of saying that they enjoy the status of "sovereign equality." International law and the Charter of the United Nations serve only as general frameworks for promoting and inducing that agreement. Peace in the international field is in the end nothing but agreement. United Nations is therefore how to bring about agreement. Man is the struggle for peace at the United Nations is precisely a slave of this regulative idea.

What happens now to this poor or happy man? How does he give effect to this regulative idea? What modes of being does he get himself into? What does he concretely go through? What does he "come up against," both in himself and in the world? Through what passions, what tendencies, what forces, what actual organized movements, must he thread his path? How much is he personally "compromised" in the process? He is at once a representative of a certain national interest and a responsible member of the world body; how do these two loyalties, his national citizenship and his world citizenship, interact? When he is elated, what elates him? When he is depressed and disgusted, what depresses and disgusts him? What is the rock on which he rests in his darkest and loneliest moments?

What is it that keeps him going? Ambition? Vanity? Flattery? Glory? Pure chance? Sheer doggedness? The glamour of the show? The simple fact that he has a good "job"? The service he is rendering his nation? The love of international concord? The lure of justice? The wonderful experiences he undergoes? The fact that others "need" him and have entrusted him with important responsibilities? The compelling nature of the prospect of peace? The pure inner satisfaction that he is a faithful soldier in the battle for peace?

What is it in "the constitution of his personal human existence" that makes possible his international role? His rational being? His sense of human brotherhood? A certain cosmopolitan-international background in his education and upbringing? His fear that war would destroy him and his loved ones? The thrill of taking risks and of danger and adventure? A special weakness for the material, social, and political benefits enjoyed? An original inexplicable, irreducible, special, personal interest in matters international? A special devil (daimon) dogging him on?

Does man in his international struggling today differ existentially from man struggling internationally at any time in history, when, for instance, the Spartans sent embassies to the Athenians, or the Athenians to the Romans, or the Byzantines to the Arab caliphs, or when statesmen forgathered at the Congress of Vienna or at the Paris Peace Conference of 1919? What does this constancy of human nature mean? Is not the doctrine of progress, then, a sort of escape from this constancy, a sort of childish wishfulness that it did not exist?
The world is twofold for man in accordance with his twofold attitude. 
The attitude of man is twofold in accordance with the two basic words he can speak.  
The basic words are not single words but word pairs.  
One basic word is the word pair I-You.  
The other basic word is the word-pair I-It; but this basic word is not changed when He or She takes 
the place of It.  
Thus the I of man is also twofold.  
For the I of the basic word I-You is different from that in the basic word I-It.  

Basic words do not state something that might exist outside them; by being spoken they establish 
a mode of existence.  
Basic words are spoken with one’s being.  
When one says You, the I of the word pair I-You is said, too.  
When one says It, the I of the word pair is I-It is said, too. 
The basic word I-You can only be spoken with one’s whole being.  

There is no I as such but only the I of the basic word I-You and the I of the basic word I-It.  
When a man says I, he means one or the other. The I he means is present when he says I.  
And he 
when he says You or It, the I of one of the other basic word is also present.  
Being I and saying I are the same.  Saying I and saying one of the two basic words are the same. 
Whoever speaks one of the basic words enters into the word and stands in it.  

The life of a human being does not exist merely in the sphere of goal-directed verbs. It does not 
consist merely of activities that have something for their object. 
I perceive something. I feel something. I imagine something. I want something. I sense 
something. I think something. The life of a human being does not consist merely of all this and its like.  
All this and its like is the basis of the realm of the It.  
But the realm of You has another basis. 

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9 In the first section the next section began: “Basic words do not signify things but relations.” This sentence was omitted by 
Buber in 1957 and in all subsequent editions.  
10 stiften sie einen Bestand. The locution is most unusual, and Bestand in any applicable sense is very rare.  
Buber intends a 
contrast with “that might exist” (was…bestünde.) 
11 Wesen: see page 46.
Whoever says You does not have something for his object. For wherever there is something there is also another something; every It borders on other Its; It is only by virtue of bordering on others. But where You is said there is no something. You has no borders.

Whoever says You does not have something; he has nothing. But he stands in relation

We are told that man experiences his world. What does this mean? Man goes over the surfaces of things and experiences them. He brings back from them some knowledge of their condition—an experience. He experiences what there is to things.

But it is not experiences alone that bring the world to man. For what they bring to him is only a world that consists of It and It, of He and He and She and It.

I experience something.

All this is not changed by adding "inner" experiences to the "external" ones, in line with the non-external distinction that is born of mankind’s craving to take the edge off the mystery of death. Inner things like external things, things among things!

I experience something.

And all this is not changed by adding "mysterious" experiences to "manifest" ones, self-confident in the wisdom that recognizes a secret compartment in things, reserved for the initiated, and holds the key. O mysteriousness without mystery, O piling up of information! It, it, it!

Those who experience do not participate in the world. For the experience is "in them" and not between them and the world.

The world does not participate in experience. It allows itself to be experienced, but it is not concerned, for it contributes nothing, and nothing happens to it.

The world as experience belongs to the basic word I-It.

The basic word I-You establishes the world of relation.

Three are the spheres in which the world of relation arises.

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12 Der Mensch befährt die Fläche der Dinge unde erfährt sie. Both erfährt in this sentence and erfahre in the preceding paragraph are forms of erfahren, the ordinary German equivalent of the verb, to experience. The noun is Erfahrung. These words are so common that it has hardly ever occurred to anyone that they are closely related to fahren, an equally familiar word that means to drive or go. Befahren means to dive over the surface of something. The effect of the German sentence is to make the reader suddenly aware of the possibility that erfahren might literally mean finding out by going or driving, or possibly by traveling. But by further linking erfahren with befahren Buber manages to suggest that experience stays on the surface. In the original manuscript this point was elaborated further in the sentence immediately following upon this paragraph; but Buber struck it out: “Thus the fisherman gets his catch. But the find is for the diver.”

13 This locution echoes Passover Haggadah which contains a famous song in which each stanza begins: One is…, Two are…, Three are…, etc.
The first: life with nature. Here the relation vibrates in the dark and remains below language. The creatures stir across from us, but they are unable to come to us, and the You we say to them sticks to the threshold of language.

The second: life with men. Here the relation is manifest and enters language. We can give and receive the You.

The third: life with spiritual beings. Here the relation is wrapped in a cloud but reveals itself, it lacks but creates language. We hear no You and yet addressed; we answer—creating, thinking, acting: with our being we speak the basic word, unable to say You with our mouth.

But how can we incorporate into the world of the basic word that lies outside language?

In every sphere, through everything that becomes present to us, we gaze toward the train of the eternal You; in each we perceive a breath of it; in every You we address the eternal You, in every sphere according to its manner.

***

I contemplate a tree.

I can accept it as a picture: a rigid pillar in a flood of light, or splashes of green traversed by the gentleness of the blue silver ground.

I can feel it as movement: the flowing veins around the sturdy, striving core, the sucking of the roots, the breathing of the leaves, the infinite commerce with the earth and air—the growing itself in its darkness.

I can assign it to a species and observe it as an instance, with an eye to its construction and its way of life.

I can overcome its uniqueness and form so rigorously that I recognize it only as an expression of the law—those laws according to which a constant opposition of forces is continually adjusted, or those laws according to which the elements mix and separate.

I can dissolve it into a number, into a pure relation between numbers, and eternalize it. Throughout all of this the tree remains my object and has its place and its time span, its kind and condition.

But it can also happen, if will and grace are joined, that as I contemplate the tree I am drawn into a relation, and tree ceases to be an It. The power of exclusiveness has seized me.

This does not require me to forego any of the modes of contemplation. There is nothing that I must see in order to see, and there is no knowledge that I must forget. Rather is everything, picture and movement, species and instance, law and number included and inseparably fused.

Whatever belongs to the tree is included: its form and its mechanics, its colors and its chemistry, its conversation with the elements and its conversation with the stars—all that in its entirety.

The tree is no impression, no play of my imagination, no aspect of a mood; it confronts me bodily and has to deal with me as I must deal with it—only differently.

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14 *Sich offenbarend*: A few lines earlier, *offenbar* was translated as manifest. The adjective, unlike the verb, generally has no religious overtones.

15 *Saum* means hem or edge, but this is surely an allusion to Isaiah 6:1.

16 *Weben*: literally, blowing (of a breeze or wind), wafting.

17 *Das spritzende Gegrün*: the noun is coinage.

18 *Er leibt mir gegenüber…Leib* means body; *leibt* is most unusual and means literally: it bodies—across from me or vis-a-vis me. Locutions that involve *gegenüber* abound in this book. A few lines below, in the first sentence of the next section, we find *Stehe ich…gegenüber*; in the following section, *gegenübertritt* and *des Gegenüber* and—a variant—*entgengentritt*. Cf. p. 45.
One should not try to dilute the meaning of the relation: relation is reciprocity.
Does the tree then have consciousness, similar to our own? I have no experience of that. But
thinking that you have brought this off in your own case, must you again divide the indivisible?
What I encounter is neither the soul of a tree nor a dryad, but the tree itself.

***

When I confront a human being as my You and speak the basic word I-You to him, then he is no
thing among things nor does he consist of things.
He is no longer He or She, limited by other Hes and Shes, a dot in the world grid of space and
time, nor a condition that can be experienced and described, a loose bundle of named qualities.
Neighborless and seamless, he is you and fills the firmament. Not as if there was nothing but he; but
everything else lives in his light.

Even as a melody is not composed of tones, nor a verse of words, nor a statue of lines—one must
pull and tear to turn a unity into a multiplicity—so it is with the human being to whom I say You. I can
abstract from him the color of his hair or the color of his speech or the color of his graciousness; I have to
do this again and again; but immediately he is no longer You.

And even as prayer is not in time but time in prayer, the sacrifice not in space but space in
sacrifice—and whoever reverse the relation annuls the reality—I do not find the human being to whom I
say in any Sometime and Somewhere. I can place him there and have to do this again and again, but
immediately he becomes a He or a She, an It, and no longer remains my You.

As long as the firmament of the You is spread over me, the tempests of causality cower at my
heels, and the whirl of doom\(^\text{19}\) congeals.
The human being to whom I say You I do not experience. But I stand in relation to him, in the
sacred basic word. Only when I step out of this to I experience him again. Experience is remoteness from
You.

The relation can obtain even if the human being to whom I say You does not hear it in his
experience. For You is more than It knows. You does more, and more happens to it, than It knows. No
deception reaches this far: here is the cradle of actual life.

***

This is the eternal origin of art that a human being confronts a form that wants to become a work
through him. Not a figment of his soul but something that appears to the soul and demands the soul’s
creative power. What is required is a deed that a man does with his whole being: if he commits it and
speaks with his being the basic word\(^\text{20}\) to the form that appears, then the creative power is released and
the work comes into being.
The deed involves a sacrifice and a risk. The sacrifice: infinite possibility is surrendered on the altar
of the form; all that but a moment ago floated playfully through one’s perspective has to be exterminated;

\(^{19}\) Verhängnis means, and has been consistently translated as, doom; Schicksal, as fate.
\(^{20}\) Es kommt auf eine Wesenstat des Menschen an: vollzieht er sie, spricht er mit seinem Wesen das Grundwort… Henceforth,
Wesenstat and Wesensakt are translated “essential deed” and “essential act”: but the meaning that is intended is spelled out
here.
Form: Gestalt. One might consider leaving this word untranslated because Gestalt has become familiar in English; but the
associations of Gestalt psychology might be more distracting than helpful, but Gestaltung (below: “forming”) needs to be
translated in any case.
none of it may penetrate into the work; the exclusiveness of such a confrontation demands this. The risk:
the basic word can only be spoken with one's whole being; whoever commits himself may not hold back
part of himself; and the work does not permit me, as a tree or man might, to seek relaxation in the It-
world; it is imperious: if I do not serve it properly, it breaks, or it breaks me.

The form that confronts me I cannot experience nor describe; I can only actualize it. And yet I see
it, radiant in the splendor of the confrontation, far more clearly than all clarity of the experienced world.
Not as a thing among the "internal" things, not as a figment of the "imagination." But as which is
present. Tested for its objectivity, the form is not "there" at all; but what can equality its presence? And it
is an actual relation: it acts on me as I act on it. Such work is creation, inventing is finding. Forming is discovery. As I actualize, I uncover. I lead the form
across—into the world of It. The created work is a thing among things and can be experienced and
described as an aggregate of qualities. But the receptive beholder may be bodily confronted now and then.

---What, then, does one experience of the You?
---Nothing at all. For one does not experience it.
---What, then, does one know of the You?
---Only everything. For one no longer knows particulars.

The You encounters me by grace—it cannot be found by seeking. But that I speak the basic word
to it is a deed by my whole being, is my essential deed.

The You encounters me. But I enter into a direct relationship to it. Thus the relationship is
election and electing, passive and active at once: An action of the whole being must approach passivity, for
it does away with all partial actions and thus with any sense of action, which depends on limited exertions.
The basic word I-You can be spoken only with one's whole being. The concentration and fusion
into a whole being. The concentration and fusion into a whole being can never be accomplished without
me. I require a You to become; becoming I, I say You.

All actual life is encounter.

The relation to the You is unmediated. Nothing conceptual intervenes between I and You, no
prior knowledge and no imagination; and memory itself is changed as it plunges from particularity into

---Actual: wirklich; acts: wirkt; act: wirke. Earlier in the same paragraph, actualize: verwicklichen. In English "real" and "realize"
would sometimes be smoother than "actual" and "actualize"; but it is noteworthy that the German word wirklich is so closely
associated, not only by Buber but also by Nietzsche and Goethe before him, with wirken, Werk (work), Wirkung (effect), and
---Schaffen ist Schöpfen, Erfinden ist Finden. Schaffen can mean to work or to create; schöpfen means to create. Erfinden is the
ordinary German word for invent, and finden means to find.
---Dem…Schauenden. Schauen is a way of looking that in this book is not associated with experiencing, with objects, with It. It
has generally been translated "behold."
---Unmittelbar is the ordinary German word for the immediate. Mittel is the ordinary word for means (the noun, both in contrast
of means and ends and also in the sense of being without means). This noun is encountered in the last two sentences of this
wholeness. No purpose intervenes between I and You, no greed and no anticipation; and longing itself is changed as it plunges from the dream into appearance. Every means is an obstacle. Only where all means have disintegrated encounters occur.

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Before the immediacy of the relationship everything mediate becomes negligible. It is also trifling whether my You is the It of the other I’s (“object of general experience”) or can only become that as a result of my essential deed. For the real boundary, albeit one that floats and fluctuates, runs not between experience and non-experience, nor between the given and the not-given, nor between the world of being and world of value, but across all the regions between You and It: between presence and object.

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The present—not that which is like a point and merely designates whatever our thoughts may posit as the end of "elapsed" time, the fiction of the fixed lapse, but the actual and fulfilled present—exists only insofar as presentness, encounter, and relation exist. Only as the You becomes present does presence come into being.

The I of the basic I-It, the I that is not bodily confronted by a You but surrounded by a multitude of "contents," has only a past and no present. In other words: insofar as a human being makes do with the things that he experiences and uses, he lives in the past, and his moment has no presence. He has nothing but objects; but objects consist in having been.

Presence is not what is evanescent and passes but what confronts us, waiting and enduring. And the object is not duration but standing still, ceasing, breaking off, becoming rigid, standing out, the lack of relation, the lack of presence.

What is essential is lived in the present, objects in the past.

paragraph. In the first sentence of the following paragraph Buber contrasts Unmittelbarkeit and alles Mittelbare. In the present context it seemed feasible and important to reproduce this counterpoint of concepts in English, but elsewhere unmittelbar has often been translated as direct. While this word is positive and unmittelbar is negative, "direct" suggests more forcibly the absence of any intermediary than does "immediate" with its primarily temporal connotations.

25 Gegenwart und Gegenstand: this contrast is developed and echoed in the following sections. The words are discussed on p.45: Gegenwart means both the presence and the present as opposed to past and future; and in the next sentence it has been translated “the present.”

26 See note 1 on page 58.

27 Gegenwart ist…das Gegenwartende und Gegenwärtende. The first word is the usual term for the present or presence, the other two capitalized words are coinages and represent plays on the first word.

28 Wesenheiten warden in der Gegenwart gelebt, Gegenständlichkeiten in der Vergangenheit. This is an extraordinary sentence. Both Wesenheit and Gegenständlichkeit are rare words with no very precise meaning: the effect of the suffixes (heit and keit) is to add a note of abstractness and generality, comparable to "essencehood" and "objecthood." Using these two words in the plural is most unusual, and saying that the former is lived in the present and the latter in the past is a tour de force. In German, as in English, only life can "be lived." Had Buber said erlebt (experienced in a living or vital manner), the sentence would be much less puzzling; but in this book he treats experience (erfahrung) as a corollary of object and It, and generally he does not exempt Erlebnis which, though more vital and intense, suggests an aesthetic orientation. The last half of the sentence is much less difficult than the first. We have been prepared for it by the two preceding paragraphs; e.g., "objects consist in having been." Whatever is not present to me and—to use my own expression—addressing me as a person, whatever is remembered, discussed, or analyzed, has lapsed into the past and is an object.

"Beings are lived in the present" does not make much sense of the first six words, although Wesen in this book means being or nature more often than it means essence. Beings simply are not lived; they live, they may address us and change our lives, but to say that they are lived is not merely a solecism but contrary to what Buber says in this book. "What is essential is lived in the
This essential twofoldness cannot be overcome by invoking a "world of ideas" as a third element that might transcend this opposition. For I speak only of the actual human being, of you and me, of our life and our world, not of any I-in-itself and not of any Being-in-itself. But for an actual human being the real boundary also runs across the world of ideas.

To be sure, some men who in the world of things make do with experiencing and using have constructed for themselves an idea annex or superstructure in which they find refuse and reassurance in the face of intimations of nothingness. At the threshold they take off clothes of the ugly weekday, shroud themselves in clean garments, and feel restored as they contemplate primal being or what ought to be—something in which their life has no share. It may also make them feel good to proclaim it.

But the It-humanity that some imagine, postulate, and advertise has nothing in common with the bodily humanity to which a human being can truly say You. The noblest fiction is a fetish, the most sublime fictitious sentiment is a vice. The ideas are just as little enthroned above our heads as they reside inside them; they walk among us and step up to us. Pitiful are those who leave the basic word unspoken, but wretched are those who instead of that address the ideas with a concept or a slogan as if that were their name!

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That direct relationships involve more action on what confronts us becomes clear in one of three examples. The essential deed of art determines the process whereby the form becomes a work. That which confronts me is fulfilled through the encounter through which it enters into the world of things in order to remain incessantly effective, incessantly It—but also infinitely able to become again a You, enchanting and inspiring. It becomes "incarnate": out of the flood of spaceless and timeless presence it rises to the shore of continued existence.

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Less clear is the element of action in relation to a human You. The essential act that here establishes directness is usually understood as a feeling, and thus misunderstood. Feelings accompany the metaphysical and metaphysical fact of love, but they do not constitute it; and the feelings that accompany it can be very different. Jesus' feeling for the possessed man is different from his feeling for the beloved disciple; but the love is one. Feeling one "has"; love occurs. Feelings dwell in man, but man dwells in his love. This is no metaphor, but an actuality: love does not cling to an I, as if the You were merely its "content" or object; it is between I and You. Whoever does not know this, know this with his being, does not know love, even if he should ascribe to it the feelings that he lives through, experiences, enjoys, and expresses. Love is a cosmic force. For those who stand in it and behold in it, men emerge from their entanglement in busy-ness; and the good and the evil, the clever and the foolish, the beautiful and the ugly, one after another become actual and a You for them; that is, liberated, emerging into a unique present" is linguistically not so outrageous, is much more meaningful, and suggests an idea that is in keeping with the central motifs of this book.

29 Ein Wirken am: an odd locution.
30 Das Ufer des Bestands: see page 53, note 2
31 Erlebt.
32 Liebe ist ein welthaftes Wirken.
33 Getriebe.
confrontation.\textsuperscript{24} Exclusiveness comes into being miraculously again and again—and now one can act, help, heal, educate, raise, redeem. Love is responsibility of an I for a You: in this consists what cannot consist in any feeling—the equality of all lovers, from the smallest to the greatest and from the blissfully secure whose life is circumscribed by the life of one beloved human being to him that is nailed his life long to the cross of the world, capable of what is immense and bold enough to risk it, to love \textit{man}.\textsuperscript{25}

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Let the meaning of action in the third example, that of the creature and its contemplation, remain mysterious. Believe in the simple magic of life, in service of the universe, and it will dawn on you what this waiting, peering, ”stretching of the neck”\textsuperscript{36} of the creature means. Every word must falsify; but look, these beings live around you, and no matter which one you approach you always reach Being.\textsuperscript{37}

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Relation is reciprocity. My You acts on me as I act on it. Our students teach us, our works form us. The ”wicked” become a revelation when they are touched by the sacred basic word. How are we educated by children, by animals! Inscrutably involved, we live in the currents of universal reciprocity.

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--You speak of love as if it were the only relationship between men; but are you even justified in choosing in it as an example, seeing that there is also hatred?
--As long as love is ”blind”—that is, as long as it does not see a \textit{whole} being—it does not yet truly stand under…

\textsuperscript{24} \textit{Herausgetreten, einzlin und gegenüber wesend.}
\textsuperscript{25} \textit{die Menschen zu lieben.}
\textsuperscript{36} Since 1957: ”stretching the head forward.” Surely, we are to think of a cat: see pp. 1144 ff.
\textsuperscript{37} \textit{die Wesen leben um dich herum…du kommst immer zum Wesen}. In another context many translators would, no doubt, render \textit{die Wesen} by ”the creatures” and \textit{zum Wesen} by ”the essence.” That way something important would be lost, but these meanings are present.
Men Without Chests
C.S. Lewis

So he sent the word to slay
And slew the little childer.
-Traditional Carol

I doubt whether we are sufficiently attentive to the importance of elementary text books. That is why I have chosen as the starting-point for these lectures a little book on English intended for 'boys and girls in the upper forms of schools'. I do not think the authors of this book (there were two of them) intended any harm, and I owe them, or their publisher, good language for sending me a complimentary copy. At the same time I shall have nothing good to say of them. Here is a pretty predicament. I do not want to pillory two modest practising schoolmasters who were doing the best they knew: but I cannot be silent about what I think the actual tendency of their work. I therefore propose to conceal their names. I shall refer to these gentlemen as Gaius and Titius and to their book as The Green Book. But I promise you there is such a book and I have it on my shelves.

In their second chapter Gaius and Titius quote the well-known story of Coleridge at the waterfall. You remember that there were two tourists present: that one called it 'sublime' and the other 'pretty'; and that Coleridge mentally endorsed the first judgement and rejected the second with disgust. Gaius and Titius comment as follows: 'When the man said This is sublime, he appeared to be making a remark about the waterfall... Actually ... he was not making a remark about the waterfall, but a remark about his own feelings. What he was saying was really I have feelings associated in my mind with the word "Sublime", or shortly, I have sublime feelings.' Here are a good many deep questions settled in a pretty summary fashion. But the authors are not yet finished. They add: 'This confusion is continually present in language as we use it. We appear to be saying something very important about something: and actually we are only saying something about our own feelings.'

Before considering the issues really raised by this momentous little paragraph (designed, you will remember, for 'the upper forms of schools') we must eliminate one mere confusion into which Gaius and Titius have fallen. Even on their own view—on any conceivable view—the man who says This is sublime cannot mean I have sublime feelings. Even if it were granted that such qualities as sublimity were simply and solely projected into things from our own emotions, yet the emotions which prompt the projection are the correlatives, and therefore almost the opposites, of the qualities projected. The feelings which make a man call an object sublime are not sublime feelings but feelings of veneration. If This is sublime is to be reduced at all to a statement about the speaker's feelings, the proper translation would be I have humble feelings. If the view held by Gaius and Titius were consistently applied it would lead to obvious absurdities. It would force them to maintain that You are contemptible means I have contemptible feelings; in fact that Your feelings are contemptible means My feelings are contemptible. But we need not delay over this which is the very pons asinorum of our subject. It would be unjust to Gaius and Titius themselves to emphasize what was doubtless a mere inadvertence.

The schoolboy who reads this passage in The Green Book will believe two propositions: firstly, that all sentences containing a predicate of value are statements about the emotional state of the speaker, and secondly, that all such statements are unimportant. It is true that Gaius and Titius have said neither of these things in so many words. They have treated only one particular predicate of value (sublime) as a word descriptive of the speaker's emotions. The pupils are left to do for themselves the work of extending

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1 The Green Book, pp. 19, 20
the same treatment to all predicates of value: and no slightest obstacle to such extension is placed in their way. The authors may or may not desire the extension: they may never have given the question five minutes' serious thought in their lives. I am not concerned with what they desired but with the effect their book will certainly have on the schoolboy's mind. In the same way, they have not said that judgements of value are unimportant. Their words are that we 'appear to be saying something very important' when in reality we are 'only saying something about our own feelings'. No schoolboy will be able to resist the suggestion brought to bear upon him by that word only. I do not mean, of course, that he will make any conscious inference from what he reads to a general philosophical theory that all values are subjective and trivial. The very power of Gaius and Titius depends on the fact that they are dealing with a boy: a boy who thinks he is 'doing' his 'English prep' and has no notion that ethics, theology, and politics are all at stake. It is not a theory they put into his mind, but an assumption, which ten years hence, its origin forgotten and its presence unconscious, will condition him to take one side in a controversy which he has never recognized as a controversy at all. The authors themselves, I suspect, hardly know what they are doing to the boy, and he cannot know what is being done to him.

Before considering the philosophical credentials of the position which Gaius and Titius have adopted about value, I should like to show its practical results on the educational procedure. In their fourth chapter they quote a silly advertisement of a pleasure cruise and proceed to inoculate their pupils against the sort of writing it exhibits. The advertisement tells us that those who buy tickets for this cruise will go 'across the Western Ocean where Drake of Devon sailed', 'adventuring after the treasures of the Indies', and bringing home themselves also a 'treasure' of 'golden hours' and 'glowing colours'. It is a bad bit of writing, of course: a venal and bathetic exploitation of those emotions of awe and pleasure which men feel in visiting places that have striking associations with history or legend. If Gaius and Titius were to stick to their last and teach their readers (as they promised to do) the art of English composition, it was their business to put this advertisement side by side with passages from great writers in which the very emotion is well expressed, and then show where the difference lies.

They might have used Johnson's famous passage from the Western Islands, which concludes: 'That man is little to be envied, whose patriotism would not gain force upon the plain of Marathon, or whose piety would not grow warmer among the ruins of Iona.' They might have taken that place in The Prelude where Wordsworth describes how the antiquity of London first descended on his mind with 'Weight and power, Power growing under weight'. A lesson which had laid such literature beside the advertisement and really discriminated the good from the bad would have been a lesson worth teaching. There would have been some blood and sap in it—the trees of knowledge and of life growing together. It would also have had the merit of being a lesson in literature: a subject of which Gaius and Titius, despite their professed purpose, are uncommonly shy.

What they actually do is to point out that the luxurious motor-vessel won’t really sail where Drake did, that the tourists will not have any adventures, that the treasures they bring home will be of a purely metaphorical nature, and that a trip to Margate might provide 'all the pleasure and rest' they required. All this is very true: talents inferior to those of Gaius and Titius would have sufficed to discover it. What they have not noticed, or not cared about, is that a very similar treatment could be applied to much good literature which treats the same emotion. What, after all, can the history of early British Christianity, in pure reason, add to the motives for piety as they exist in the eighteenth century? Why should Mr Wordsworth's inn be more comfortable or the air of London more healthy because London has existed for

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2 Ibid, p 53
3 Journey to the Western Islands (Samuel Johnson).
4 The Prelude, viii, ll. 549-59.
5 The Green Book, pp. 53-5.
a long time? Or, if there is indeed any obstacle which will prevent a critic from ‘debunking’ Johnson and Wordsworth (and Lamb, and Virgil, and Thomas Browne, and Mr de la Mare) as The Green Book debunks the advertisement, Gaius and Titius have given their schoolboy readers no faintest help to its discovery.

From this passage the schoolboy will learn about literature precisely nothing. What he will learn quickly enough, and perhaps indelibly, is the belief that all emotions aroused by local association are in themselves contrary to reason and contemptible. He will have no notion that there are two ways of being immune to such an advertisement—that it falls equally flat on those who are above it and those who are below it, on the man of real sensibility and on the mere trousered ape who has never been able to conceive the Atlantic as anything more than so many million tons of cold salt water. There are two men to whom we offer in vain a false leading article on patriotism and honour: one is the coward, the other is the honourable and patriotic man. None of this is brought before the schoolboy’s mind. On the contrary, he is encouraged to reject the lure of the ‘Western Ocean’ on the very dangerous ground that in so doing he will prove himself a knowing fellow who can’t be bubbled out of his cash. Gaius and Titius, while teaching him nothing about letters, have cut out of his soul, long before he is old enough to choose, the possibility of having certain experiences which thinkers of more authority than they have held to be generous, fruitful, and humane. But it is not only Gaius and Titius. In another little book, whose author I will call Orbilius, I find that the same operation, under the same general anaesthetic, is being carried out. Orbilius chooses for ‘debunking’ a silly bit of writing on horses, where these animals are praised as the ‘willing servants’ of the early colonists in Australia. And he falls into the same trap as Gaius and Titius. Of Ruksh and Sleipnir and the weeping horses of Achilles and the war-horse in the Book of Job—nay even of Brer Rabbit and of Peter Rabbit—of man’s prehistoric piety to ‘our brother the ox’—of all that this semi-anthropomorphic treatment of beasts has meant in human history and of the literature where it finds noble or piquant expression—he has not a word to say. Even of the problems of animal psychology as they exist for science he says nothing. He contents himself with explaining that horses are not, secundum litteram, interested in colonial expansion. This piece of information is really all that his pupils get from him. Why the composition before them is bad, when others that lie open to the same charge are good, they do not hear. Much less do they learn of the two classes of men who are, respectively, above and below the danger of such writing—the man who really knows horses and really loves them, not with anthropomorphic illusions, but with ordinate love, and the irredeemable urban blockhead to whom a horse is merely an old-fashioned means of transport. Some pleasure in their own ponies and dogs they will have lost; some incentive to cruelty or neglect they will have received; some pleasure in their own knowingness will have entered their minds. That is their day’s lesson in English, though of English they have learned nothing. Another little portion of the human heritage has been quietly taken from them before they were old enough to understand.

I have hitherto been assuming that such teachers as Gaius and Titius do not fully realize what they are doing and do not intend the far-reaching consequences it will actually have. There is, of course, another possibility. What I have called (presuming on their concurrence in a certain traditional system of values) the ‘trousered ape’ and the ‘urban blockhead’ may be precisely the kind of man they really wish to

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6 Orbilius’ book, p 5.

7 Orbilius is so far superior to Gaius and Titius that he does (pp. 19-22) contrast a piece of good writing to animals with the piece condemned. Unfortunately, however, the only superiority he really demonstrates in the second extract is its superiority in factual truth. The specifically literary problem (the use and abuse of expressions which are false secundum litteram) is not tackled. Orbilius indeed tells us (p. 97) that we must ‘learn to distinguish between legitimate and illegitimate figurative statement; but he gives us very little help in doing so. At the same time it is fair to record my opinion that his work is on quite a different level from The Green Book.

produce. The differences between us may go all the way down. They may really hold that the ordinary human feelings about the past or animals or large waterfalls are contrary to reason and contemptible and ought to be eradicated. They may be intending to make a clean sweep of traditional values and start with a new set. That position will be discussed later. If it is the position which Gaius and Titius are holding, I must, for the moment, content myself with pointing out that it is a philosophical and not a literary position. In filling their book with it they have been unjust to the parent or headmaster who buys it and who has got the work of amateur philosophers where he expected the work of professional grammarians. A man would be annoyed if his son returned from the dentist with his teeth untouched and his head crammed with the dentist’s *obiter dicta* on bimetallism or the Baconian theory.

But I doubt whether Gaius and Titius have really planned, under cover of teaching English, to propagate their philosophy. I think they have slipped into it for the following reasons. In the first place, literary criticism is difficult, and what they actually do is very much easier. To explain why a bad treatment of some basic human emotion is bad literature is, if we exclude all question-begging attacks on the emotion itself, a very hard thing to do. Even Dr Richards, who first seriously tackled the problem of badness in literature, failed, I think, to do it. To ‘debunk’ the emotion, on the basis of a commonplace rationalism, is within almost anyone’s capacity. In the second place, I think Gaius and Titius may have honestly misunderstood the pressing educational need of the moment. They see the world around them swayed by emotional propaganda—they have learned from tradition that youth is sentimental—and they conclude that the best thing they can do is to fortify the minds of young people against emotion. My own experience as a teacher tells an opposite tale. For every one pupil who needs to be guarded from a weak excess of sensibility there are three who need to be awakened from the slumber of cold vulgarity. The task of the modern educator is not to cut down jungles but to irrigate deserts. The right defence against false sentiments is to inculcate just sentiments. By starving the sensibility of our pupils we only make them easier prey to the propagandist when he comes. For famished nature will be avenged and a hard heart is no infallible protection against a soft head.

But there is a third, and a profounder, reason for the procedure which Gaius and Titius adopt. They may be perfectly ready to admit that a good education should build some sentiments while destroying others. They may endeavour to do so. But it is impossible that they should succeed. Do what they will, it is the ‘debunking’ side of their work, and this side alone, which will really tell. In order to grasp this necessity clearly I must digress for a moment to show that what may be called the educational predicament of Gaius and Titius is different from that of all their predecessors.

Until quite modern times all teachers and even all men believed the universe to be such that certain emotional reactions on our part could be either congruous or incongruous to it—believed, in fact, that objects did not merely receive, but could *merit* our approval or disapproval, our reverence or our contempt. The reason why Coleridge agreed with the tourist who called the cataract sublime and disagreed with the one who called it pretty was of course that he believed inanimate nature to be such that certain responses could be more ‘just’ or ‘ordinate’ or ‘appropriate’ to it than others. And he believed (correctly) that the tourists thought the same. The man who called the cataract sublime was not intending simply to describe his own emotions about it: he was also claiming that the object was one which merited those emotions. But for this claim there would be nothing to agree or disagree about. To disagree with *This is pretty* if those words simply described the lady’s feelings, would be absurd: if she had said *I feel sick* Coleridge would hardly have replied *No; I feel quite well*. When Shelley, having compared the human sensibility to an Aeolian lyre, goes on to add that it differs from a lyre in having a power of ‘internal adjustment’ whereby it can ‘accommodate its chords to the motions of that which strikes them’, he is

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9 *Defence of Poetry.*
assuming the same belief. 'Can you be righteous', asks Traherne, 'unless you be just in rendering to things their due esteem? All things were made to be yours and you were made to prize them according to their value.'

St Augustine defines virtue as *ordo amoris*, the ordinate condition of the affections in which every object is accorded that kind of degree of love which is appropriate to it. Aristotle says that the aim of education is to make the pupil like and dislike what he ought. When the age for reflective thought comes, the pupil who has been thus trained in 'ordinate affections' or 'just sentiments' will easily find the first principles in Ethics; but to the corrupt man they will never be visible at all and he can make no progress in that science. Plato before him had said the same. The little human animal will not at first have the right responses. It must be trained to feel pleasure, liking, disgust, and hatred at those things which really are pleasant, likeable, disgusting and hateful. In the *Republic*, the well-nurtured youth is one 'who would see most clearly whatever was amiss in ill-made works of man or ill-grown works of nature, and with a just distaste would blame and hate the ugly even from his earliest years and would give delighted praise to beauty, receiving it into his soul and being nourished by it, so that he becomes a man of gentle heart. All this before he is of an age to reason; so that when Reason at length comes to him, then, bred as he has been, he will hold out his hands in welcome and recognize her because of the affinity he bears to her.' In early Hinduism that conduct in men which can be called good consists in conformity to, or almost participation in, the *Rta*—that great ritual or pattern of nature and supernature which is revealed alike in the cosmic order, the moral virtues, and the ceremonial of the temple. Righteousness, correctness, order, the *Rta*, is constantly identified with *satya* or truth, correspondence to reality. As Plato said that the Good was 'beyond existence' and Wordsworth that through virtue the stars were strong, so the Indian masters say that the gods themselves are born of the *Rta* and obey it. The Chinese also speak of a great thing (the greatest thing) called the *Tao*. It is the reality beyond all predicates, the abyss that was before the Creator Himself. It is Nature, it is the Way, the Road. It is the Way in which the universe goes on, the Way in which things everlastingly emerge, stillly and tranquilly, into space and time. It is also the Way which every man should tread in imitation of that cosmic and supercosmic progression, conforming all activities to that great exemplar. 'In ritual', say the *Analects*, 'it is harmony with Nature that is prized.' The ancient Jews likewise express the Law as being ‘true’.

This conception in all its forms, Platonic, Aristotelian, Stoic, Christian, and Oriental alike, I shall henceforth refer to for brevity simply as the *Tao*. Some of the accounts of it which I have quoted will seem, perhaps, to many of you merely quaint or even magical. But what is common to them all is something we cannot neglect. It is the doctrine of objective value, the belief that certain attitudes are really true, and others really false, to the kind of thing the universe is and the kind of things we are. Those who know the *Tao* can hold that to call children delightful or old men venerable is not simply to record a
psychological fact about our own parental or filial emotions at the moment, but to recognize a quality
which demands a certain response from us whether we make it or not. I myself do not enjoy the society of
small children: because I speak from within the Tao I recognize this as a defect in myself—just as a man
may have to recognize that he is tone deaf or colour blind. And because our approvals and disapprovals
are thus recognitions of objective value or responses to an objective order, therefore emotional states can
be in harmony with reason (when we feel liking for what ought to be approved) or out of harmony with
reason (when we perceive that liking is due but cannot feel it). No emotion is, in itself, a judgement; in
that sense all emotions and sentiments are alogical. But they can be reasonable or unreasonable as they
conform to Reason or fail to conform. The heart never takes the place of the head: but it can, and should,
oblige it.

Over against this stands the world of The Green Book. In it the very possibility of a sentiment being
reasonable—or even unreasonable—has been excluded from the outset. It can be reasonable or
unreasonable only if it conforms or fails to conform to something else. To say that the cataract is sublime
means saying that our emotion of humility is appropriate or ordinate to the reality, and thus to speak of
something else besides the emotion; just as to say that a shoe fits is to speak not only of shoes but of feet.
But this reference to something beyond the emotion is what Gaius and Titius exclude from every sentence
containing a predicate of value. Such statements, for them, refer solely to the emotion. Now the emotion,
thus considered by itself, cannot be either in agreement or disagreement with Reason. It is irrational not as
a paralogism is irrational, but as a physical event is irrational: it does not rise even to the dignity of error.
On this view, the world of facts, without one trace of value, and the world of feelings, without one trace of
truth or falsehood, justice or injustice, confront one another, and no rapprochement is possible.

Hence the educational problem is wholly different according as you stand within or without the
Tao. For those within, the task is to train in the pupil those responses which are in themselves appropriate,
whether anyone is making them or not, and in making which the very nature of man consists. Those
without, if they are logical, must regard all sentiments as equally non-rational, as mere mists between us
and the real objects. As a result, they must either decide to remove all sentiments, as far as possible, from
the pupil’s mind; or else to encourage some sentiments for reasons that have nothing to do with their
intrinsic ‘justness’ or ‘ordinacy’. The latter course involves them in the questionable process of creating in
others by ‘suggestion’ or incantation a mirage which their own reason has successfully dissipated.

Perhaps this will become clearer if we take a concrete instance. When a Roman father told his son
that it was a sweet and seemly thing to die for his country, he believed what he said. He was
communicating to the son an emotion which he himself shared and which he believed to be in accord with
the value which his judgement discerned in noble death. He was giving the boy the best he had, giving of
his spirit to humanize him as he had given of his body to beget him. But Gaius and Titius cannot believe
that in calling such a death sweet and seemly they would be saying ‘something important about
something’. Their own method of debunking would cry out against them if they attempted to do so. For
death is not something to eat and therefore cannot be dulce in the literal sense, and it is unlikely that the
real sensations preceding it will be dulce even by analogy. And as for decorum—that is only a word
describing how some other people will feel about your death when they happen to think of it, which won’t
be often, and will certainly do you no good. There are only two courses open to Gaius and Titius. Either
they must go the whole way and debunk this sentiment like any other, or must set themselves to work to
produce, from outside, a sentiment which they believe to be of no value to the pupil and which may cost
him his life, because it is useful to us (the survivors) that our young men should feel it. If they embark on
this course the difference between the old and the new education will be an important one. Where the old
initiated, the new merely ‘conditions’. The old dealt with its pupils as grown birds deal with young birds
when they teach them to fly; the new deals with them more as the poultry-keeper deals with young birds—making them thus or thus for purposes of which the birds know nothing. In a word, the old was a kind of propagation—men transmitting manhood to men; the new is merely propaganda.

It is to their credit that Gaius and Titius embrace the first alternative. Propaganda is their abomination: not because their own philosophy gives a ground for condemning it (or anything else) but because they are better than their principles. They probably have some vague notion (I will examine it in my next lecture) that valour and good faith and justice could be sufficiently commended to the pupil on what they would call 'rational' or 'biological' or 'modern' grounds, if it should ever become necessary. In the meantime, they leave the matter alone and get on with the business of debunking. But this course, though less inhuman, is not less disastrous than the opposite alternative of cynical propaganda. Let us suppose for a moment that the harder virtues could really be theoretically justified with no appeal to objective value. It still remains true that no justification of virtue will enable a man to be virtuous. Without the aid of trained emotions the intellect is powerless against the animal organism. I had sooner play cards against a man who was quite sceptical about ethics, but bred to believe that 'a gentleman does not cheat', than against an irreproachable moral philosopher who had been brought up among sharpers. In battle it is not syllogisms that will keep the reluctant nerves and muscles to their post in the third hour of the bombardment. The crudest sentimentalism (such as Gaius and Titius would wince at) about a flag or a country or a regiment will be of more use. We were told it all long ago by Plato. As the king governs by his executive, so Reason in man must rule the mere appetites by means of the 'spirited element'. The head rules the belly through the chest—the seat, as Alanus tells us, of Magnanimity, of emotions organized by trained habit into stable sentiments. The Chest-Magnanimity-Sentiment—these are the indispensable liaison officers between cerebral man and visceral man. It may even be said that it is by this middle element that man is man: for by his intellect he is mere spirit and by his appetite mere animal.

The operation of *The Green Book* and its kind is to produce what may be called Men without Chests. It is an outrage that they should be commonly spoken of as Intellectuals. This gives them the chance to say that he who attacks them attacks Intelligence. It is not so. They are not distinguished from other men by any unusual skill in finding truth nor any virginal ardour to pursue her. Indeed it would be strange if they were: a persevering devotion to truth, a nice sense of intellectual honour, cannot be long maintained without the aid of a sentiment which Gaius and Titius could debunk as easily as any other. It is not excess of thought but defect of fertile and generous emotion that marks them out. Their heads are no bigger than the ordinary: it is the atrophy of the chest beneath that makes them seem so.

And all the time—such is the tragi-comedy of our situation—we continue to clamour for those very qualities we are rendering impossible. You can hardly open a periodical without coming across the statement that what our civilization needs is more 'drive', or dynamism, or self-sacrifice, or 'creativity'. In a sort of ghastly simplicity we remove the organ and demand the function. We make men without chests and expect of them virtue and enterprise. We laugh at honour and are shocked to find traitors in our midst. We castrate and bid the geldings be fruitful.

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20 Republic, 442 B, C.
21 Alanus ab Insulis. De Planctu Naturae Prosa, iii.
1. THE STATE OF THE PROBLEM

In this essay I wish to draw attention to certain basic aspects of a problem that has great significance for understanding the difference between the ancient and modern ways of approaching ethics.

Ethics, as we know, is the science of human actions from the point of view of their moral value – the good or evil contained in them. Every human action involves a particular lived experience that goes by the name ethical experience. The awareness that I am performing a certain action, that I am its author, brings with it a sense of responsibility for the moral value of that action. I then experience myself, my own person, as the efficient cause of the moral good or evil in the action, and through this I experience the moral good or evil of my own person. Ethical value intensifies the sense of the bond that exists between the action and the person. This whole lived experience has a thoroughly empirical character, and it is upon this empirical fact that ethics as a science is based. The fact that ethics is a normative science can in no way obscure the fact that it is deeply rooted in experience. And so ethics, a normative science, is also an empirical science, because it is based on authentic ethical experience.

The manner in which the empirical and normative aspects come together in the structure of ethics is a separate issue, and certainly a fundamental one. I shall not, however, be analyzing that problem here. In this essay, I am interested only in ethical experience, which serves as the empirical point of departure for ethics as a whole. This experience was well known to Aristotle and St. Thomas Aquinas, as can be seen from reading their works. In order to apprehend the whole of ethical experience scientifically, they formulated a view of human action based on the theory of potency and act. The theory of potency and act belongs to the Aristotelian and Thomistic philosophy of being and is used to explain every change that occurs in being. Every such change consists in a "passage" from potency to act, from potency to a certain actualization.

The scope of this theory is as universal as that of the concept of contingent being itself. Every change, regardless of the concrete character of the being in which it occurs, can be expressed in the categories of this theory. In this way, by means of the theory of potency and act, the dynamic character of reality can be reflected in the philosophy of being.

Aristotle and St. Thomas pursued ethics within the context of their philosophy as a whole, using concepts developed in that philosophy. There can be no doubt that the concepts of potency and act are an expression of a broadly conceived relation to experience, for they reflect what in various ways is contained in that experience. Since Aristotle and St. Thomas employed these concepts in their philosophical interpretation of ethical experience, we may safely say that they perceived the dynamic character of this experience. Ethical experience appears in such an interpretation as a particular change brought about by a personal acting subject, as a certain actualization of that subject. In every human action we can observe a
whole series of external and psychosomatic changes, or passages from potency to act, but the very essence of human action consists in the actualization of the will acting under the direction of reason. The actual ethical act takes place in the will. And so St. Thomas, adopting Aristotle's view, tends to ignore all the other empirical cofactors of ethical experience and concentrate primarily on its essential element, namely, the actualization of the will connected with both the activity of practical reason and emotional factors, along with all the other factors that, by belonging to the *compositum humanum*, take part in the ethical act.

As we can see, the concept of the ethical act in its proper sense is an expression of the kind of relation to experience that guides the philosophy of being as a whole. Only with such a relation to experience does the concept of the ethical act achieve its full value. If this relation is altered, then "ethical act" remains merely a name. We know that this relation to experience, which served as the basis for the philosophy of being and ethics, including the concept of the human act in ethics, was in fact altered with the coming of modern empirical-inductive science. But so long as this science did not extend to the interpretation of ethical experience, this change had no significance for the ethical act. Nevertheless, the development of the particular sciences contributed to a rise in the critical approach to the traditional philosophy of being. At the same time, there was also a rise in tendencies to pursue ethics as an empirical science similar to other empirical sciences and in separation from the philosophy of being. Such tendencies were prevalent especially in British ethics in the period just prior to Kant's appearance.

Kant's appearance first of all affected the scientific character of metaphysics. As a result of his critical views, Kant fundamentally challenged not only the possibility of constructing the philosophy of being as the basic philosophical science, but, also the possibility of constructing moral philosophy according to the assumptions that Aristotle and St. Thomas used in the construction of their ethics. Kant's critical stance had immediate repercussions for the concept of the ethical act. All attempts to pursue ethics on the model of the particular sciences by means of the empirical-inductive method were incapable of dissolving the ethical act as long as the basis of the theory of potency and act upon which this concept rests was not attacked, as long as the relation to experience that served as the basis for the Aristotelian-Thomistic concept of the ethical act and philosophy of being was not called into question. And that is just how ethical experience, the empirical whole that forms the point of departure for ethics, was definitively severed from the concept of the ethical act. For Kant and for any thinker who rejects along with the philosophy of being the theory of potency and act, "ethical act" has no real meaning. And yet for Kant, as well as for every thinker in some way influenced by him, there remains ethical experience, which calls for a proper interpretation.

I do not intend here to explore the problem of the separation of experience from the act in ethics in all of its historical dimensions. I will be focusing instead on just two points neuralgic to this problem. One of them is Kant's system itself, and the other is the system of the ethics of values developed by the contemporary phenomenologist Max Scheler. Using these two systems as examples, I will attempt to establish certain basic elements in the problem of the separation of ethical experience from the act in ethics. This issue, in turn, has great significance for understanding the different positions from which ethical questions were approached in ancient and medieval times and from which they are approached today.
Kant takes the position that it is not the actualization of the will as a whole that has ethical meaning but only one element of it, namely, duty. This view is the result of a whole series of assumptions in his system. Above all, however, it is a consequence of the relation he takes to experience. Kant believes that empirical knowledge provides us with only a chaos of impressions, whereas it gives us no basis for such concepts as substance or cause. These are, in Kant’s opinion, categories that derive solely from reason, and so they are completely a priori. Reason, or, more precisely, understanding (Verstand), makes use of such categories so as to introduce the order it needs into the chaos of the impressions derived from experience. Consequently, science-certain knowledge—is not based on experience but only on sensory or rational a priori forms. We cannot, however, base metaphysics on these forms because metaphysics does not refer to experience, and so metaphysics is not a science. According to Kant, metaphysics is a product of reason (Vernunft), which is not directed toward an understanding apprehension of empirical data by means of a priori categories, but produces-beyond experience—the ideas of God, the world, and the soul. These ideas, however, have no scientific foundation, because in formulating them reason uses categories such as substance and accident, which apply only to objects of experience. That is why metaphysics has no scientific value for Kant.

Kant used this same assumption as a basis for constructing a scientific ethics. To construct such an ethics, he needed the concept of free will. When, however, we apprehend the human being and human activity in an empirical and phenomenological way (homo phenomenon), we find no trace of this free will in the human being. Everything about human action that we find in the field of empirical observation is subject to the same causality that governs the surrounding material world. Homo phenomenon lives in the realm of necessity. This does not, however, lead Kant to reject free will, but only to seek it in the transphenomenal realm of homo noumenon. If anything gives us the right to accept this noumenal free will, it is a properly analyzed ethical order. The basis for this order is the moral law, which Kant defines as an a priori form of practical reason. Just as theoretical reason has a priori categories by which it organizes all empirical data, so too, practical reason has its a priori form. This form has the character of law, and so it can a priori introduce ethical order into human life. That is the point that interests me in this inquiry. In my treatment of Kant, I shall be focusing on law—the form of practical reason—not as the basis for constructing a scientific ethics, but as the basis for the ethical life and activity of the human being.

Ethical life arises out of practical reason itself and is connected with free will, which Kant does not see manifested in the empirical order. In the noumenal sphere, however, he associates free will with law as an a priori form of practical reason. For theoretical reason, free will is an idea that does not lend itself to scientific objectification. Practical reason, on the other hand, enjoys a certain kind of immanence of freedom insofar as the moral law as such, which is an a priori legislative form of practical reason, becomes an object of the will and a motive of its activity. This takes place, of course, in the ethical life of the human being. The subordination of the will to law as a pure a priori form of practical reason constitutes the actual ethical life of the human person. The immanence of the will in the moral law, however, resides in the noumenal sphere in such a way that theoretical reason cannot by reflection extract it from that sphere and objectify it in a scientific way. Hence, ethical life directs our attention to the transphenomenal sphere of the human being, to the person’s noumenal depths, but it does not allow us to form an image of the essence

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3 “The moral law is the only condition under which freedom can be known” (Immanuel Kant, Critique of Practical Reason, trans. Lewis White Beck [Indianapolis: Bobbs, 1956] 4n).
of the human person that would have scientific certitude. Nevertheless, Kant takes it as an a priori certitude that the ethical life of the human being is based on the will and on law.

He calls the will a faculty, but his analysis in the Critique of Practical Reason and in the Foundations of the Metaphysics of Morals shows that all we have here is a term borrowed from the Scholastics, and not the reality that this term signified in their philosophy. The will, in Kant’s view, is devoid of any innate dynamism of its own. This is because the will has no proper object to which it would naturally turn in its activity, but is in each case subject to the motives that practical reason gives it. Kant so completely failed to perceive the real separateness of the will as a faculty that he sometimes even simply identified it with practical reason. This, of course, has consequences for Kant’s view of the human being in general and for his view of ethical life in particular. Even though Kant maintains that the qualities of ethical good and evil are connected with the will, the source of ethical life still lies in reason alone. Reason is somehow a priori ethical, just as it is a priori practical. And so in ethical life it is not a matter of molding one’s actions to conform to the requirements of an objective good crystalized in the moral law, but only of allowing one’s practical reason to live by the moral law. To the extent that this is done, the immanence of freedom is somehow revealed in the moral law, and as a result all humanity in its transcendence of the sensory and natural order receives a deep affirmation. Such an affirmation of humanity is, according to Kant, the very essence of ethical life. Ethical life, as Kant perceives it, is turned inward toward the revelation and affirmation of that which for him became cognitively inaccessible as a result of his critical assumptions. In this sense, ethical life supplements our limited knowledge of the human being. It is not, however, turned outward toward objective reality-upon which, after all, the human being impresses not just the stamp of productive reason but also the stamp of the good born of the will.

In order for this inward direction—this affirmation of trans-empirical humanity—to take place effectively, the will must be liberated from all the motives that entangle its activity in the natural world of empirical goods. These goods operate on the will through the mediation of various feelings of pleasure and pain. Some of them produce pleasure, inclining practical reason to make them the “determinants” of the will’s activity. Others, through the mediation of the feeling of pain, influence practical reason in the opposite direction. Whenever practical reason formulates principles of the will’s activity (or motives, which Kant calls maxims) on the basis of feelings, the will falls within the orbit of natural causality. Its activity is then not free but subject to the same necessity as the world of nature. Kant calls such activity of the will pathological or empirical. It really has nothing in common with ethical life, because ethical life is based on free will. Consequently, as far as Kant is concerned, we have no right to use the term ethical experience for the empirical whole that every external or internal human act forms by virtue of arising consciously from the will and thereby having the person as its efficient cause. What served as an empirical basis for the founders of the concept of the ethical act ceased to do so for Kant. Thus, the experience in which the activity of the will exhibits a dependence on feelings ceases to be an ethical act. But that is not all. Even the activity of the will that originates in practical reason but turns toward some good in the external or even internal world has no ethical significance. In addition to maxims, Kant also distinguishes so-called imperatives.

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4 "The will...is a faculty either of bringing forth objects corresponding to conceptions or of determining itself, i.e., its causality to effect such objects (whether the physical power is sufficient to this or not)" (Kant, Critique of Practical Reason 15).
6 "Reason [is] a truly higher faculty of desire, but still only in so far as it determines the will by itself and not in the service of the inclinations. Subordinate to reason as the higher faculty of desire is the pathologically determinable faculty of desire, the latter being really and in kind different from the former, so that even the slightest admixture of its impulses impairs the strength and superiority of reason" (Kant, Critique of Practical Reason 23-24).
term derives from the fact that reason, in aiming at some good, commands the will to do what is needed to attain that good. Imperatives of this kind show that the will is built into the structure of the human being in such a way that it tends to submit to feelings of pleasure and pain, and so reason must somehow impose its relation to the good upon the will- hence, the imperative.

The imperatives discussed above are so-called hypothetical imperatives. This term derives from the fact that the respective command of reason for the will states: "If you want to achieve this or that good, which I regard as necessary, then you must do such and such." Hypothetical imperatives also have no ethical significance in Kant’s eyes, and for basically the same reason as maxims. They in no way change the fact that the relation to goods originates in practical reason. Practical reason itself is still not the basis of ethical facts; their sole basis is the law alone, as the a priori form of practical reason. Consequently, even the sort of experience in which a person consciously chooses a certain good for which to strive in action is not an ethical experience. And those human actions that bear a distinct mark of personal efficacy by virtue of the fact that in them reason consciously directs the will toward a chosen good cannot be called ethical acts. One wonders, then, whether any human activity has the value of an ethical act. In any event, none of the experiences upon which Aristotle and St. Thomas based their view of the ethical act achieved such status in Kant’s eyes.

For Kant, the ethical act-if we can still speak of it here, given such a drastic change of position-is connected solely and exclusively with the so-called categorical imperative. To understand this concept, which is so fundamental to Kant’s ethical doctrine, we need to consider his doctrine on law. Law is an a priori product of reason, and so it is not based on knowledge of the order that governs nature. Rather, law derives from reason itself the order that should govern human beings in their striving for various goods. Law also, therefore, always has to do with goods of the empirical world, because the human will turns toward that world when directed by practical reason through maxims and hypothetical imperatives. But this function of law, which is connected with the whole internal and external empirical sphere, is only its matter. The matter of law must be distinguished from its form. This is the form of universal legislation or law-giving, which contains no material content but arises from practical reason itself. It constitutes the inner content of practical reason and its sole inner content. And it alone provides, in Kant’s opinion, a basis for ethical life. Hence, if the will is to achieve a genuinely ethical act, it must realize the form of the moral law, and not its matter. As long as the will realizes only the matter of the law, it is turned toward goods. Because it turns toward them in keeping with what the law commands, its activity is legal, but we cannot yet speak of a genuinely moral act. Only when the will turns entirely and exclusively toward the form of the law—when the law as such becomes its motive as well as its object, when the law is fulfilled because it is the law—only then does the will act morally.

Given such assumptions, the moral activity of the will requires a complete turning away from all goods. As long as the will in its activity strives for any good whatsoever, even a good of the objectively highest order, we are not dealing with morality. Such a position, however, which results from an unconditional break with experience, does not embrace any concrete human action within its scope. A concrete action by its very

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7 “If all material of a law, i.e., every object of the will considered as a ground of its determination, is abstracted from it, nothing remains except the mere form of giving universal law” (Kant, Critique of Practical Reason 26).
8 "A free will must find its ground of determination in the law, but independently of the material of the law. But besides the latter there is nothing in a law except the legislative form. Therefore, the legislative form, in so far as it is contained in the maxim, is the only thing which can constitute a determining ground of the [free] will” (Kant, Critique of Practical Reason 28-29).
nature aims at some good, and so in every real human action arising from the will we must encounter an
inclination toward some good. Such human action, therefore, is still without moral worth, even though the
inclination toward an objective good constitutes the matter of an ethical act. For Kant, the fact that an act
of will aims at some good is ethically irrelevant. The act derives its whole ethical quality solely from its
form, and not at all from its matter. The will must, therefore, focus only on the form and ignore the matter
— and then it takes on ethical worth. Through his formalism, Kant ended up maintaining that what
Aristotle, St. Thomas, and all their followers called an ethical act ceased to have an empirical counterpart.
The ethical act — given Kant’s assumptions — disappeared from the empirical order and remained only in
the noumenal sphere. There, beyond all experience, is the place where the will turns completely toward the
form of universal legislation, which is expressed in a categorical imperative with the following content:
“Act in such a way that your action could become a principle of universal legislation.” (Kant regards this
content as completely a priori, arising from practical reason without any relation to experience.) There, too,
in the noumenal sphere of humanity, the immanence of freedom in practical reason, by virtue of the
categorical imperative itself, is realized in a positive sense as the autonomy of practical reason. In the
imperative, practical reason is legislative through its own form and is thus completely independent of the
“matter” of any good in the empirical order. But can the categorical imperative, thus understood, be found
in any concrete human action known from experience?

This distancing of the genuinely ethical from the concrete content of human experience escapes being
unconditional and complete only to the extent that Kant acknowledges a feeling of respect for the law. It is
rather significant that a feeling should have met with such distinction in Kant’s eyes, for he regarded all
other feelings as a hotbed of eudaimonism and hedonism in the ethical life of the human being. This
singular feeling, on the other hand, became in his system an expression of the whole ethical life in the
subjective sense. 9 Objective ethical life is contained in the noumenal sphere. It is impossible, however, to
deny that every person also experiences ethical content. Since for Kant the law is what constitutes true
ethical content, the experience of that content can only take the form of respect for the law. Kant
emphasizes that this respect has an emotional nature. The feeling of respect for the law is the only feeling
that has no contact with any goods of the empirical world but is aroused solely by reason and its a priori
form of the moral law. Hence, the more one nourishes such a feeling, the more deeply one experiences
duty, which is nothing but a total subordination of the will to the law just because it is the law. We have
no other way of verifying in the empirical order that the will is truly subordinated to the law alone—that the
will is truly "living" ethically. A mere analysis of human acts tells us nothing in this regard, whereas a
feeling of respect for the law is an infallible sign of what is happening in the noumenal sphere of the will.

Now that we have before us an outline of the Kantian view of ethical life we may ask: Wherein lies that
"separation of experience from the act in ethics" referred to in the title of this article? It lies in the fact that
1) Kant removed the very essence of ethical life from the realm of personal experience and transferred it to
the noumenal, trans-empirical sphere, and 2) he crystallized the whole ethical experience of the personal
subject into a single psychological element: the feeling of respect for the law. There can be no doubt that
the experience of duty, which may be accompanied by a feeling of respect for the law, is contained in the
empirical structural whole we define as ethical experience and upon which the concept of the ethical act is
based. On the other hand, the Kantian experience of duty as crystalized only in the feeling of respect for
the law is not identical to the feeling of duty that is contained in the empirical structural whole of ethical

9 "Thus respect for the law is not the incentive to morality; it is morality itself, regarded subjectively as an incentive" (Kant,
Critique of Practical Reason 78).
experience. The experience of duty is one of the elements of this whole. It cannot be said, however, that within the structural whole of ethical experience Kant only emphasized the element of duty. For Kant, duty is not just the dominant feature of ethical life: it constitutes the whole ethical life of the human person. Kant does not merely emphasize the feeling of respect for the law within the total empirical ethical experience, within the total act, but he truly detaches this feeling from it, because for him human acts viewed empirically as structural wholes do not contain genuine ethical experience. Consequently, the feeling of respect for the law is not contained in human acts as an internal cofactor of their concrete structure. It appears only alongside various human acts as an external sign of the ethical quality that the will possesses in the noumenal order beyond experience. Thus, the "act" as a concept reflecting the empirical structural whole of ethical experience disappears from ethics. Ethical life lies concealed beyond the boundaries of experience. And yet, because it is impossible to deny that ethical life nevertheless has an empirical character and is expressed in some sort of experience, the whole of that life becomes "empirically" subjectified in this one psychological act, the feeling of respect for the law.

3. THE EXPERIENCE OF VALUES IN SCHELER’S THOUGHT

We know what an influence Kant had on the philosophy of the 19th century and what an influence his critique still has on philosophy today. This influence was felt by individual thinkers as well as by whole schools, such as the Marburg School and the Baden School. Kant’s criticism also paved the way for positivism in philosophy, and certainly for positivism in ethics and the theory of law. In the latter part of the 19th century, however, a reaction against Kantianism arose in various circles of philosophical thought. Neo-Thomism, on the one hand, and Marxism, on the other, rejected Kantian idealism and subjectivism. Here, however, I wish to draw particular attention to the philosophy of Franz Brentano and his student Edmund Husserl. Husserl is the founder of the contemporary phenomenological school, to which Max Scheler also belongs. Scheler, in turn, deserves consideration because he formulated an ethical system in the context of phenomenology that contrasts sharply with Kant’s system. After nearly one hundred and fifty years, the Kantian ethics of law and duty finally met with a vocal critique from the direction of a contemporary phenomenologist. Scheler’s main work, Der Formalismus in der Ethik und die materiale Wertethik, already even in its title sets itself against Kant’s ethical views. Scheler’s opposition to Kant stemmed from his different relation to experience and was crystalized in his notion that value, not duty, is the essential element of ethical experience.

As far as its relation to experience is concerned, phenomenology – despite the similarity of its name – differs decisively from Kantian phenomenalism. Phenomenalism assumes that the essence of a thing is unknowable; phenomenology, on the other hand, accepts the essence of a thing just as it appears to us in immediate experience. Phenomenology is therefore intuitionistic. It does not make a clear distinction between sensory and rational elements in human knowledge, and it attaches no weight to abstraction. It treats knowledge as a certain whole known from experience; experience, in turn, reveals the phenomenological essence of objects and the relations and connections occurring between them. As to the manifestation of this essence, not only does the so-called cognitive faculty have a role to play here, but emotional factors are also especially important in bringing to our consciousness certain spheres of objective

reality. Some phenomenologists even assign the greater role here to emotional factors: reality manifests itself primarily through them and not through the factors traditionally qualified as cognitive (the senses and reason). This is precisely Scheler’s position. He is an emotionalist in his theory of cognition; he is likewise an emotionalist in his ethical views. When it is said that the essence of a thing is manifested in immediate experience, this should not be understood to mean the essence in the metaphysical sense. What interests phenomenologists is not what a thing is in itself, but how something manifests itself to us in immediate experience. Phenomenologists do not have the kind of cognitive ambitions that Aristotelians and Thomists have—they do not give priority to the philosophy of being; but then, on the other hand, they also differ from Kantians, who sever experience from the noumenal essence of a thing. In the present inquiry, I am interested in the problem of the ethical act and ethical experience. In the light of phenomenology’s epistemological assumptions presented above, it is obvious that phenomenology contributed, by virtue of those assumptions, to a partial rebuilding of the relation to the experience of ethical life that had been completely demolished by Kant. Scheler’s ethics is indubitable proof of this. He treats the ethical life in the context of the assumptions of his system. Every lived event, including the ethical event, directly imposes itself on experience and in this experience reveals its phenomenological essence. The phenomenological method adopted by Scheler allows him to approach ethical life as an empirical whole and to arrive at a certain interpretation of it. And so right in the point of departure we already seem to be far removed from Kant’s position. Scheler’s assumptions guarantee that he will investigate the ethical experience of the human person as a lived experience, for he is a phenomenologist; he passed from a position of apriorism and subjectivism to a position of objectivism. He also does not try to reduce the entire scientific-investigative enterprise to the single empirical-inductive method used by the particular sciences.

When Scheler stands before the empirical whole constituted by human ethical experience, he immediately affirms that this experience has the character of a personal act. This diagnosis might make him look like an Aristotelian in our eyes, but on closer examination we must reject that notion. Scheler is not an Aristotelian, although his view of the structures of ethical experience contains certain reminiscences of Aristotle. These reminiscences come by way of Brentano, whose philosophy took shape in contact with the views of the Stagirite. Nevertheless, the act of which Scheler speaks is not act in the Aristotelian sense; it does not signify the actualization of potency. It is only the so-called intentional act. This concept was introduced by Brentano, who studied the structure of human psychic acts. Brentano maintained, in opposition to Kant, that to the extent that these acts are subjective, they remain in the realm of consciousness; the objects toward which they are turned, however, do not come from the subject, but are transcendent in relation to it. Because psychic acts turn toward such transcendent objects on account of consciousness, they are called intentional acts (from the term intender). The objects of intentional acts can be ideal or real, abstract or concrete. In each case, we are dealing with an intentional act. It would be hard not to admit that such a view, born of reliable psychological research, constitutes a basic step in the direction of empirical reality and, in particular, in the direction of the reconstruction of the very contours of the ethical act.

11 See Scheler, "Person and Act," Formalism 382-476.
Scheler perceives in ethical experience an intentional element, and along with it the structure of an intentional act. The intentional element that resides in every ethical experience is value. On behalf of value, Scheler declares war on the ethics of Kant, who detached the whole ethical life of the human being from values, from goods, and confined it to the noumenal sphere, relegating it entirely to duty. Scheler goes so far as to reject duty in ethics completely, seeing it as a basically negative and destructive factor. Only value as an objective content of experience has ethical significance. The possibility that duty might be an objective content of experience is something Scheler does not even consider, and the notion that duty could arise in this objective content from value itself is something he refuses to admit into his system at all. Value and duty oppose one another and are mutually exclusive. It would be difficult to deny that Scheler here set himself in extreme opposition to Kant; on the other hand, he lost touch with the real, organic, empirical whole of ethical experience. There can be no doubt that this experience includes the element of duty. I do not, of course, mean duty as merely a feeling of respect for the law, as a psychological factor detached from the lived structural whole of ethical experience. I mean the element of duty within the structural whole of the ethical experience of the human person. Scheler rejects this element and presents value as the sole content of this experience. And so all we can find in the structure of authentic ethical experience are intentional acts directed toward values. These intentional acts are primarily acts of an emotional nature, because the experience of value is based exclusively on emotional acts. According to Scheler, reason only apprehends being; it does not apprehend the good. Only the "thing-like" structure of objects manifests itself to reason. This structure, however, is neither the most important nor the most fundamental.

The primordial element of objective reality is value, and we grasp value in a proper and adequate way only in emotional experience. Consequently, Scheler maintains the primacy of emotion, which entails in a certain sense the primacy of practice over theory and the primacy of ethics over knowledge. The emotional experience of values is still a cognitive experience, but it is not one in the first place. Fundamentally, emotional experience is simply either love or hate, which, says Scheler, does not arise from knowledge but just the opposite: knowledge arises from it. This knowledge born of purely emotional love or hate takes the form of intentional feelings in which the respective objective values manifest themselves. Scheler in this regard adopts a position of emotional intuitionism, which underlies his ethical system as a whole. The emotional intuition of values not only allows us to feel values but also allows us to arrange them in a hierarchy, since specific values manifest themselves in feeling as either higher or lower, as well as highest or lowest. Consequently, the whole difficulty connected with the rational hierarchization of values disappears; in fact, reason should be excluded from the experience of values as much as possible. We each have our own world of values (Ethis), which arises on the basis of our emotional life and is the expression of the love or hate by which we live. This should not, however, be understood to mean that values are purely subjective or that they are exclusively a function of experience. Values are objective; they inhere in objective reality. Emotional experience allows each of us to make personal contact with them and in this contact to live by them, by their specific content, which does not manifest itself in its true essence outside of emotional experience.

Scheler acknowledges that, in the structural whole that we know from experience as the ethical life of the person, we are dealing not only with feeling but also with the realization of value. And yet he never really fully explains to us what this realization of value means. He tells us only that it takes place in intentional

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13 See Scheler, "Value and the Ought," Formalism 203-238.
14 See Scheler, "'Higher' and 'Lower' Values," Formalism 86-100.
acts of a nature different from feeling, in acts of striving and willing. Acts of willing turn toward values – this much we know of the structure of that realization the phenomenologist perceived in ethical experience. When acts of willing turn toward values, the person remains in some felt relation to the feeling itself of those values. Scheler tells us that in this feeling some values are higher, others lower. The person who turns toward them in willing is aware of the kind of values toward which he or she turns. The respective values naturally draw the person toward themselves – hence, Scheler speaks of the phenomenon of emotional motivation. When the values felt to be higher draw the person toward themselves insofar as the person’s willing is directed toward them, then in such a realization of values the person feels "good." "Good" is a positive ethical value that, like every other value, manifests itself in emotional intuition. The person, in realizing higher objective values, feels this "good" directly within, and as a result of this feeling an experience takes place. This experience culminates in ethical value and, strictly speaking, consists once again in feeling, and not in realization, not in willing. In relation to the feeling of "good," the willing of value plays the role of something material.

Scheler describes his system as an ethics of material values. Material values play the leading role in ethical experience, and true ethical values are also merely a variety of material values. Most importantly, ethical values are not an object of willing. The person’s willing not only does not turn toward ethical values but simply cannot. If a person were to will the "good," then, in the light of what we know of Scheler’s assumptions, that person would want to feel inwardly "good," would want to feel that he or she is good – and such an attitude would bespeak something pharisaical. That is how Scheler views the matter. Nevertheless, this view of his proves that "good," in the very same way as "evil," is inseparably connected with emotional experience and somehow enmeshed in emotion, such that the acting person cannot separate the good from emotion and realize it with a full sense of objectivity and disinterestedness.

The situation with respect to the experience of negative ethical value is similar to that of the experience of positive value. When the person allows himself or herself to be drawn to a value intuitively felt as lower and makes this value an object of willing, then this willing is associated in feeling with the experience of "evil." Clearly, however, such a cognitive feeling of "good" or "evil" is based within the whole structure of the person’s emotional life on the purely emotional experience of love or hate. Love, as a purely emotional act, tends to expand the human being’s whole a priori relation to values; it makes the person’s world of values richer. Scheler, therefore, speaks of a certain kind of emotional a priori in the life of the human being.17 Hate, again as a purely emotional act, reduces and narrows the human being’s a priori relation to values; it makes the person’s world of values poorer. That is what happens in the case of the different objective values that form the "material" object of willing. In the case of "good" and "evil," however, the emotional core of the person reacts with particular force. These values produce not just a feeling that has an intentional character, but an experience of happiness or despair that encompasses the whole human being, an experience that, from the point of view of intensity, has no equal in the whole emotional life. The happiness evoked by the experience "good" and the despair evoked by the experience "evil" are so great that Scheler sees absolutely no sense in allowing any external sanctions into ethical life. After all, no "good" evokes such happiness and no "evil" such despair as positive and negative ethical values. Once again, however, we see how deeply Schelerian values are inextricably enmeshed in emotional experience. I should add that in ethical life thus conceived Scheler also distinguishes a relative degree from

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an unconditional degree. Ethical life takes on an unconditional degree when the object of willing is the value that the acting person feels as the highest value. The person then also experiences unconditional "good." When, on the other hand, the person in willing realizes the value felt as the lowest, he or she then experiences unconditional "evil". If we grant that a person's love is susceptible to such a highest value and the person's hate to such a lowest value, we can fathom the whole depth of happiness associated with the turning of willing toward the former and the whole depth of despair when willing turns toward the latter.

I must admit that the picture of ethical life that Scheler has painted using only his phenomenological method is very suggestive and in many points agrees beautifully with what we know from inner experience. The suggestiveness of the picture, however, does not make it immune criticism. Scheler based his interpretation of ethical experience on a concept of intentional act that he inherited from Brentano. The content of this experience is simply value, and if the element of duty should happen to get mixed in one should try to expunge it. Value is only experienced emotionally, and so ethical experience is an emotional experience from beginning to end. Emotion determines the inner unity, the cohesion and continuity, of ethical experience. Ethical experience arises from emotion and returns to it. Emotion is the authentic ground of personal life, since through it the person comes in contact with what is most important and most fundamental in objective reality – value. It is precisely this notion of Scheler’s regarding the essence-and even the phenomenological essence-of ethical experience with which I take issue. The structure of ethical experience, that whole that we all know from our own inner experience, does not consist primarily in emotion, even though I am willing to concede that an emotional cofactor plays a significant role in it. The central structural element of ethical experience is the element of willing. Scheler is aware of this element, but he proceeds true to his emotionalistic views, probably with the aim of distancing himself as far as possible from Kant’s ethics, whose main error Scheler took to be the supremacy of duty taken to the point of the total rejection of value and the feelings through which we come in living contact with value.

According to Scheler, willing – or the act of will, if one prefers to use nonphenomenological terminology – is not the structural backbone of ethical experience. Willing as such does not have ethical value. Although ethical value emerges only "on the occasion" (auf dem Rücken) of willing, it does not emerge from willing but-as always-from emotion. In that case, however, the person does not realize ethical values, good and evil, the values that belong most intimately to the person. We are standing here in the presence of the phenomenologist’s fatal mistake. Scheler fails to perceive a most elementary and basic truth, namely, that the only value that can be called ethical value is a value that has the acting person as its efficient cause. The kind of emotional atmosphere in which such a value arises and in which it becomes a property or real quality of a given person is already something secondary. What is primary is the fact that this value comes from the person as its efficient cause. And this is also where the very core of ethical experience lies. Because Scheler did not manage to objectify this basic fact in his phenomenological interpretation of ethical experience, his whole interpretation deals only with secondary elements, which he tries-at times rather artificially-to elevate to the primary level. This is the error of Schelerian emotionalism, and both the will and reason, along with its theoretical and practical cognitive powers, fell victim to it.

Scheler speaks of willings that have the character of intentional acts but that are different from feelings. Still, the dependence of these willings on feelings is so great that we can assume that they, too, in their inner essence are acts of an emotional nature. They do not exhibit, in Scheler’s interpretation, any innate activity of their own; they merely submit to emotional motivation. This submission is already somehow determined a priori in the emotional organization of the person. As far as the will’s relation to reason is
concerned, Scheler retains only a meager vestige of a relation, speaking of presentations that always accompany willings but do not accompany other appetitive experiences of the person. These presentations, however, play no role in directing willings toward a particular value. This role belongs exclusively to the emotions. The will is one of the functions of the emotional life. We should, however, consider the consequences this has for the whole concept of the person and, in particular, for the concept of the ethical life of the person. According to Scheler, the person is deprived of will to the extent that each of the person’s willings remains in the power of an *a priori* emotional element, which for Scheler is the most profound and decisive factor in ethical life. Consequently, the person cannot attain acts of an efficient character, acts that have the person as their efficient cause. And yet the experience of this efficacy of the person stands at the basis of our every ethical act. We experience “good” or “evil” because we experience ourselves as the efficient cause of our own acts.

Scheler, then, based the entire ethical experience on secondary elements, because he stripped it of the backbone of the will. And here we must reproach Scheler from the standpoint of phenomenology itself. There is no doubt that the initial discovery of the will takes place in the context of phenomenological experience. A whole contemporary school of the psychology of the will, using the empirical-inductive method, bases its cognitive investigations on this discovery. This school takes its origin from Narziss Ach and Albert Michotte; it also finds representatives in Poland in the persons of Edward Abramowski, Mieczyslaw Dybowski, Wladyslawa Mieczarska, Józef Reutt, and others. The representatives of this school have pointed out repeatedly that we encounter the will immediately (phenomenologically) precisely in that experience in which we experience ourselves as the efficient cause of our acts. I am convinced that a deeper awareness of the nature of the will can be achieved only by a thorough analysis of ethical experience. Such an analysis gives us all the more reason not to doubt that ethical experience implies a lived experience of the efficacy of the person, an experience in which the will manifests itself phenomenologically as a basic structural element of the whole empirical fact. Because Scheler did not emphasize this element to the same degree in which it appears in ethical experience, his whole phenomenological interpretation of the ethical fact significantly departs from experience.

4. THE NEED FOR A PROPER RELATION TO EXPERIENCE IN ETHICS

Kant’s approach to the ethical fact resulted in a division between two elements of ethical life. One of them is an *a priori* rational element, which is expressed in normative judgments arising from the content of the categorical imperative; this element is to be investigated separately by logical methods. The other is an experience that takes the form of the feeling of respect for the law; this element, like any other psychological phenomenon, is to be investigated by psychological methods. Thus Kant’s critical approach to ethics split the unified content of ethics, reducing it to logic and psychology respectively. Such a split, however, is at flagrant odds with experience. The facts of ethical life cannot be reduced to logic and psychology because ethical experience is a personal whole whose specific properties cease to be themselves apart from this whole. One element that is not itself is the so-called real element of the ethical experience of duty, crystallized by Kant merely in the feeling of respect for the law. In real ethical experience, duty is something more than just this feeling of respect for the law. But another

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19 See, for example Johannes Lindworsky. Der Wille: Seine Erscheinung und seine Beherrschung (Leipzig: Barth, 1923) 21.
element that is not itself is the so-called real element of the ethical experience of value, conceived as proposed by Scheler in the light of his concept of ethical experience. In the empirical structural whole that we know as ethical experience, value (and I am speaking here mainly of ethical value) is something else. It is by nature primarily a work of the person, brought about causally in the individual's personal essence, and not just an objective content felt in this essence. We see, then, in both of these views so important for the history of ethics, Kant's and Scheler's alike, that the abandonment of the ancient concept of the ethical act led in their respective interpretations to a certain distortion of ethical experience itself.

As far as Scheler's view is concerned, there can be no doubt that in many respects it not only opposes the Kantian ethics of pure duty, but it also attempts to overcome Kant's assumptions. This is especially apparent in the case of the relation to psychological experience. The view of the ethical act that Scheler borrowed from Brentano freed him considerably from the legacy of subjectivism and apriorism that Kant left behind. But Scheler still retained a certain degree of apriorism. He replaced the noumenal depth of the person with a poorly defined emotional depth, which determines the course of the person's ethical life in an a priori way. Dynamism, however, is completely absent from this view. The person does not act— or at least the activity of the person does not bear any visible signs of the person's own efficacy— because the autonomy of the will is reduced to practically zero. Scheler's entire philosophy lacks a concept of motion, change, actualization. If he speaks of modifications in the emotional life, he does not have in mind any dynamic changes, but only the expansion or contraction of the field of feeling with respect to content, and mainly with respect to the hierarchical scale of experienced values. This adynamic character of the assumptions of Schelerian philosophy, which reflects the essentialism of phenomenology as a whole, does not provide a proper context for interpreting ethical experience. Ethical experience is by its very nature something dynamic; its whole psychological structure involves motion: a passage from potency to act. And ethical experience found just such a dynamic structure in the Aristotelian theory of potency and act, which also served as the basis for constructing an authentic conception of the ethical act.

The concept of intentional act is a kind of timid reference to the structure of Aristotelian philosophy. In Scheler's case, however, we see that this concept does not suffice to interpret the empirical whole constituted by ethical experience. This experience appears in his view not so much as a single intentional act but more as an aggregate or bundle of such acts, some of which have the character of the feeling of value and others the character of willing or realizing the felt values. Scheler, as we have seen, believes that true ethical experience should be sought in the latter rather than in the former. Within the structural whole, however, the ethical act appears as composed of a whole series of intuitive psychological elements, because each intentional act within the whole forms an empirical whole of its own. While it is true that each of these intentional elements is in some way turned toward value, this circumstance alone does not determine the ethical character of either anyone of these elements taken individually or the structural whole they together compose. What Scheler gives us, then, is a very penetrating study in the area of the psychology of values, but not an interpretation of ethical experience. Scheler is convinced that he does provide an interpretation of such experience, but in point of fact this is not the case. The structural whole of ethical experience contains not only values as its objective content, but also a normative element in which these values are organized and presented as a task to be fulfilled. This task, which arises from the normal character of ethical experience, entails duty. We can be certain, then, that values alone do not exhaust the content of ethical life-if we take experience as our guide for knowledge of this life.

As we know, Kant in his view divorced the norm from experience. Experience then remains in an external relation to the norm: it is the feeling of respect for the law, but it does not manifest any immanence of the normative element. And yet authentic ethical experience does manifest such immanence. Ethical
experience is not just an experience of value but also an experience of the realization of the good. When Scheler rejected the experience of duty, he thought he had set himself in complete opposition to Kantianism in ethics. In fact, however, he rejected only the whole normative side of Kant’s ethics and the logical problematic of ethical judgments and confined himself to the other side of it—the one Kant in his theory assigned to those who investigate ethics empirically. Scheler remained in the psychological sphere of experience, and here he set himself in opposition to duty while accentuating value. This is precisely why he did not manage effectively to extricate himself from Kant’s assumptions, which entail the divorce of experience from the norm and the reduction of the whole of ethics to logic and psychology. And so Scheler, too, despite all the changes he introduced with his system, treats the experience of value—and there can be no doubt that this also includes ethical value—in separation from the ethical act. Ethical value manifests itself in the background (auf dem Rücken), and the very act, the very realization, in which (if we go by experience) this value actually arises remains outside this experience of ethical value; it remains, as in Kant’s view, something merely material. Scheler in his view does not capture the full immanence of the ethical in the object of experience. Are these not, then, despite all Scheler says, remnants of Kantian noumenalism in his ethics?

Scheler in his phenomenology partially rebuilt the relation to experience. What we need, however, is a complete restoration of this relation. Ethical experience forms a certain structural whole, which cannot be split up into logical and psychological elements, the investigation of which is then reduced to the methods of logic and psychology. Ethics has a distinctive method because it is based on a distinctive experience. The method of a given science must always respect the experience upon which that science is based, since all our knowledge is built on experience. Hence, the first condition for pursuing ethics as a science is a proper relation to experience. As a result of such a relation to experience, one in which ethical life is grasped as an organic unity and a structural whole, ethics ceases to be an allogeneic conglomerate of logic when dealing with the normative character of ethics and psychology when considering the experiential side. At this point I am convinced that the ethics of Aristotle and St. Thomas Aquinas is based on a proper relation to experience and, moreover, that their view of the ethical act is the only proper and adequate description of ethical experience. I shall, however, have to put off presenting the justification for this conviction to another occasion.
Devotion to Truth
Mohandas Gandhi

The word Satya (Truth) is derived from Sat, which means "being." Nothing is or exists in reality except Truth. That is why Sat or Truth is perhaps the most important name of God. In fact it is more correct to say that Truth is God, than to say that God is Truth.

Devotion to this Truth gives us the sole justification for our existence. All our activities should be centered in Truth. Truth should be the very breath of our life. When once this state in the pilgrim’s progress is reached, all other rules of correct living will come without any effort, and obedience to them will be instinctive. But without Truth it would be impossible to observe any principles or rules in life.

Generally speaking, observation of the law of Truth is understood merely to mean that we must speak the truth. But we in the Ashram should understand the word Satya or Truth in a much wider sense. There should be Truth in thought, Truth in speech, and Truth in action.

But Truth is the right designation of God. Hence there is nothing in everyone following Truth according to their own lights. Indeed, it is their duty to do so. Then if there is a mistake in the part of anyone so following Truth, it will automatically set right. For the quest of Truth involves tapas - self-suffering, sometimes even death. There can be no place in it for even a trace of self-interest. In such Selfless search for Truth nobody can lose their bearings for long. When they take to the wrong path and stumble, they are redirected to the right path. Therefore the pursuit of Truth is true bhakti (devotion). It is the path that leads to God.

How beautiful it would be, if all of us, young and old, men and women, devoted ourselves wholly to the Truth in all that we might do in our waking hours, whether working, eating, drinking or playing, till dissolution of the body makes us one with Truth? God as Truth has been for me a treasure beyond price. May God be so to every one of us.
A Quest of Human Dignity
Pauline Wanja

In the course of my Track A training I come across this particular article that reads “Fighting for Children’s Dignity in Nairobi’s Slums” and it did sound so familiar. The writer describes how she feels each working day as she walks through the sprawling slums where thousands of families live crowded in flimsy shacks. I take a few minutes to place the feeling I get each day as I walk through this expansive slum that has been my home for the past 24 years. Mine is more of a yearning to live in a better house, a less crowded and secure neighborhood, and to enjoy the privileges and joy that are devoid in a slum setting.

As I walked through the dirt littered alleys to school I hoped and prayed that one day I would live in a better house. How I envied most of my classmates - their houses had windows, gates, compound and electricity. In class I watched with amusement the delight in which they discussed their favorite TV programs. I think I even had a mental picture of Tom and Jerry though I had never seen them then. It wasn’t that bad though, I could borrow their story books and novels which I read with so much passion.

I became a very ardent novel reader and I greatly admired the fictional lawyers I came across in the course of my reading. Napoleon Chotas, a lawyer Sidney Sheldon portrayed in his books, as being so smart and daring. Robert, in Scott Turrow’s Books and Nate O’Riley in John Grishams "The Testament". To me being a lawyer was the smartest thing one could ever be. I had no choice I had to get good grades, they held the key to my dreams since my parents could not afford to send me to college.

When I joined World Youth Alliance (WYA) I had just cleared law school and was overly keyed up about the next phase of life. For this next phase I only had two things in mind, to be a successful Perry Mason (criminal Defense lawyer) and to make lots of money. It didn’t take long before I secured a job with one of the best criminal attorney’s in the country. I had no experience but I had enough enthusiasm to make up for the years I lacked in experience in this particular field. I had this pompous feeling about my progress. This is all I ever wanted to do – dressed in an executive dark blue suit and folders in my hands, I could not think of a better start.

It was a Friday morning and I was busy doing what I was proving to be very good at – preparing and drafting defenses when my boss called me into his office. He had this high profile client who was being accused of rape and he wanted me to assist with the defense. At first I felt humbled for it could probably mean I was making progress with the whole defense business. But listening to the client confess to having committed a felony on one hand and on the other hand having my boss instruct me to come up with a defense since the client would enter a not guilty plea. I knew this was not what I wanted to do for the rest of my life. Defend wrongdoers. I just couldn’t do it. I felt I would be condoning that bad guy in my hood who stole my innocence at a very tender age. And I was so sure Nate (The Testament lawyer) wouldn’t have done that.

For days after I quit my job I felt so disillusioned, I lacked a sense of purpose, I felt like I had been dreaming a lie. I decided to settle for something else - since I had basic training in accounts. Accountancy it was then, but my efforts at securing a job in this particular field were futile. One afternoon I decided to visit my preschool teacher. We talked for a while just as I was about to leave she told me she came across something that might be of interest to me. She gave me a blue card. At the back of the card were three words that would leave a permanent impression in my life, World Youth Alliance.

I visited the website marked in the card and read through. One phrase kept recurring – Human Dignity. For months after my initial visit to their regional offices in Nairobi my life took on a new turn. From the books I read, movies I watched, how I treated people to the dreams I dreamt. It was a quest to explore and comprehend the whole idea of the dignity of the person which all of a sudden sounded so appealing.

Do I still want to be rich and successful? You bet! There is this small girl inside who wants to live in a beautiful house if only as a
compensation. Since becoming a member of the World Youth Alliance I keep wondering why the whole idea of the dignity of the human never ceased to amaze me. I think I can attribute that to my growing up. Looking back, life in the ghettos is more often than not characterized by hopelessness and desperation, I will only point out the very basics. Mine was a typical ghetto life, which in most cases is a life devoid of any securities, privileges and freedom whatsoever. Life’s very basics (food, shelter, washrooms, privacy) become a luxury. Like every other kid, kids from the slums have dreams but very little is done to encourage them and nurture their dreams. It is a life of struggle; right from a very tender age one gets to understand it is a harsh world in here.

I was barely 8 years when I watched a neighbor murder another in cold blood. I had nightmares for days but I may as well have been hard-boiled for there were more to come. I lost count of the people I had to watch die at the hands of an angry mob. Losing count was not the worst that could have happened to me. I become indifferent; I no longer felt troubled that my primary school desk mate was being stoned to death right at my doorsteps. Times I watched the scenes unfold, watch the victims make rattle sounds as they die and simply moved on as if it were usual. Not even once did I think they deserved to die. At one time I begged for the life of one but they still did it, leaving me with a dying boy in my arms. Efforts to bring him to life were futile. This left me all bruised; the whole idea of the sanctity of life ceases to be real.

Poverty does more than deprive a person life’s necessities, at times it blurs the line between right and wrong. Every time I watched a mob kill a suspected thief I became more convinced that it had little to do with vigilante justice. The few minutes spent lynching the said person provided some distraction from mundane life in the ghetto during such an exercise there was an air of excitement and solidarity, and to some they had an object to blame all their frustrations on.

During my time in WYA I have been able to comprehend in a better way, what the lived experience of the dignity of the human person is and how in small ways we can help others grapple the whole idea. His highness Agha Khan said that there are those who come to this world with so much poverty that it requires the help of others for them to at least have some hope in life or to at least dream of a better life. Whereas I do not necessarily belong to this group of people, I have lived and interacted with them as to attest to the truthfulness of his highness’ statement. I believe way, through its grass root projects like Viviamo, can help bring hope to the less fortunate in society.
WYA Declaration on the Human Person
Toronto, Canada 2002

The WYA Declaration on the Human Person explores the question “Who am I?” or “Who is the human person?” The Declaration was drafted in 2002 for World Youth Day Toronto, Canada, and presented to Pope John Paul II.

We, young people of all nations, in solidarity with one another, believe that every human being has intrinsic and inalienable dignity that begins at conception and extends to natural death. This dignity, the most precious endowment of the human person, is inviolable. The dignity of the human person must be cherished in custom and protected by law. We recognize, celebrate, and pledge ourselves to defend the intrinsic dignity of every human person.

At the same time, as young people seeking our vocations, we ask ourselves, “Who am I?”

We know that the human person is free. Yet freedom, exercised solely for selfish or self-assertive ends, is radically incomplete.

We believe that the freedom of the human person is most fully and rightly lived in the gift of ourselves to others.

In the act of self-gift, the human person answers the question “Who am I?” through the experience of love. Love is the experience of freedom lived for the good of the other, the goods that make for genuine human flourishing. Thus, true love, freely given and received, is the experience of the transcendent which fulfills and completes every human being within the human family.
Chapter III
Freedom

“Once truth is denied to human beings, it is pure illusion to try to set them free. Truth and freedom either go together hand in hand or together they perish in misery.”

Pope John Paul II
Theology of the Body
Chapter 3 - Freedom

The following three chapters examine the universal manifestations of our intrinsic dignity through the expressions of freedom, solidarity and culture. The experience and action of freedom is the necessary prerequisite to living in solidarity with others, or building culture. Solidarity and culture are social goods that require the free cooperation of individual persons. In the experience of solidarity, each person uses his personal freedom to join others in the pursuit of a common good. Culture is the individual or collective expression of a society, including beliefs and values.

It is also important to understand the distinction between freedom and liberty, since this distinction is crucial to the exercise of freedom of conscience, which is the first safeguard of all freedom. The distinction between freedom and liberty rests on the understanding that freedom requires a relationship to truth. Freedom of conscience is the basis for the freedom to choose the set of values and beliefs in an individual life, but this freedom relies on the fact that truth precedes freedom, and that our choice of value and belief systems is an attempt to respond to living and acting within the parameters of an objective, prior truth.

For this reason, in order to ensure a proper understanding of each chapter, this part of the training should be presented as a block and in its original order.

Objectives

a) The purpose of the chapter is to help our members understand the origins of their personal freedom, how it can best be exercised in accordance with their intrinsic dignity, and how this will enable a more peaceful existence within each individual and within society. Weigel’s article will be the basis for this.

b) The readings, particularly those that highlight violations of persons’ human dignity and freedom, should facilitate the understanding of the different types and levels of freedom. These are explained in George Weigel’s article along with the importance of knowing and strengthening the inner core of our freedom.

c) The importance of freedom of conscience, religion, and beliefs is outlined in the Malik and Khan readings and included here in light of increased threats towards this freedom. Our members should be able to understand the origin of freedom of conscience and be able to explain why it is important to protect it.

Readings

i. George Weigel, Two Ideas of Freedom ...60
ii. Mahatma Gandhi, Speech at Tanjore (16 September 1927) ...70
iii. Charles Malik, The Task Ahead ...72
iv. Muhammad Zufralla Khan, Islam and Human Rights ...75
v. Viktor Frankl, Experiences in a Concentration Camp ...80
vi. Nelson Mandela, Long Walk to Freedom: Rivonia ...117
vii. Member’s Corner: Freedom and Liberty ...133
Questions

1. What does Weigel identify as freedom of excellence? How does this relate to human dignity?

2. How is the correct understanding of the human person's freedom essential to the proper functioning of a multicultural, multireligious society?
TWO IDEAS OF FREEDOM

George Weigel

It is a distinct honor to deliver the first annual William E. Simon Lecture and to do so on the twenty-fifth anniversary of the Ethics and Public Policy Center. The conjunction is an altogether appropriate and happy one. Bill Simon, a friend and benefactor of many here tonight, was a forceful exponent of political and economic freedom. Ernest Lefever founded the Ethics and Public Policy Center during a period of national moral and political malaise in which freedom’s future seemed in grave peril. For twenty-five years the Center has worked to deepen the conversation in the nation’s capital on the religious and moral dimensions of the great public policy questions of our time, questions about the demands placed on a free people who would live their freedom wisely by building a free and virtuous society at home and defending freedom’s cause abroad. That is why, to honor both the late William E. Simon and the Center’s silver jubilee, I have chosen to speak tonight on the idea of freedom in our time.

Berlin’s Wall: Negative vs. Positive Liberty

On October 31, 1958, Isaiah Berlin gave his inaugural lecture as Chichele Professor of Social and Political Theory at Oxford. Entitled “Two Concepts of Liberty,” it was, according to Berlin’s authorized biographer, “the most influential lecture he ever delivered.” Indeed, one can argue that “Two Concepts of Liberty” was one of the most important political essays of the twentieth century, for it clarified an important element in the forty-five-year-long contest between the imperfect democracies of the West and the pluperfect tyranny of the Soviet Union. Moreover, Berlin’s essay defended the liberal democratic project in such a way as to reinforce the liberal anti-communist consensus that historians still associate with men like President Harry Truman, Secretary of State Dean Acheson, Presidents John E Kennedy and Lyndon Johnson, and Senators Hubert H. Humphrey and Henry M. Jackson. As things turned out, that consensus held just long enough that, deepened intellectually and reinforced politically by conservative and neo-conservative thinkers and political leaders in the 1970s and 1980s, freedom’s cause finally won out over Marxist-Leninist totalitarianism.

A wide-ranging historian of ideas who had grown up in Riga and Petrograd, Isaiah Berlin had seen first-hand the human and political effects of passionately held ideas. He knew in his bones that ideas are not intellectuals’ toys: ideas have consequences, for good and for ill, in what even intellectuals sometimes call the “real world.” In “Two Concepts of Liberty,” Berlin mounted an extended defense of what he understood to be the liberal idea of freedom against its principal modern political competitors, fascism and communism. At the same time, he raised an alarm against what he regarded as the tendency in social-democratic theory to weaken individual freedom in the name of other social goods. As the title of his lecture signals, Berlin’s basic intellectual move was to distinguish between "negative liberty" and "positive liberty," and then to defend the former as the only concept of liberty that could be actualized in the "real world" of inevitably conflicting interests, diverse concepts of the good, and competing human projects.

"Negative liberty" for Isaiah Berlin is freedom from: freedom from interference in personal matters, which implies the circumscription of state power within a strong legal framework." As biographer Michael

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2 Berlin notes, however, that negative liberty is “not, at any rate logically, connected with democracy or self-government. Self-government may, on the whole, provide a better guarantee of the preservation of civil liberties than other regimes…. But there
Ignatieff summarizes Berlin’s argument, the primary purpose of a liberal political community is to create the public circumstances in which men and women are left alone "to do what they want, provided that their actions [do] not interfere with the liberty of others." "Positive liberty," on the other hand, is freedom to: freedom to realize some greater good in history. At the heart of the fascist and communist projects, Berlin warned, was a determination to use political power to liberate human beings, whether they liked it or not, for the realization of some higher historical end. That determination, he argued, inevitably leads to repression.

Isaiah Berlin was not a libertarian. Rather, the man who had first worked at the intersection of ideas and power during his World War II service at the British Embassy in Washington was a Russo-English exponent of classic American New Deal liberalism: a liberal who believed that government had the obligation to help ensure the economic, social, and educational conditions under which people could truly exercise their liberty. Berlin broke with the social-democratic left, though, in insisting that liberty, equality, and justice were, are, and always will be in tension. To adopt an example from Ignatieff: a progressive income tax may arguably be just; according to Berlin, however, it was absurd to argue that such a tax did not constitute an infringement on someone’s liberty for the benefit of someone else’s.

Isaiah Berlin was never willing (or perhaps able) to sort out the tensions or define the boundaries between liberty and justice. Still, his insistence that politics is not therapy, his resolute refusal to deny the reality of conflicts among social goods, and his insistence that utopian politics inevitably become coercive politics (and, in the modern world, extraordinarily brutal coercive politics) were all important ideas to defend, in Europe and America, against the coercive utopians of the twentieth century. In this specific sense, Isaiah Berlin was a champion of pluralism in an age in which too many other political theorists had cast their lot with monisms of one sort or another — monisms, otherwise known as totalitarianisms, of a most lethal kind. A robust pluralism, Berlin suggested, was both an expression of liberty rightly lived and the surest guarantee of political liberty.

So high marks to Isaiah Berlin for identifying the perversion of liberty that was at the root of the totalitarian project, and for defending a concept of liberty-as-noninterference that, in setting legal limits to coercive state power, has deep resonances in the American political tradition. Forty-three years after “Two Concepts of Liberty,” though, one has to ask whether Berlin’s analysis of the problem of freedom reaches the crux of the matter today.

In a thoughtful assessment of Isaiah Berlin’s achievement, Norman Podhoretz has argued that, despite its important contribution in its time, Berlin’s essay is at bottom intellectually unsatisfying: it does not propose a principled, but only a pragmatic, defense of pluralism, and it fails to grapple satisfactorily with a problem that Berlin notes but never seriously addresses — the problem of moral relativism. For while Berlin correctly recognized, in Podhoretz’s words, “the spinelessness that can develop from the rejection of any absolutes and the-correlative failure to develop rock-bottom convictions,” his liberal skepticism about the possibility of philosophically defensible “rock-bottom convictions” could not provide an antidote to “spinelessness.”

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4 Ibid., 228.

The response to the events of September 11, 2001, in at least some of the higher altitudes of the intellectual class in both the United States and Europe, illustrates with almost painful clarity the truth of Podhoretz’s critique of Berlin on this point. To that diagnosis I would add another disease to which relativism is susceptible, especially when it encounters the afterburn of New Left thought and politics in the United States: the absolutizing of moral relativism, and indeed its erection as a kind of constitutionally mandated national political creed.

In the final analysis, though, Isaiah Berlin’s “two concepts” are unsatisfactory because Berlin does not drive the analysis deeply enough, historically or philosophically. His “two concepts of liberty” are both children of the Enlightenment, and in his essay there is virtually no reckoning with the possibility that pre-Enlightenment thinkers might have some important things to teach us about freedom. Berlin himself concedes that “conceptions of freedom directly derive from what constitutes a self, a person, a man,” and goes on to argue that, given “enough manipulation of this definition of man… freedom can be made to mean whatever the manipulator wishes.” But this is to dodge the crucial question, which is precisely the question of the truth about man—the truth about the human person—on which any defense of human freedom with real traction must ultimately rest. Isaiah Berlin’s philosophical anthropology, his concept of the human person even as Homo politicus, is exceedingly thin. The net result is to reduce freedom to a matter of one human faculty—the will—alone.

And here, I suggest, is a clue that can lead to a deeper analysis of the problem of freedom today. For the identification of freedom with the will is not, contrary to much conventional wisdom, an Enlightenment innovation. It is the product of a great intellectual chasm that opened up in the High Middle Ages. The nature of that fissure can be depicted in what we might call a tale of two monks—appropriately enough for our purposes tonight, because the logo of the Ethics and Public Policy Center features a woodcut of a monk at work in his scriptorium. Permit me to take you back, then, to the thirteenth and fourteenth centuries, when two men of genius had two very different ideas about freedom—ideas that would prove to have immense human consequences.

A Tale of Two Monks

St. Thomas Aquinas, the Dominican friar known to the history of theology as the "Angelic Doctor," was born c. 1225 in his family’s castello near Roccasecca in the Roman Campagna, and died in 1274 at the abbey of Fossanuova, southeast of Rome, en route to the Council of Lyons. His monumental achievement, in such epic works as the Summa Contra Gentiles and the Summa Theologiae, was to marry the wisdom of a millennium of Christian philosophy and theology to the "new philosophy" of Aristotle that had been rediscovered in Europe (largely through the mediation of Arabic philosophers) in the early thirteenth century. This intellectual marriage yielded a rich, complex, and (to use the precisely right word a few centuries before its time) deeply humanistic vision of the human person, human goods, and human destiny. Embedded in that vision of the human person was a powerful concept of freedom.

According to one of his most, eminent interpreters today, the Belgian Dominican Servais Pinckaers, Aquinas’s subtle and complex thinking about freedom is best captured in the phrase freedom for excellence. Freedom, for St. Thomas, is a means to human excellence, to human happiness, to the fulfillment of human destiny. Freedom is the capacity to choose wisely and to act well as a matter of habit.

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– or, to use the old-fashioned term, as an outgrowth of virtue. Freedom is the means by which, exercising both our reason and our will, we act on the natural longing for truth, for goodness, and for happiness that is built into us as human beings. Freedom is something that grows in us, and the habit of living freedom wisely must be developed through education, which among many other things involves the experience of emulating others who live wisely and well. On St. Thomas’s view, freedom is in fact the great organizing principle of the moral life – and since the very possibility of a moral life (the capacity to think and choose) is what distinguishes the human person from the rest of the natural world, freedom is the great organizing principle of a life lived in a truly human way. That is, freedom is the human capacity that unifies all our other capacities into an orderly whole, and directs our actions toward the pursuit of happiness and goodness understood in the noblest sense: the union of the human person with the absolute good, who is God.

Thus virtue and the virtues are crucial elements of freedom rightly understood, and the journey of a life lived in freedom is a journey of growth in virtue – growth in the ability to choose wisely and well the things that truly make for our happiness and for the common good. It’s a bit like learning to play a musical instrument. Anyone can bang away on a piano; but that is to make noise, not music, and it’s a barbaric, not humanistic, expression of ‘freedom. At first, learning to play the piano is a matter of some drudgery as we toil over exercises that seem like a constraint, a burden. But as our mastery grows, we discover a new, richer dimension of freedom: we can play the music we like, we can even create music on our own. Freedom, in other words, is a matter of gradually acquiring the capacity to choose the good and to do what we choose with perfection.

Thus law has a lot to do with freedom. Law can educate us in freedom. Law is not a work of heteronomous (external) imposition but a work of wisdom, and good law facilitates our achievement of the human goods we instinctively seek because of who we are and what we are meant to be as human beings.7

Aquinas was fully aware that human beings can fail, and in fact do evil – often great evil. No exponent of Aristotelian realism like St. Thomas, indeed no one formed by biblical religion as well as ancient philosophical wisdom, could deny this. Yet even in the face of manifest evil Thomas insisted that we have within us, and can develop, a freedom through which we can do things well, rightly, excellently. Evil is not the last word about the human condition, and an awareness of the pervasiveness of evil is not the place to start thinking about freedom, or indeed about political life in general. We are made for excellence. Developed through the four cardinal virtues – prudence (practical wisdom), justice, courage, and temperance (perhaps better styled today “self-command”) – freedom is the method by which we become the kind of people our noblest instincts incline us to be: people who can, among other possibilities, build free and virtuous societies in which the rights of all are acknowledged, respected, and protected in law.8 It was not for nothing that John Courtney Murray, the great American Catholic public philosopher of freedom, called Thomas Aquinas “the first Whig.”9

Our second monk, William of Ockham, was born in England about a dozen years after Aquinas’s death,

7 This summary is adapted from Servais Pinckaers, O.P., Morality: The Catholic View (South Bend: St. Augustine’s Press, 2001), 74.
8 Ibid., 71.
joined the Franciscans, was educated and later taught at Oxford, and died in 1347 in Munich after a life of considerable turbulence, both intellectual and ecclesiastical. Those who have never studied philosophy will recognize him as the author of "Ockham’s Razor" — the principle (still used in the sciences as well as in philosophy) that the simpler of two explanations should be preferred. Professional philosophers consider him the chief exponent of "nominalism," a powerful late-medieval philosophical movement that denied that universal concepts and principles exist in reality — they exist only in our minds. According to the nominalists, there is, to take an obvious and critical example, no such thing as "human nature" per se. "Human nature" is simply a description, a name (hence "nominalism") we give to our experience of common features among human beings. The only things that exist, according to nominalism, are particulars.

Often presented as a crucial moment in the history of epistemology, nominalism also had a tremendous influence on moral theology. And because politics, as Aristotle taught, is an extension of ethics, nominalism’s impact on moral theology eventually had a profound influence on political theory. If, to return to that obvious and critical example, there is no "human nature," then there are no universal moral principles that can be "read" from human nature. Morality, on a nominalist view, is simply law and obligation, and that law is always external to the human person. Law, in other words, is always coercion — divine law and human law, God’s coercion of us and our coercion of one another.

The implications of Ockham’s nominalism for the moral life and for politics are not hard to tease out of this brief sketch of his basic philosophical position. In his history of medieval philosophy, Josef Pieper writes that, with Ockham, "extremely dangerous processes were being set in motion, and many a future trouble was preparing." Servais Pinckaers, perhaps today’s premier Catholic analyst of the history of moral philosophy and moral theology, goes so far as to describe Ockham’s work as "the first atomic explosion of the modern era." The atom he split, though, "was... not physical but psychic," for Ockham shattered our concept of the human soul and thereby created a new, atomized vision of the human person and, ultimately, of society.

With Ockham, we meet what Pinckaers has called the freedom of indifference. Here, freedom is simply a neutral faculty of choice, and choice is everything, for choice is a matter of self-assertion, of power. Will is the defining human attribute. Indeed, will is the defining attribute of all of reality. For God, too, is supremely willful, and the moral life as read through Ockhamite lenses is a contest of wills, a contest between my will and God’s imposition of his will through the moral law.

Ockham’s radical emphasis on the will is an idea with very serious "real world" consequences. Not only does it sever the moral life from human nature (which, for a nominalist, doesn't exist), but at the same time, and because of that, it severs human beings from one another in a most dramatic way. For there can be no "common good" if there are only the particular goods of particular men and women acting out their own particular willfulness.

Here, in the mid-fourteenth century, is the beginning of what we call today the "autonomy project": the claim that human beings are radically autonomous, self-creating "selves," whose primary relations to others are relations of power. From its Ockhamite beginning, as Pinckaers writes, "freedom of indifference

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10 Josef Pieper, Scholasticism: Personalities and Problems in Medieval Philosophy (South Bend: St. Augustine’s Press, 2001), 150.
was... impregnated with a secret passion for self-affirmation. Thus, over time, freedom was eventually led into the trap of self-interest from which Immanuel Kant tried, unsuccessfully, to rescue it by appeals to a "categorical imperative" that could be known by reason and that would, it was hoped, restore a measure of objectivity to morality. On a long view of the history of ideas, and freely conceding the twists and turns of intellectual fortune along the way, William of Ockham is the beginning of the line that eventually leads to Nietzsche's "will to power" and its profound effect on the civilization of our times.

Freedom, for Ockham, has little or no spiritual character. The reality is autonomous man, not virtuous man, for freedom has nothing to do with goodness, happiness, or truth. Freedom is simply willfulness. (And if, at this juncture, you hear Frank Sinatra singing "I did it my way" in the back of your mind, you are not mistaken.) Freedom can attach itself to any object, so long as it does not run into a superior will, human or divine. Later in the history of ideas, when God drops out of the equation, freedom comes to be understood in purely instrumental or utilitarian terms. And if the road on which Ockham set out eventually leads to Nietzsche, it also leads, through even more twists and turns, to Princeton's Peter Singer (author of the major article on "Ethics" in the Encyclopaedia Britannica), and his claim that parents ought to have a few weeks to decide whether their newborn child should be allowed to live. Ideas, indeed, have consequences.

From the Greeks down to Aquinas, every moral philosopher of note had assumed that the pursuit of happiness is the primary moral question. With William of Ockham, the profound linkages among freedom, virtue, and the pursuit of happiness are sundered: morality is mere obligation, freedom is mere willfulness. When Western thought took a decisively subjectivist turn in the seventeenth century, and when that subjectivism eventually gave birth to a principled skepticism about the human capacity to know anything with confidence, the result, which is much with us today, was the emergence of an intellectual culture of radical moral relativism lacking any thick notion of the common good. By positing a profound tension between freedom and reason (or, in his construction, will and reason), Ockham created a situation in which there are only two options: determinisms of a biological, racial, or ideological sort, or the radical relativism that, married to irrationalism, eventually yields nihilism. In either case, freedom self-destructs.

I suggest that this tale of two monks sheds light on why Isaiah Berlin's "two concepts of liberty" are finally unsatisfactory. Although Berlin concedes at the outset that "political theory is a branch of moral philosophy," he simply does not conjure with the "atomic explosion" that Ockham created in moral theory or with its results in political thought. When Berlin writes that "I am normally said to be free to the degree to which no man or body of men interferes with my activity," such that "political liberty is simply the area within which a man can act unobstructed by others," he is taking an Ockhamite tack from the outset. Berlin openly admits that his "positive liberty" begins in "an act of will." In fact, however, his formulation of "negative liberty" also assumes that freedom is essentially a matter of the will. "Negative liberty" is simply that which allows me to avoid too many collisions with the wills of others. But this concept of "negative liberty," as Norman Podhoretz correctly noted, doesn't tell us much about how we

12 Ibid., 339.
13 On this point cf. ibid. 348-49, and Pinckaers, Morality, 66.
14 For a lengthy discussion of the freedom of indifference, see Pinckaers, The Sources of Christian Ethics, 327-53; a summary chart contrasting freedom for excellence and freedom of indifference may be found in Pinckaers, Morality, 74.
16 Ibid, 194.
17 Ibid., 203.
18 Ibid., 216.
resolve the inevitable conflicts between wills without raw coercion, or even why we should do so. "Negative liberty" accurately describes one important aspect of the political organization of freedom: the need to circumscribe and regulate coercive state power by law. But Berlin's "negative liberty" cannot provide an account of why that freedom has any moral worth beyond its being an expression of my will. Life, liberty, and the pursuit of happiness are drastically disconnected here.

Berlin goes so far as to suggest that, for a "schoolman" like Aquinas, as well as for the Jacobins and communists of the modern period, it is legitimate to force others into living their freedom rightly. That kind of crude coercion was certainly true of Jacobins and communists, but it is no part of a Thomistic theory of freedom. For the philosophical anthropology that underwrites Aquinas's freedom for excellence, an anthropology that contains thick moral convictions about the inalienable dignity and value of every human life, also demands a commitment to the method of persuasion in politics. Indeed, as the history of the past three decades has shown, it is today's devotees of "negative liberty" as reinterpreted by postmodern radical skeptics and relativists who are the primary exponents of coercion in the name of "tolerance" and "diversity" — even if that coercion is mediated through split decisions of the United States Supreme Court.

Isaiah Berlin could not escape — and perhaps did not even recognize — Ockham's trap. That is why his "two concepts of liberty" ultimately break down. And that is why we require, as individuals and as a society, a deeper understanding of the nature of freedom today, an understanding that challenges the freedom of indifference with freedom for excellence.

The Idea of Freedom We Need

In addition to illuminating a crucial episode in the history of ideas, this tale of two monks also sheds light on grave public issues today. And in doing so, it reminds us that a "clash of civilizations" is being played out within our own society, as well as between ourselves and hostile forces bent on our destruction.

In the aftermath of the communist crack-up in 1989-1991, there was a tremendous amount of euphoria in what was then rightly called the "free world." This euphoria went far beyond the undeniable satisfaction of seeing a great evil overcome, and more than one otherwise sober-minded observer was heard to propose that the democratic project — the great carrier of the modern quest for freedom — was now inevitably and irreversibly triumphant. In the first year of the new century, we have been abruptly reminded of the fragility of freedom — of the hard fact, chiseled in stone on the Korean War Memorial on the National Mall, that "freedom is never free." Which is to say, we have been reminded of the fact that democracy is always an unfinished experiment, testing the capacity of each generation to live freedom nobly.

The first wake-up call came in the aftermath of dramatic advances in genetics, including the decryption of the human genome, and the biotechnologies that this new knowledge rapidly spawned. Suddenly, Francis Fukuyama's image of the "end of history" seemed overrun by Aldous Huxley's "brave new world." Human beings, it became clear, would soon have the capacity to remanufacture the human condition — precisely by manufacturing or remanufacturing human beings. The new tyranny on the horizon was not the

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19 Ibid., 219.
jackbooted totalitarian state of Orwell’s 1984; that was the tyranny that had haunted our dreams during what Jeane Kirkpatrick once aptly described as the “Fifty-Five Years’ Emergency” — the civilizational crisis that ran from Hitler’s military reoccupation of the Rhineland in 1936 to the collapse of the Soviet Union in 1991. Rather, the new and ominous possibility on the near-term horizon was something quite different: the happy, if thoroughly dehumanized and massively coercive, dystopia of Huxley’s brilliant imagination. Do I exaggerate? I think not. Scientists and biotech industry executives now talk freely of what Leon Kass has called the “immortality project.” Here, they confidently tell us, is a possible future world without suffering, even without death – except perhaps death freely chosen as a remedy for terminal boredom. But as Huxley presciently discerned decades before the unraveling of the DNA double helix, such a world would ultimately be an inhuman world: a world of souls without longing, without passion, without striving, without surprise, without desire — in a word, a world without love.

And here, too, we can find long-term radioactive traces from Ockham’s “atomic explosion”, in the fourteenth century. For Ockham’s was a world without purpose, a world of willful means detached from ends. But so is the brave new world as Aldous Huxley described it. As one of the World Controllers muses in Huxley’s novel:

Once you began admitting explanations in terms of purpose — well, you didn’t know what the results would be. It was the sort of idea that might easily decondition some of the more unsettled minds among the higher castes – make them... take to believing... that the goal was somewhere beyond, somewhere outside the present human sphere, that the purpose of life was not the maintenance of well-being, but some intensification and refinement of consciousness, some enlargement of knowledge. Which was, the Controller reflected, quite possibly true. But not, in the present circumstances, admissible.26

Tyranny thrives in a world in which means always trump ends. The freedom of indifference cannot sustain a truly free society.

The national debate over cloning and embryonic stem cell research over the past year ought to have given us pause, and precisely on this point. With rare exceptions, the first great public debate of the biotech era was conducted in almost exclusively utilitarian terms (when it was not reduced to appeals to compassion that did not constitute anything resembling a serious argument). What can be done to put this urgent and unavoidable debate onto more secure moral-philosophical ground? I suggest that doing so will require a rigorous reckoning with the degree to which the freedom of indifference has become the operative notion of freedom in much of our high culture, in the media, among many political leaders, in considerable parts of the mainline Protestant religious community, in the sciences; and in the biotech industry. Challenging the freedom of indifference with freedom for excellence is essential if we are to deploy our new genetic knowledge in ways that lead to human flourishing rather than to the soul-less dystopia of the brave new world.

There will be – there already are – appeals to “pluralism” in these debates. Pluralism, however, is not mere plurality, as John Courtney Murray never tired of repeating. Plurality is sheer difference: a sociological fact, a staple of the human condition. Pluralism is a civilizational achievement: the achievement of what Murray called an “orderly conversation” — a conversation about personal goods and the common good, about the relation between freedom and moral truth, about the virtues necessary to form the kind of citizens who can live their freedom in such a way as to make the machinery of democracy serve genuinely

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humanistic ends.

That kind of orderly conversation cannot begin with the radical epistemological skepticism and moral relativism that inform today’s Ockhamites and their defense of freedom as willfulness. It must begin, as Jefferson began the American democratic experiment, with the assertion and defense of truths. As Father Murray once wrote, “the American Proposition rests on the... conviction that there are truths; that they can be known; that they must be held; for if they are not held, assented to, worked into the texture of institutions, there can be no hope of founding a true City.” It must begin, in other words, and to return to the wiser medieval monk, with a reaffirmation of freedom for excellence as the freedom to which we, like the Founders, can pledge our lives, fortunes, and sacred honor.

The second challenge to what many commentators are now calling America’s “holiday from history” came, of course, on September 11, 2001, a day of infamy that in a very real sense marked the beginning of a new century and a new millennium. The world has changed, and the change seems irreversible. The holiday from history is over: The Republic and the freedoms it embodies are in grave peril from a new form of irrationalism and nihilism that expresses itself through a perverse and distorted form of monotheistic religion. The struggle against this new and present danger may well last a generation or more.

The roots of this new struggle run deep into history. Some argue, and I would not disagree, that they run more than 1,300 years into the past, and that what confronts us today is the contemporary expression of a civilizational contest that has ebbed and flowed for well over a millennium. Because its roots run so deeply into the religious and cultural subsoil of history – because we have been forcefully reminded over the past three months that the deepest currents of world – historical change are religious and cultural – analyzing the causalities that brought us to September 11, 2001, is no simple business. Yet amidst the inevitable complexities of history understood as an arena of moral responsibility, there has also been some welcome, and perhaps long overdue, simplicity.

For in the immediate aftermath of the attacks on New York and Washington, there was a remarkable resurgence of simple, indeed robust, moral clarity in a country that had long been told, by everyone from Alan Wolfe to Jerry Falwell, that it was awash in moral relativism. That moral clarity and the resolve that accompanies it seem to have retained their vigor among the vast majority of our people. Among certain parts of the intellectual class, however, they lasted, by my count, approximately ninety-six hours.

This seems to be the statute of limitations in the commentariat on radical moral relativism and its "real world" political offspring – appeasement strategies, moral-equivalence theories, "root cause" analyses of terrorism, nonsense about "violence begetting violence" (as if a justly conducted war were the same thing as turning a 767 into a weapon of mass destruction), self-loathing anti-Americanism of the most vulgar sort. Thus far, these intellectual and moral aberrations have been reasonably well confined to the farther fringes of the chattering classes in the United States. But they are well advanced among intellectuals and commentators in western Europe, where I spent five weeks in October and early November. And this fact has everything to do, I suggest, with four things we have pondered this evening: the deterioration of the idea of freedom into willfulness, the detachment of freedom from moral truth, an obsession with "choice," and the consequent inability to draw the most elementary moral conclusions about the imperative to resist evil – or to recognize evil as such, rather than to deny its reality by an appeal to psychiatric or quasi-

\[21\] Murray, We Hold These Truths, 9.
Marxist political categories.

The response to September 11 has demonstrated the essential moral common sense of the American people. At the same time, the national recommitment to civil tolerance and the basic human decencies in a religiously diverse society has demonstrated the enduring power of the Judeo-Christian tradition to ground these commitments, which are not being sustained today by ACLU-style theories of liberty or by alternative religious traditions. So let us gratefully take note of the fact that, at a moment of national emergency unprecedented in two generations, the American people are acquitting themselves with the dignity, decency, and determination that come from deeply rooted moral convictions.

What, however, will sustain us over the long haul? There has been a remarkable resurgence of uncomplicated, unapologetic patriotism over the past three months: flags, not yellow ribbons, are the icons of the day. But can this welcome recovery of patriotism be sustained unless it becomes, once again, the expression of a nobler concept of freedom than mere willfulness? Is happy hedonism that for which we are prepared to make the sacrifices that will be required of us? Or is it more likely that the acids of the relativism that accompanies a merely negative concept of freedom as "noninterference" will eventually erode today's resurgent patriotism, too — to the point where appeasement will once again become a respectable word in the national political vocabulary?

A society without "oughts" tethered to truths cannot defend itself against aggressors motivated by distorted "oughts." That is the truth of which we should have been reminded when reading those chilling letters from the hijackers the week after September 11. The answer to a distorted concept of the good cannot be a radical relativism about the good. It must be a nobler concept of the good.

And that brings us back, at the end of the day, to our tale of two monks.

Freedom for excellence is the freedom that will satisfy the deepest yearnings of the human heart to be free. It is more than that, though. The idea of freedom for excellence and the disciplines of self-command it implies are essential for democracy and for the defense of freedom.

_Homo voluntatis_, willful man, cannot exploit the new genetic knowledge so that it serves the ends of freedom and avoids the slippery slope to the brave new world. Why? Because _Homo voluntatis_ cannot explain why some things that can be done should not be done.

_Homo voluntatis_ cannot defend himself or the institutions of democracy against the new dangers to national security and world order. Why? Because _Homo voluntatis_ cannot give an account of a freedom worth sacrificing, even dying, for.

There are, indeed, two ideas of freedom. Both ideas have consequences. One of them is worthy of this nation. One of them will see us through to a future worthy of a free people.
I had hoped on coming to Tanjore today to discuss the Brahmin-non-Brahmin question here and I had the pleasure of having a brief discussion with some of the friends this afternoon. I am not free nor is it necessary for me to discuss and place before you the contents of our discussion. But I was exceedingly glad of this discussion. I now understand the movement perhaps a little better than I did before the discussion. I have placed my humble view before those friends, of which they are at liberty to make what use they like. But throughout the discussion I saw a note of one thing which seemed to oppress these friends. They seemed to think that I had identified myself with the notion of inherited superiority and inferiority. I assured them that nothing was farther from my thought and told them that I would gladly explain my meaning of varnashrama more fully than I have done in order to remove the slightest misunderstanding as to this question of superiority. In my opinion there is no such thing as inherited or acquired superiority. I believe in the rock-bottom doctrine of Advaita and my interpretation of Advaita excludes totally any idea of superiority at any stage whatsoever. I believe implicitly that all men are born equal. All - whether born in India or in England or America or in any circumstances whatsoever - have the same soul as any other. And it is because I believe in this inherent equality of all men that I fight the doctrine of superiority which many of our rulers arrogate to themselves. I have fought this doctrine of superiority in South Africa inch by inch, and it is because of that inherent belief that I delight in calling myself a scavenger, a spinner, a weaver, a farmer and a labourer. And I have fought against the Brahmins themselves wherever they have claimed any superiority for themselves either by reason of their birth or by reason of their subsequently acquired knowledge. I consider that it is unmanly for any person to claim superiority over a fellow-being. And there is the amplest warrant for the belief that I am enunciating in the Bhagavad Gita, and I am therefore through and through with every non-Brahmin when he fights this monster of superiority, whether it is claimed by a Brahmin or by anybody else. He who claims superiority at once forfeits his claim to be called a man. That is my opinion.

But in spite of all my beliefs that I have explained to you, I still believe in varnashrama dharma. Varnashrama dharma to my mind is a law which, however much you and I may deny, cannot be abrogated. To admit the working of that law is to free ourselves for the only pursuit in life for which we are born. Varnashrama dharma is humility. Whilst I have said that all men and women are born equal, I do not wish therefore to suggest that qualities are not inherited, but on the contrary I believe that just as everyone inherits a particular form so does he inherit the particular characteristics and qualities of his progenitors, and to make this admission is to conserve one’s energy. That frank admission, if we will act up to it, would put a legitimate curb upon our material ambitions, and thereby our energy is set free for extending the field of spiritual research and spiritual evolution. It is this doctrine of varnashrama dharma which I have always accepted. You would be entitled to say that this is not how varnashrama is understood in these days. I have myself said time without number that varnashrama as it is at present understood and practised is a monstrous parody of the original, but in order to demolish this distortion let us not seek to demolish the original. And if you say that the idealistic varnashrama which I have placed before you is quite all right you have admitted all that I like you to admit. I would also urge on you to believe with me that no nation, no individual, can possibly live without proper ideals. And if you believe with me in the idealistic varnashrama you will also strive with me to reach that ideal so far as may be. As a matter of fact the world has not anywhere been able to fight against this law. What has happened and what must happen in fighting against the law is to hurt ourselves and to engage in a vain effort; and I suggest to you that your fight will be all the more successful if you understand all that our forefathers have bequeathed to us and engage in
fighting all the evil excrescences that have grown round this great bequest. And if you accept what I have ventured to suggest to you, you will find that the solution of the Brahmin and non-Brahmin question also, in so far as it is concerned with the religious aspect, becomes very easy. As a non-Brahmin I would seek to purify Brahminism in so far as a non-Brahmin can, but not to destroy it. I would dislodge the Brahmin from the arrogation of superiority or from places of profit. Immediately a Brahmin becomes a profiteering agency he ceases to be a Brahmin. But I would not touch his great learning wherever I see it. And whilst he may not claim superiority by reason of learning I myself must not withhold that meed of homage that learning, wherever it resides, always commands. But I must not go deeper into the subject before a large audience of this kind.

After all I must fall upon one sovereign remedy which I think is applicable for all the ills of life. And that is, in whatever fight we engage, the fight should be clean and straight, there should not be the slightest departure from truth and ahimsa. And if we will keep our carriage safely on these two rails you will find that our fight even though we may commit a thousand blunders will always smell clean and will be easier fought. And even as a train that is derailed comes to a disastrous end, so shall we, if we be derailed off these two rails, come to a disaster. A man who is truthful and does not mean ill even to his adversary will be slow to believe charges even against his foes. He will, however, try to understand the viewpoints of his opponents and will always keep an open mind and seek every opportunity of serving his opponents. I have endeavoured to apply this law in my relations with Englishmen and Europeans in general in South Africa as well as here and not without some success. How much more then should we apply this law in our homes, in our relations, in our domestic affairs, in connection with our own kith and kin?
The Task Ahead
Charles Malik

Lebanon on a Bill of Human Rights

Dr. Malik (Lebanon) Madam Chairman, I wish to make a few general observations in this general debate on our proposed bill of rights. Of course, I reserve any final decision and judgment upon the details of the provisions of the bill to a later discussion.

The Secretariat has placed in our hands, first, the result of its study of the various documents it received, and then today, the list of types of rights contained in those documents. It will be observed that it tried to organize the various rights under the three headings of liberty, equality and security. This is a fairly good classification as a preliminary starting point. It focuses our attention on these general headings and we may accept it in that sense, but it raises questions.

The three classes are not totally independent of one another; they interpenetrate and condition one another. So, a problem arises, that of trying to work out an even more fundamental unity of human rights than is suggested by this threefold division; and that, undoubtedly, is a problem to be worked out by the drafting committee itself.

But confining myself to this rough preliminary division, I would say that our concern in my country is primarily in the fields of liberty and equality. What is paramount to us more than anything else is the freedom of thought and conscience. It is on that principle that my country has always stood, and without it, it is simply inconceivable. I would like to stress an important point that is often lost sight of, namely that it is not enough to formulate the rights of man in static terms; they must rather be expressed in what I would call dynamic terms.

So, it would not be enough to say simply that we would grant the right of freedom of thought and freedom of conscience, leaving it in that static form. I would suggest that we must emphatically state that a man has the right not only to his mind, but also to change his mind and his fundamental convictions of conscience whenever his mind and conscience so dictate to him in the best light he knows.

The East is often looked upon as a static region; and therefore, if we want to help the East, we must conceive our rights in dynamic terms so that freedom is freedom to change and to become, rather than merely freedom to be and remain what you have always been. The past holds man firmly in its iron grip in the East. Unless we know how to free man from that firm iron grip, then there will be no progress.

I wish further to say that the very phrase 'human rights' obviously refers to man and that by 'rights' you can only mean that which belongs to the essence of man. This means that which is not accidental, that which does not come and go with the passage of time and with the rise and fall of fads and styles and systems. It must be something belonging to man as such. We are, therefore, raising the fundamental question, what is man? And our differences will reflect faithfully the differences in our conceptions of man, namely, of ourselves.

By 'right' then, you certainly mean something, as I said, that flows from the nature of man, and when we agree or disagree on human rights, we are really disagreeing on how each one of us ultimately interprets himself.

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1 This Meeting took place on the morning of 1 February 1947.
2 This theme recurs throughout this collection of writings by Malik as well as elsewhere in his treatments of freedom and the Islamic world. See, for example, his introduction to his edited volume entitled God and Man in Contemporary Islamic Thought (1967) (editor).
I listened with great interest yesterday to the expressions of opinion of the distinguished representative of the United Kingdom and the distinguished representative of Yugoslavia. It was obvious that one was expressing the point of view of orthodox liberalism and the other the point of view of orthodox Marxism. Here then, in this Commission, in our discussions, in our agreements and disagreements, we are, in effect, precisely that organ of the United Nations in which the views of the age on ultimate questions become most sensitively reflected. We are, as it were, the most sensitive mirror, barometer, and sounding board of the United Nations. Let no one suppose Madam Chairman that the Security Council has more basic points of difference than we have. In fact, the differences that appear in the Security Council faithfully reflect only the theoretical and ideological differences that have already expressed themselves in this Commission.

Is man merely a social being? Is he merely an animal? Is he merely an economic being? How related is he to beings above himself and below himself? All these are fundamental questions that are implied in all our thinking.

Dr. Chang said yesterday that our aim is to raise the standard of man. He used the very phrase 'the standard of man'. That reminded me at once of Nietzsche's famous saying that his entire philosophy aimed at the elevation of the type 'man'. Therefore, it is not enough for us to repeat these formal phrases. What is decisive is to determine the concrete content of these formalisms.

My Iranian colleague and friend cautioned us yesterday against the dangers of haste and of a lack of consideration of definite constitutional difficulties in particular regions. Of course, he is perfectly right and we ought to be very cautious in whatever we do because, as I said before, we are really raising the most important questions of this Commission.

But, I would like to point out that it is possible also to be over cautious; it is possible to go so slowly as to endanger the process of orderly change in your own country. Unless you anticipate change by wise measures, change may come upon you by revolution.

Then, Madam Chairman, the question of unity in all this bewildering multiplicity of categories of freedoms and rights interests me very deeply. And there, I fully agree with the distinguished representative from France that some kind of hierarchy, of system, of order, must be rationally established among all these rights and freedoms that we have before us.

Furthermore, I believe that there is a danger of being provincial, in time as well as in place. This, to me, is fundamental. We must gather our wisdom and light from all time. The intellectual climate of the present day, in my opinion, only raises the question of fundamental freedom and human rights, but it does not answer it. I am afraid that if we arbitrarily limit ourselves to the ideas of the present age, as my distinguished colleague from Yugoslavia seemed to advise us to do yesterday, we will find ourselves severely handicapped from the point of view of finding the right answers to the questions of human rights and freedoms raised by the present age.

We, as the United Nations' Commission on Human Rights, have the right and duty to free ourselves from the constraining atmosphere of the moment to range freely, but with responsibility, across the sacred field of fundamental freedoms and rights throughout the ages. We must, I submit, have the proper historical perspective and grounding.

We must also free ourselves of too exclusive a subservience to legalism, politics, and diplomacy. Undoubtedly, Madam Chairman, the jurists and the diplomats and the politicians are the salt of the earth. But you cannot eat salt alone. This, to me, is a basic human question. It cannot be encompassed adequately by the spirit of the jurist, the diplomat, or the politician. We require, I submit, the sensitive insight of the poet, the prophet, the philosopher; and I hope we shall call in these types of minds to aid us in our important enterprise. If only jurists, politicians and diplomats work out this bill, I am afraid it will
come out as a distorted thing; it will lack vision and unity; it will lack sweeping simplicity. Vision and sensitivity belong pre-eminently to the prophet, unity to the philosopher, simplicity to the poet.

Finally, Madam Chairman, Dr. Chang said yesterday that the notion of human rights arose at the time when despots and tyrants ruled over men. We may have today got rid of the despotism of the individual. The individual human beings, you and I, may not today be in need of protection against the despotism of the individual. The day of individual dictators and tyrants may be past. But if man is no longer in need of protection against the tyranny of kings and dictators, he is, Madam Chairman, desperately in need of protection against another, in my opinion equally grievous, kind of tyranny.

There has been rising in the last few decades a new tyranny, the tyranny of the masses, which seems ultimately to have an inevitable tendency of embodying itself in what I might call the tyranny of the state. If there is any danger to fundamental human rights today, it is certainly from that direction.

The Charter speaks in the preamble of the worth and dignity of man, Madam Chairman. That is what we are called upon to promote and protect. The states, the governments, the colonies, the non-selfgoverning territories - all these have other organs to plead their rights for them. They have other agencies for the promotion of their rights. We here in this Commission represent and defend the individual man in his conscience and in his individual freedom, and there is no other body in the United Nations to do that. We must defend him against any tyranny, against the tyranny of the state and the tyranny of systems, because man has other loyalties than his loyalty to the state. He has his loyalty to his family, to his religion, to his profession; he has his loyalty to science and to truth. These loyalties are as exacting on him as his loyalty to the state. And, in my opinion, the fight for freedom today consists primarily in asserting the rights of these intermediate institutions, between the individual and the state, against the overwhelming claims of the state. Unless we succeed in embodying in our proposed Bill of Rights something of this fight, of the lonely human individual against the all-encompassing danger of the state, I am afraid we will have missed our greatest opportunity.
Islam and Human Rights
Mohammad Zufralla Khan

On Articles 18-19 of the Universal Declaration of Human Rights

These articles are concerned to secure freedom of thought, conscience, religion, opinion and expression, including the freedom to change one’s religion and to manifest it in teaching, practice, worship and observance, and the freedom to seek, receive and impart information and ideas through any media and regardless of frontiers.

In essence every religion possesses a missionary character. It starts with an individual and seeks to persuade and convince others of its truth and of the beneficent nature of the values it propounds. It must, therefore, stand for freedom of conscience, including the freedom to change one’s religion and the other freedoms mentioned in these Articles, which are all consequent upon freedom of conscience; otherwise it would create barriers in the path of its own objectives.

Some religions have set territorial or racial limits to participation in their communion, but Islam’s message is universal. It brooks no such limitation and proclaims these freedoms unequivocally and emphatically. Claiming, like all religions, to be based on truth, it naturally warns, constantly and repeatedly, of the dire consequences, moral and spiritual, that would follow from the rejection or neglect of the values that it proclaims; but it leaves everyone free to make his or her choice. Belief is a matter of conscience and conscience cannot be compelled. A person might be forced to say that he believes, but he can by no manner of means be forced to believe. This truth is proclaimed by the Quran: “There shall be no compulsion in faith. Surely, guidance has become distinct from error; whosoever refuses to be led by those who transgress, and believes in Allah, has surely grasped a strong handle which knows no breaking. Allah is All-Hearing, All-Knowing” (2:257).

“Proclaim: ‘It is the Truth from your Lord; wherefore let him who will, believe, and let him who Will, disbelieve” (18:30).

The Quran explains that it is only within the competence of God, the Almighty, to make a person believe, but even He does not force anyone to believe. He leaves everyone to exercise his or her reason and judgment. If He does that it behoves no one else to try to force people to believe. "If thy Lord had enforced His will, surely, all who are on the earth would have believed together. Canst thou, then, force people to become believers?" (10:100).

“Proclaim: ’O ye people, now has the truth come to you from your Lord. So whosoever follows the guidance, follows it only for the good of his own soul, and whosoever err, err only to its loss. I am not appointed a keeper over you.' Follow that which is revealed to thee and be steadfast until Allah pronounce His judgment. He is the best of Judges” (10:109-110).

“Verily, We have revealed to thee the Book with truth for the good of mankind. So whoever follows guidance, follows it to the benefit of his own soul; and whoever goes astray, goes astray only to its detriment. Thou art not appointed a guardian over them" (39:42).

3 Editor’s note
Attention is, of course, repeatedly drawn to the difference between belief and disbelief and to the moral and spiritual consequences of righteous action in contrast with evil conduct; but there is not the slightest reflection or implication that conscience may be forced or compelled. “The blind and the seeing are not equal; neither are those who believe and act righteously equal to those who work evil. Little is it that you reflect” (40:59)

"The blind and the seeing are not alike, nor the darkness and the light, nor the shade and the heat; nor alike are the spiritually alive and the spiritually dead. Allah causes him to hear whom He pleases; and thou canst not make those to hear who shut themselves up in graves. Thou art but a Warner” (35:20-24).

"Shall We treat those who believe and act righteously like those who act corruptly in the earth? Shall We treat the righteous like the wicked? This is a Book that We have revealed to thee, full of blessings, that they may reflect over its verses, and that those gifted with understanding may take heed” (38:29-30). "So turn aside from him who turns away from Our remembrance, and seeks nothing but the life of this world. That is the utmost limit of their knowledge. Verily, thy Lord knows best him who strays from His way, and He knows best him who follows guidance. To Allah belongs whatever is in the heavens and whatever is in the earth, that He may requite those who do evil for what they have wrought, and that He may reward with what is best those who do good” (53:30-32).

The Quran lays down directions with regard to the manner in which the message of Islam is to be conveyed to mankind. “Say, O Prophet, 'This is my way: I call unto Allah on the basis of sure knowledge, I and those who follow me’” (12:109). He was commanded: "Call unto the way of thy Lord with wisdom and kindly exhortation, and reason with them in the way that is best. Surely thy Lord knows best him who has strayed from His way; and He knows best those who are rightly guided” (16:126). That command is an imperative for all Muslims.

Islam stands for complete sincerity in all relationships and insists on conformity of conduct to profession.

"O ye who believe, be mindful of your duty to Allah, and always say the straightforward word. Thereby will He bless your works for you and forgive you your defaults. Whoso obeys Allah and His Messenger, shall surely attain a mighty success” (33:71-72).

"O ye who believe, why do you say that which you do not? Most displeasing is it in the sight of Allah that you should say that which you do not" (61:3-4).

Hypocrisy and insincerity are frequently condemned in the Quran in severe terms. “The hypocrites shall surely be in the lowest depth of the Fire, and thou shalt find no helper for them, except those who repent and amend and hold fast to Allah and hold their faith sincerely for Allah alone. These are among the believers. Allah will soon bestow a great reward upon the believers” (4:46-47).

It follows that Islam requires a person to profess what he truly believes in, and not to profess belief in what he does not sincerely believe, nor continue to profess belief in that which he has ceased to believe in. Claiming to be the truth, it invites everyone to believe in its doctrines and to practise its teachings and does not encourage disbelief or a hypocritical profession of belief. Should anyone cease to believe in Islam, he
does not thereby incur any legal penalty. From the point of view of Islam he abandons the path of peace, security, beneficence and progress, and puts his moral and spiritual welfare in jeopardy. In the Hereafter he will be among the losers. "Whoever rejects the faith his work has doubtless come to naught, and in the Hereafter he will be among the losers" (5:6). But in all matters of conscience his choice continues to be free. This follows from "There shall be no compulsion in faith" (2:257). If, along with his change of faith or in consequence of it, he indulges in activities which constitute an offence, he will render himself liable to punishment for the offence, in the same manner and to the same degree in which he would have been liable had he been guilty of the offence without any change of faith. In other words, apostacy, by itself, however condemnable as a spiritual offence, entails no temporal penalty. This is the essence of the freedom to change one's religion. The Quran is explicit on it.

He who turns his back on the truth having once recognized and accepted it, and persists in his rejection of it till death overtakes him and no opportunity is left open to him to retrace his steps and make amends, enters the Hereafter in a state of spiritual bankruptcy. "They will not stop fighting you until they turn you back from your faith, if they can. Whosoever from among you turns back from his faith and dies in a state of disbelief, it is such as he whose works shall be in vain in this world and the next" (2:218). As the context shows, this verse has reference to a state of war. If in that state a Muslim went over to the enemy and took up arms against the Muslims he would be guilty of treason and would be liable to suffer the penalty for treason whether a change of faith was or was not involved; though in the then conditions it would have been inconceivable that such a one would still profess being a Muslim.

In the same context is the assurance, "0 ye who believe, whoso from among you turns back from his religion, know that in his stead Allah will soon bring a people whom He will love and who will love Him, a people kindly and humbly inclined towards believers and firm and impervious towards disbelievers. They will strive in the cause of Allah and will not fear the reproach of a fault-finder. That is Allah's grace; He bestows it upon whomsoever He pleases. Allah is Bountiful, All-Knowing" (5:55). This was a comforting and consoling assurance against any desertion that the enemy might succeed in procuring during the course of the war.

Change of belief, unconnected with hostilities, is looked upon in the same way. It does involve a grave penalty, the displeasure of Allah, worse than death in the eyes of a believer, but of no consequence in the estimation of one who has ceased to believe. No temporal penalty is attracted, if the change of belief has not led to the commission of an offence. "Those who believe, then disbelieve, then again believe, then disbelieve, and then go on increasing in disbelief, Allah will never forgive them nor will He guide them to the way" (4:138).

"Surely, those who disbelieve after they have believed and then go on increasing in disbelief, their repentance shall not be accepted, and they are the ones who have gone astray" (3:91).

The Jews in Medina were constantly devising stratagems to create trouble for and confusion among the Muslims. One of the devices contemplated by them is referred to in the following verse: "A party of the People of the Book say, 'Profess belief in that which has been revealed unto the believers, in the early part of the day, and proclaim disbelief in it in the latter part of the day, perchance this might induce them to return to disbelief" (3:73).
This is clear proof that change of faith entailed no temporal punishment. For if apostacy had been treated as a capital offence, as has been alleged, no such device as is mentioned in the verse could even have been contemplated, since the party having recourse to it, having proclaimed themselves believers in the morning, would on announcing their disbelief in the afternoon have been liable to be executed. According to their poor opinion of the quality of the faith of the Muslims, this would have struck terror into the hearts of the weaker and wavering Muslims, rather than served to induce them to follow the Jewish example.

On freedom of teaching, practice, worship and observance of religion, the following may be instructive and of interest:

“Surely, We sent down the Torah wherein was guidance and light. By it did the Prophets, who were obedient to Us, judge for the Jews, as did the godly persons and those learned in the Law; for they were required to preserve the Book of Allah, and because they were guardians over it. Therefore fear not men but fear Me; and barter not My signs for a paltry price. Whoso judges not by that which Allah has sent down, these it is who are the disbelievers. Therein We prescribed for them: A life for a life, an eye for an eye, a nose for a nose, an ear, for an ear, a tooth for a tooth, and for other injuries equitable retaliation; and whoso waives the right thereto, it shall be an expiation for his sins. Whoso judges not by what Allah has sent down, these it is who are the wrongdoers.

“We caused Jesus, son of Mary, to follow in their footsteps, fulfilling that which was revealed before him in the Torah, and We gave him the Gospel which contained guidance and light, fulfilling that which was revealed before it in the Torah, and a guidance and an admonition for the God-fearing. Let the People of the Gospel judge according to what Allah has revealed therein, and whoso judges not by what Allah has revealed, these it is who are the rebellious” (5:45-48).

The Prophet permitted a Christian delegation from Najran to hold their service, in accordance with their rites, in his mosque at Medina, and they availed themselves of the permission.\footnote{Zarqani IV, p. 41.}

The Quran invites, indeed enjoins, reflection and the exercise of reason, understanding and judgment at every step. Failure to do so counts as a serious default for which an individual is accountable. It thus seeks to foster the development of these faculties and actively promotes freedom of thought, opinion and expression.

“In the creation of the heavens and the earth and in the alternation of the night and the day there are indeed Signs for those who possess understanding; those who remember Allah standing, sitting and lying on their sides, and ponder over the creation of the heavens and the earth” (3:191-92).

“We sent Our Messengers with clear Signs and Scriptures, and We have sent down to thee the Reminder that thou mayest explain to mankind that which has been sent down to them, and that they may reflect” (16:45).

“Do they not reflect in their own minds? Allah has not created the heavens and the earth and all that is between the two but in accordance with the requirements of wisdom and for a fixed term. But many
among men believe not in the meeting with their Lord” (30:9).

“This is a Book which We have revealed to thee, full of blessings, that they may reflect over its verses, and that those gifted with understanding may take heed” (38:30).

“These are illustrations that We set forth for mankind that they may reflect” (59:22).

From what has been said so far, it follows that everyone must be free to seek, receive and impart information and ideas through any media and regardless of frontiers. This is essential so that knowledge may be fostered and ignorance dispelled. “Shall those who know be equal to those who know not? Verily, only those endowed with understanding will take heed” (39:10).

The Prophet has said: "The seeking of knowledge is a duty laid upon every Muslim, man and woman". 2 He exhorted: "Go forth in search of knowledge to farthest Cathay". 3

It is somewhat paradoxical, however, that while the Declaration sets forth the freedom "to seek, receive and impart information and ideas through any media and regardless of frontiers", it does not seek to promote the freedom to travel, without let or hindrance, across frontiers in search of knowledge, information and ideas - a freedom that mankind had enjoyed for centuries and which has been seriously hindered in the present generation, with the consequent restriction of a fruitful source of knowledge and understanding.

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2 Ibn Maja I, Ch.: Dignity of the Learned.
3 Baihqi, on the authority of As-Sayuti I, under letter a, p. 37.
Part One
Experiences in a Concentration Camp

THIS BOOK DOES NOT CLAIM TO BE AN ACCOUNT OF facts and events but of personal experiences, experiences which millions of prisoners have suffered time and again. It is the inside story of a concentration camp, told by one of its survivors. This tale is not concerned with the great horrors, which have already been described often enough (though less often believed), but with the multitude of small torments. In other words, it will try to answer this question: How was everyday life in a concentration camp reflected in the mind of the average prisoner?

Most of the events described here did not take place in the large and famous camps, but in the small ones where most of the real extermination took place. This story is not about the suffering and death of great heroes and martyrs, nor is it about the prominent Capos—prisoners who acted as trustees, having special privileges—or well-known prisoners. Thus it is not so much concerned with the sufferings of the mighty, but with the sacrifices, the crucifixion and the deaths of the great army of unknown and unrecorded victims.

It was these common prisoners, who bore no distinguishing marks on their sleeves, whom the Capos really despised. While these ordinary prisoners had little or nothing to eat, the Capos were never hungry; in fact many of the Capos fared better in the camp than they had in their entire lives. Often they were harder on the prisoners than were the guards, and beat them more cruelly than the SS men did. These Capos, of course, were chosen only from those prisoners whose characters promised to make them suitable for such procedures, and if they did not comply with what was expected of them, they were immediately demoted. They soon became much like the SS men and the camp wardens and may be judged on a similar psychological basis.

It is easy for the outsider to get the wrong conception of camp life, a conception mingled with sentiment and pity. Little does he know of the hard fight for existence which raged among the prisoners. This was an unrelenting struggle for daily bread and for life itself, for one’s own sake or for that of a good friend.

Let us take the case of a transport which was officially announced to transfer a certain number of prisoners to another camp; but it was a fairly safe guess that its final destination would be the gas chambers. A selection of sick or feeble prisoners incapable of work would be sent to one of the big central camps which were fitted with gas chambers and crematoriums. The selection process was the signal for a free fight among all the prisoners, or of group against group. All that mattered was that one’s own name and that of one’s friend were crossed off the list of victims, though everyone knew that for each man saved another victim had to be found.

A definite number of prisoners had to go with each transport. It did not really matter which, since each of them was nothing but a number. On their admission to the camp (at least this was the method in Auschwitz) all their documents had been taken from them, together with their other possessions. Each prisoner; therefore, had had an opportunity to claim a fictitious name or profession; and for various reasons many did this. The authorities were interested only in the captives’ numbers. These numbers were often tattooed on their skin, and also had to be sewn to a certain spot on the trousers, jacket, or coat. Any guard who wanted to make a charge against a prisoner just glanced at his number (and how we dreaded
such glances!); he never asked for his name.

To return to the convoy about to depart. There was neither time nor desire to consider moral or ethical issues. Every man was controlled by one thought only: to keep himself alive for the family waiting for him at home, and to save his friends. With no hesitation, therefore, he would arrange for another prisoner, another "number," to take his place in the transport.

As I have already mentioned, the process of selecting Capos was a negative one; only the most brutal of the prisoners were chosen for this job (although there were some happy exceptions). But apart from the selection of Capos which was undertaken by the SS, there was a sort of self-selecting process going on the whole time among all of the prisoners. On the average, only those prisoners could keep alive who, after years of trekking from camp to camp, had lost all scruples in their fight for existence; they were prepared to use every means, honest and otherwise, even brutal force, theft, and betrayal of their friends, in order to save themselves. We who have come back, by the aid of many lucky chances or miracles—whatever one may choose to call them—we know: the best of us did not return.

Many factual accounts about concentration camps are already on record. Here, facts will be significant only as far as they are part of a man's experiences. It is the exact nature of these experiences that the following essay will attempt to describe. For those who have been inmates in a camp, it will attempt to explain their experiences in the light of present-day knowledge. And for those who have never been inside, it may help them to comprehend, and above all to understand, the experiences of that only too small percentage of prisoners who survived and who now find life, very difficult. These former prisoners often say, "We dislike talking about our experiences. No explanations are needed for those who have been inside, and the others will understand neither how we felt then nor how we feel now."

To attempt a methodical presentation of the subject is very difficult, as psychology requires a certain scientific detachment. But does a man who makes his observations while he himself is a prisoner possess the necessary detachment? Such detachment is granted to the outsider, but he is too far removed to make any statements of real value. Only the man inside knows. His judgments may not be objective; his evaluations may be out of proportion. This is inevitable. An attempt must be made to avoid any personal bias, and that is the real difficulty of a book of this kind. At times it will be necessary to have the courage to tell of very intimate experiences. I had intended to write this book anonymously, using my prison number only. But when the manuscript was completed, I saw that as an anonymous publication it would lose half its value, and that I must have the courage to state my convictions openly. I therefore refrained from deleting any of the passages, in spite of an intense dislike of exhibitionism.

I shall leave it to others to distill the contents of this book into dry theories. These might become a contribution to the psychology of prison life, which, was investigated after the First World War, and which acquainted us with the syndrome of "barbed wire sickness." We are indebted to the Second World War for enriching our knowledge of the "psychopathology of the masses," (if I may quote a variation of the well-known phrase and title, of a book by LeBon), for the war gave us the war of nerves and it gave us the concentration camp.

As this story is about my experiences as an ordinary prisoner, it is important that I mention, not without pride, that I was not employed as a psychiatrist in camp, or even as a doctor, except for the last few weeks. A few of my colleagues were lucky enough to be employed in poorly heated first-aid posts applying bandages made of scraps of waste paper. But I was Number 119,104, and most of the time I was digging and laying tracks for railway lines. At one time, my job was to dig a tunnel, without help, for a water main under a road. This feat did not go unrewarded; just before Christmas 1944, I was presented with a gift of so-called "premium coupons." These were issued by the construction firm to which we were
practically sold as slaves: the firm paid the camp authorities a fixed price per day, per prisoner. The coupons cost the firm fifty pfennigs each and could be exchanged for six cigarettes, often weeks later, although they sometimes lost their validity. I became the proud owner of a token worth twelve cigarettes. But more important, the cigarettes could be exchanged for twelve soups, and twelve soups were often a very real respite from starvation.

The privilege of actually smoking cigarettes was reserved for the Capo, who had his assured quota of weekly coupons; or possibly for a prisoner who worked as a foreman in a warehouse or workshop and received a few cigarettes in exchange for doing dangerous jobs. The only exceptions to this were those who had lost the will to live and wanted to "enjoy" their last days. Thus, when we saw a comrade smoking his own cigarettes, we knew he had given up faith in his strength to carry on, and, once lost, the will to live seldom returned.

When one examines the vast amount of material which has been amassed as the result of many prisoners' observations and experiences, three phases of the inmate's mental reactions to camp life become apparent: the period following his admission; the period when he is well entrenched in camp routine; and the period following his release and liberation.

The symptom that characterizes the first phase is shock. Under certain conditions 'shock may even precede the prisoner's formal admission to the camp. I shall give as an example the circumstances of my own admission.

Fifteen hundred persons had been traveling by train for several days and nights: there were eighty people in each coach. All had to lie on top of their luggage, the few remnants of their personal possessions. The carriages were so full that only the top parts of the windows were free to let in the grey of dawn. Everyone expected the train to head for some munitions factory, in which we would be employed as forced labor. We did not know whether we were still in Silesia or already in Poland. The engine's whistle had an uncanny sound, like a cry for help sent out in commiseration for the unhappy load which it was destined to lead into perdition. Then the train shunted, obviously nearing a main station. Suddenly a cry broke from the ranks of the anxious passengers, "There is a sign, Auschwitz!" Everyone's heart missed a beat at that moment. Auschwitz—the very name stood for all that was horrible: gas chambers, crematoriums, massacres. Slowly, almost hesitatingly, the train moved on as if it wanted to spare its passengers the dreadful realization as long as possible: Auschwitz!

With the progressive dawn, the outlines of an immense camp became visible: long stretches of several rows of barbed-wire fences; watch towers; search lights; and long columns of ragged human figures, grey in the greyness of dawn trekking along the straight desolate roads, to what destination we did not know. There were isolated shouts and whistles of command. We did not know their meaning. My imagination led me to see gallows with people dangling on them. I was horrified, but this was just as well, because step by step we had to become accustomed to a terrible and immense horror.

Eventually we moved into the station. The initial silence was interrupted by shouted commands. We were to hear those rough, shrill tones from then on, over and over again in all the camps. Their sound was almost like the last cry of a victim, and yet there was a difference. It had a rasping hoarseness, as if it came from the throat of a man who had to keep shouting like that, a man who was being murdered again and again. The carriage doors were flung open and a small detachment of prisoners stormed inside. They wore striped uniforms, their heads were shaved, but they looked well fed. They spoke in every possible European tongue, and all with a certain amount of humor, which sounded grotesque under the circumstances. Like a drowning man clutching a straw, my inborn optimism (which has often controlled my feelings even in the most desperate situations) clung to this thought: These prisoners look quite well, they seem to be in good spirits and even laugh. Who knows? I might manage to share their favorable position.
In psychiatry there is a certain condition known as "delusion of reprieve." The condemned man, immediately before his execution, gets the illusion that he might be reprieved at the very last minute. We, too, clung to shreds of hope and believed to the last moment that it would not be so bad. Just the sight of the red cheeks and round faces of those prisoners was a great encouragement. Little did we know then that they formed a specially chosen elite, who for years had been the receiving squad for new transports as they rolled into the station day after day. They took charge of the new arrivals and their luggage, including scarce items and smuggled jewelry. Auschwitz must have been a strange spot in this Europe of the last years of the war. There must have been unique treasures of gold and silver, platinum and diamonds, not only in the huge storehouses but also in the hands of the 55.

Fifteen hundred captives were cooped up in a shed built to accommodate probably two hundred at the most. We were cold and hungry and there was not enough room for everyone to squat on the bare ground, let alone to lie down. One five-ounce piece of bread was our only food in four days. Yet I heard the senior prisoners in charge of the shed bargain with one member of the receiving party about a tie-pin made of platinum and diamonds. Most of the profits would eventually be traded for liquor—schnapps. I do not remember any more just how many thousands of marks were needed to purchase the quantity of schnapps required for a "gay evening," but I do know that those long-term prisoners needed schnapps. Under such conditions, who could blame them for trying to dope themselves? There was another group of prisoners who got liquor supplied in almost unlimited quantities by the 55: these were the men who were employed in the gas chambers and crematoriums, and who knew very well that one day they would be relieved by a new shift of men, and that they would have to leave their enforced role of executioner and become victims themselves.

Nearly everyone in our transport lived under the illusion that he would be reprieved, that everything would yet be well. We did not realize the meaning behind the scene that was to follow presently. We were told to leave our luggage in the train and to fall into two lines—women on one side, men on the other—in order to file past a senior SS officer. Surprisingly enough, I had the courage to hide my haversack under my coat. My line filed past the officer, man by man. I realized that it would be dangerous if the officer spotted my bag. He would at least knock me down; I knew that from previous experience. Instinctively, I straightened on approaching the officer, so that he would not notice my heavy load. Then I was face to face with him. He was a tall man who looked slim and fit in his spotless uniform. What a contrast to us, who were untidy and grimy after our long journey! He had assumed an attitude of careless ease, supporting his right elbow with his hand. His right hand was lifted, and with the forefinger of that hand he pointed very leisurely to the right or to the left. None of us had the slightest idea of the sinister meaning behind that little movement of a man's finger, pointing now to the right and now to the left, but far more frequently to the left.

It was my turn. Somebody whispered to me that to be sent to the right side would mean work, the way to the left being for the sick and those incapable of work, who would be sent to a special camp. I just waited for things to take their course, the first of many such times to come. My haversack weighed me down a bit to the left, but I made an effort to walk upright. The SS man looked me over, appeared to hesitate, then put both his hands on my shoulders. I tried very hard to look smart, and he turned my shoulders very slowly until I faced right, and I moved over to that side.

The significance of the finger game was explained to us in the evening. It was the first selection, the first verdict made on our existence or non-existence. For the great majority of our transport, about 90 per cent, it meant death. Their sentence was carried out within the next few hours. Those who were sent to the left were marched from the station straight to the crematorium. This building, as I was told by someone who worked there, had the word "bath" written over its doors in several European languages. On entering, each prisoner was handed a piece of soap, and then—but mercifully I do not need to describe
the events which followed. Many accounts have been written about this horror.

We who were saved, the minority of our transport, found out the truth in the evening. I inquired from prisoners who had been there for some time where my colleague and friend P—had been sent.

"Was he sent to the left side?"

"Yes," I replied.

"Then you can see him there," I was told. "Where?" A hand pointed to the chimney a few hundred yards off, which was sending a column of flame up into the grey sky of Poland. It dissolved into a sinister cloud of smoke.

"That’s where your friend is, floating up to Heaven," was the answer. But I still did not understand until the truth was explained to me in plain words.

But I am telling things out of their turn. From a psychological point of view, we had a long, long way in front of us from the break of that dawn at the station until our first night’s rest at the camp.

Escorted by SS guards with loaded guns, we were made to run from the station, past electrically charged barbed wire, through the camp, to the cleansing station; for those of us who had passed the first selection, this was a real bath. Again our illusion of reprieve found confirmation. The SS men seemed almost charming. Soon we found out their reason. They were nice to us as long as they saw watches on our wrists and could persuade us in well-meaning tones to hand them over. Would we not have to hand over all our possessions anyway, and why should not that relatively nice person have the watch? Maybe one day he would do one a good turn.

We waited in a shed which seemed to be the anteroom to the disinfecting chamber. SS men appeared and spread out blankets into which we had to throw all our possessions, all our watches and jewelry. There were still naive prisoners among us who asked, to the amusement of the more seasoned ones who were there as helpers, if they could not keep a wedding ring, a medal or a good-luck piece. No one could yet grasp the fact that everything would be taken away.

I tried to take one of the old prisoners into my confidence. Approaching him furtively, I pointed to the roll of paper in the inner pocket of my coat and said, "Look, this is the manuscript of a scientific book. I know what you will say; that I should be grateful to escape with my life, that that should be all I can expect of fate. But I cannot help myself. I must keep this manuscript at all costs; it contains my life’s work. Do you understand that?"

Yes, he was beginning to understand. A grin spread slowly over his face, first piteous, then more amused, mocking, insulting, until he bellowed one word at me in answer to my question, a word that was ever present in the vocabulary of the camp inmates: "Shit!" At that moment I saw the plain truth and did what marked the culminating point of the first phase of my psychological reaction: I struck out my whole former life.

Suddenly there was a stir among my fellow travelers, who had been standing about with pale, frightened faces, helplessly debating. Again we heard the hoarsely shouted commands. We were driven with blows into the immediate anteroom of the bath. There we assembled around an SS man who waited until we had all arrived. Then he said, "I will give you two minutes, and I shall time you by my watch. In these two minutes you will get fully undressed and drop everything on the floor where you are standing. You will take nothing with you except your shoes, your belt or suspenders, and possibly a truss. I am starting to count—now!"

With unthinkable haste, people tore off their clothes. As the time grew shorter, they became increasingly nervous and pulled clumsily at their underwear, belts and shoelaces. Then we heard the first sounds of whipping; leather straps beating down on naked bodies.

Next we were herded into another room to be shaved: not only our heads were shorn, but not a hair was left on our entire bodies. Then on to the showers, where we lined up again. We hardly recognized
each other; but with great relief some people noted that real water dripped from the sprays.

While we were waiting for the shower, our nakedness was brought home to us: we really had nothing
now except our bare bodies—even minus hair; all we possessed, literally, was our naked existence. What
else remained for us as a material link with our former lives? For me there were my glasses and my belt;
the latter I had to exchange later on for a piece of bread. There was an extra bit of excitement in store for
the owners of trusses. In the evening the senior prisoner in charge of our hut welcomed us with a speech in
which he gave us his word of honor that he would hang, personally, "from that beam"—he pointed to
it—any person who had sewn money or precious stones into his truss. Proudly he explained that as a
senior inhabitant the camp laws entitled him to do so.

Thus the illusions some of us still held were destroyed one by one, and then, quite unexpectedly, most
of us were overcome by a grim sense of humor. We knew that we had nothing to lose except our so
ridiculously naked lives. When the showers started to run, we all tried very hard to make fun, both about
ourselves and about each other. After all, real water did flow from the sprays!

Apart from that strange kind of humor, another sensation seized us: curiosity. I have experienced this
kind of curiosity before, as a fundamental reaction toward certain strange circumstances. When my life was
once endangered by a climbing accident, I felt only one sensation at the critical moment: curiosity, curiosity
as to whether I should come out of it alive or with a fractured skull or some other injuries.

Cold curiosity predominated even in Auschwitz, somehow detaching the mind from its surroundings,
which came to be regarded with a kind of objectivity. At that time one cultivated this state of mind as a
means of protection. We were anxious to know what would happen next; and what would be the
consequence, for example, of our standing in the open air, in the chill of late autumn, stark naked, and still
wet from the showers. In the next few days our curiosity evolved into surprise; surprise that we did not
catch cold.

There were many similar surprises in store for new arrivals. The medical men among us learned first of
all:

"Textbooks tell lies!" Somewhere it is said that man cannot exist without sleep for more than a stated
number of hours. Quite wrong! I had been convinced that there were certain things I just could not do: I
could not sleep without this or I could not live with that or the other. The first night in Auschwitz we slept
in beds which were constructed in tiers. On each tier (measuring about six-and-a-half to eight feet) slept
nine men, directly on the boards. Two blankets were shared by each nine men. We could, of course, lie
'on our sides, crowded and huddled against each other, which had some advantages because of the
bitter cold. Though it was forbidden to take shoes up to the bunks, some people did Use them secretly as
pillows in spite of the fact that they were caked with mud. Otherwise one's head had to rest on the crook
of an almost dislocated arm. And yet sleep came and brought oblivion and relief from pain for a few hours.

I would like to mention a few similar surprises on how much we could endure: we were unable to
clean our teeth, and yet, in spite of that and a severe vitamin deficiency, we had healthier gums than ever
before. We had to wear the same shirts for half a year, until they had lost all appearance of being shirts.
For days we were unable to wash, even partially, because of frozen water-pipes, and yet the sores and
abrasions on hands which were dirty from work in the soil did not suppurate (that is, unless there was
frostbite). Or for instance, a light sleeper, who used to be disturbed by the slightest noise in the next room,
now found himself lying pressed against a comrade who snored loudly a few inches from his ear and yet
slept quite soundly through the noise.

If someone now asked of us the truth of Dostoevski’s statement that flatly defines man as a being who
can get used to anything, we would reply, "Yes, a man can get used to anything, but do not ask us how."
But our psychological investigations have not taken us that far yet; neither had we prisoners reached that point. We were still in the first phase of our psychological reactions.

The thought of suicide was entertained by nearly everyone, if only for a brief time. It was born of the hopelessness of the situation, the constant danger of death looming over us daily and hourly, and the closeness of the deaths suffered by many of the others. From personal convictions which will be mentioned later, I made myself a firm promise, on my first evening in camp, that I would not "run into the wire." This was a phrase used in camp to describe the most popular method of suicide—touching the electrically charged barbed-wire fence. It was not entirely difficult for me to make this decision. There was little point in committing suicide, since, for the average inmate, life expectation, calculating objectively and counting all likely chances, was very poor. He could not with any assurance expect to be among the small percentage of men who survived all the selections. The prisoner of Auschwitz, in the first phase of shock, did not fear death. Even the gas chambers lost their horrors for him after the first few days—after all, they spared him the act of committing suicide.

Friends whom I have met later have told me that I was not one of those whom the shock of admission greatly depressed. I only smiled, and quite sincerely, when the following episode occurred the morning after our first night in Auschwitz. In spite of strict orders not to leave our "blocks," a colleague of mine, who had arrived in Auschwitz several weeks previously, smuggled himself into our hut. He wanted to calm and comfort us and tell us a few things. He had become so thin that at first we did not recognize him. With a show of good humor and a Devil-may-care attitude he gave us a few hurried tips: "Don't be afraid! Don't fear the selections! Dr. M—(the SS medical chief) has a soft spot for doctors." (This was wrong; my friend's kindly Words were misleading. One Prisoner, the doctor of a block of huts and a man of some sixty years, told me how he had entertained Dr. M—to let off his son, who was destined for gas. Dr. M—coldly refused.)

"But one thing I beg of you"; he continued, "shave daily, if at all Possible, even if you have to Use a piece of glass to do it ... even if you have to give your last piece of bread for it. You will look younger and the scraping will make your cheeks look ruddier. If you want to stay alive, there is only one way: look fit for Work. If you even limp, because, let us say, you have a small blister on your heel, and an SS man spots this, he will wave you aside and the next day you are sure to be gassed. Do you know what we mean by a 'Moslem'? A man who looks miserable, down and out, sick and emaciated, and who cannot manage hard physical labor any longer ... that is a 'Moslem.' Sooner or later, usually sooner, every 'Moslem' goes to the gas chambers. Therefore, remember: shave, stand and walk smartly; then you need not be afraid of gas. All of you standing here, even if you have only been here twenty-four hours, you need not fear gas, except perhaps you." And then he pointed to me and said, "I hope you don't mind my telling you frankly. To the others he repeated, "Of all of you he is the only one who must fear the next selection. So, don't worry!"

And I smiled. I am now convinced that anyone in my place on that day would have done the same.

I think it was Lessing who once said, "There are things which must cause you to lose your reason or you have none to lose." An abnormal reaction to an abnormal situation is normal behavior. Even we psychiatrists expect the reactions of a man to an abnormal situation, such as being committed to an asylum, to be abnormal in proportion to the degree of his normality. The reaction of a man to his admission to a concentration camp also represents an abnormal state of mind, but judged objectively it is a normal and, as will be shown later, typical reaction to the given circumstances. These reactions, as I have described them, began to change in a few days. The prisoner passed from the first to the second phase; the phase of relative apathy in which he achieved a kind of emotional death.
Apart from the already described reactions, the newly arrived prisoner experienced the tortures of other most painful emotions, all of which he tried to deaden. First of all, there was his boundless longing for his home and his family. This often could become so acute that he felt himself consumed by longing. Then there was disgust; disgust with all the ugliness which surrounded him, even in its mere external forms.

Most of the prisoners were given a uniform of rags which would have made a scarecrow elegant by comparison. Between the huts in the camp lay pure filth, and the more one worked to clear it away, the more one had to come in contact with it. It was a favorite practice to detail a new arrival to a work group whose job was to clean the latrines and remove the sewage. If, as usually happened, some of the excrement splashed into his face during its transport over bumpy fields, any sign of disgust by the prisoner or any attempt to wipe off the filth would only be punished with a blow from a Capo. And thus the mortification of normal reactions was hastened.

At first the prisoner looked away if he saw the punishment parades of another group; he could not bear to see fellow prisoners march up and down for hours in the mire, their movements directed by blows. Days or weeks later things changed. Early in the morning, when it was still dark, the prisoner stood in front of the gate with his detachment, ready to march. He heard a scream and saw how a comrade was knocked down, pulled to his feet again, and knocked down once more—and why? He was feverish but had reported to sick bay at an improper time. He was being punished for this irregular attempt to be relieved of his duties.

But the prisoner who had passed into the second stage of his psychological reactions did not avert his eyes any more. By then his feelings were blunted, and he watched unmoved. Another example: he found himself waiting at sick-bay, hoping to be granted two days of light work inside the camp because of injuries or perhaps edema or fever. He stood unmoved while a twelve-year-old boy was carried in who had been forced to stand at attention for hours in the snow or to work outside with bare feet because there were no shoes for him in the camp. His toes had become frostbitten, and the doctor on duty picked off the black gangrenous stumps with tweezers, one by one. Disgust, horror and pity are emotions that our spectator could not really feel any more. The sufferers, the dying and the dead, became such commonplace sights to him after a few weeks of camp life that they could not move him any more.

I spent some time in a hut for typhus patients who ran very high temperatures and were often delirious, many of them moribund. After one of them had just died, I watched without any emotional upset the scene that followed, which was repeated over and over again with each death. One by one the prisoners approached the still warm body. One grabbed the remains of a messy meal of potatoes; another decided that the corpse’s wooden shoes were an improvement on his own, and exchanged them. A third did the same with the dead man’s coat, and another was glad to be able to secure some—just imagine!—genuine string.

All this I watched with unconcern. Eventually I asked the “nurse” to remove the body. When he decided to do so, he took the corpse by its legs, allowing it to drop into the small corridor between the two rows of boards which were the beds for the fifty typhus patients, and dragged it across the bumpy earthen floor toward the door. The two steps which led up into the open air always constituted a problem for us since we were exhausted from a chronic lack of food. After a few months’ stay in the camp we could not walk up those steps, which were each about six inches high, without putting our hands on the door jambs to pull ourselves up.

The man with the corpse approached the steps. Wearily he dragged himself up. Then the body: first the feet, then the trunk, and finally—with an uncanny rattling noise—the head of the corpse bumped up the two steps.

My place was on the opposite side of the hut, next to the small, sole window, which was built near the
floor. While my cold hands clasped a bowl of hot soup from which I sipped greedily, I happened to look out the window. The corpse which had just been removed stared in at me with glazed eyes two hours before I had spoken to that man. Now I continued sipping my soup.

If my lack of emotion had not surprised me from the standpoint of professional interest, I would not remember this incident now, because there was so little feeling involved in it.

Apathy, the blunting of the emotions and the feeling that one could not care any more, were the symptoms arising during the second stage of the prisoner’s psychological reactions, and which eventually made him insensitive to daily and hourly beatings. By means of this insensitivity the prisoner soon surrounded himself with a very necessary protective shell.

Beatings occurred on the slightest provocation, sometimes for no reason at all. For example, bread was rationed out at our work site and we had to line up for it. Once, the man behind me stood off a little to one side and that lack of symmetry displeased the SS guard: I did not know what was going on in the line behind me, nor in the mind of the SS guard, but suddenly I received two sharp blows on my head. Only then did I spot the guard at my side who was using his stick. At such a moment it is not the physical pain which hurts the most (and this applies to adults as much as to punished children); it is the mental agony caused by the injustice, the unreasonableness of it all.

Strangely enough, a blow which does not even find its mark can, under certain circumstances, hurt more than one that finds its mark. Once I was standing on a railway track in a snowstorm. In spite of the weather our party had to keep on working. I worked quite hard at mending the track with gravel, since that was the only way to keep warm. For only one moment I paused to get my breath and to lean on my shovel. Unfortunately the guard turned around just then and thought I was loafing. The pain he caused me was not from any insults or any blows. That guard did not think it worth his while to say anything, not even a swear word, to the ragged, emaciated figure standing before him, which probably reminded him only vaguely of a human form. Instead, he playfully picked up a stone and threw it at me. That, to me, seemed the way to attract the attention of a beast, to call a domestic animal back to its job, a creature with which you have so little in common that you do not even punish it.

The most painful part of beatings is the insult which they imply. At one time we had to carry some long, heavy girders over icy tracks. If one man slipped, he endangered not only himself but all the others who carried the same girder. An old friend of mine had a congenitally dislocated hip. He was glad to be capable of working in spite of it, since the physically disabled were almost certainly sent to death when a selection took place. He limped over the track with an especially heavy girder, and seemed about to fall and drag the others with him. As yet, I was not carrying a girder so I jumped to his assistance without stopping to think. I was immediately hit on the back, rudely reprimanded and ordered to return to my place. A few minutes previously the same guard who struck me had told us deprecatingly that we "pigs" lacked the spirit of comradeship.

Another time, in a forest, with the temperature at 20°F, we began to dig up the topsoil, which was frozen hard, in order to lay water pipes. By then I had grown rather weak physically. Along came a foreman with chubby rosy cheeks. His face definitely reminded me of a pig's head. I noticed that he wore lovely warm gloves in that bitter cold. For a time he watched me silently. I felt that trouble was brewing, for in front of me lay the mound of earth which showed exactly how much I had dug.

Then he began: "You pig, I have been watching you the whole time! I'll teach you to work, yet! Wait till you dig dirt with your teeth—you'll die like an animal! In two days I'll finish you off! You've never done a stroke of work in your life. What were you, swine? A businessman?"

I was past caring. But I had to take his threat of killing me seriously, so I straightened up and looked him directly in the eye. "I was a doctor—a specialist."
“What? A doctor? I bet you got a lot of money out of people.”

“As it happens, I did most of my work for no money at all, in clinics for the poor.” But, now, I had said too much. He threw himself on me and knocked me down shouting like a madman. I can no longer remember what he shouted.

I want to show with this apparently trivial story that there are moments when indignation can rouse even a seemingly hardened prisoner—indignation not about cruelty or pain, but about the insult connected with it. That time blood rushed to my head because I had to listen to a man judge my life who had so little idea of it, a man (I must confess: the following remark, which I made to my fellow-prisoners after the scene, afforded me childish relief) “who looked so vulgar and brutal that the nurse in the out-patient ward in my hospital would not even have admitted him to the waiting room.”

Fortunately the Capo in my working party was obligated to me; he had taken a liking to me because I listened to his love stories and matrimonial troubles, which he poured out during the long marches to our work site. I had made an impression on him with my diagnosis of his character and with my psychotherapeutic advice. After that he was grateful, and this had already been of value to me. On several previous occasions he had reserved a place for me next to him in one of the first five rows of our detachment, which usually consisted of two hundred and eighty men. That favor was important. We had to line up early in the morning while it was still dark. Everybody was afraid of being late and of having to stand in the back rows. If men were required for an unpleasant and disliked job, the senior Capo appeared and usually collected the men he needed from the back rows. These men had to march away to another, especially dreaded kind of work under the command of strange guards. Occasionally the senior Capo chose men from the first five rows, just to catch those who tried to be clever. All protests and entreaties were silenced by a few well aimed kicks, and the chosen victims were chased to the meeting place with shouts and blows.

However, as long as my Capo felt the need of pouring out his heart, this could not happen to me. I had a guaranteed place of honor next to him. But there was another advantage, too. Like nearly all the camp inmates I was suffering from edema. My legs were so swollen and the skin on them so tightly stretched that I could scarcely bend my knees. I had to leave my shoes unlaced in order to make them fit my swollen feet. There would not have been space for socks even if I had had any. So my partly bare feet were always wet and my shoes always full of snow. This, of course, caused frostbite and chilblains. Every single step became real torture. Clumps of ice formed on our shoes during our marches over snow-covered fields. Over and again men slipped and those following behind stumbled on top of them. Then the column would stop for a moment, but not for long. One of the guards soon took action and worked over the men with the butt of his rifle to make them get up quickly. The more to the front of the column you were, the less often you were disturbed by having to stop and then to make up for lost time by running on your painful feet. I was very happy to be the personally appointed physician to His Honor the Capo, and to march in the first row at an even pace.

As an additional payment for my services, I could be sure that as long as soup was being dealt out at lunchtime at our work site, he would, when my turn came, dip the ladle right to the bottom of the vat and fish out a few peas. This Capo, a former army officer, even had the courage to whisper to the foreman, whom I had quarreled with, that he knew me to be an unusually good worker. That didn’t help matters, but he nevertheless managed to save my life (one of the many times it was to be saved). The day after the episode with the foreman he smuggled me into another work party.

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There were foremen who felt sorry for us and who did their best to ease our situation, at least at the building site. But even they kept on reminding us that an ordinary laborer did several times as much work as we did, and in a shorter time. But they did see reason if they were told that a normal workman did not live on $10\frac{1}{2}$ ounces of bread (theoretically—actually we often had less) and $\frac{P}{4}$ pints of thin soup per day; that a normal laborer did not live under the mental stress we had to submit to, not having news of our families, who had either been sent to another camp or gassed right away; that a normal workman was not threatened by death continuously, daily and hourly. I even allowed myself to say once to a kindly foreman, "If you could learn from me how to do a brain operation in as short a time as I am learning this road work from you, I would have great respect for you." And he grinned.

Apathy, the main symptom of the second phase, was a necessary mechanism of self-defense. Reality dimmed, and all efforts and all emotions were centered on one task: preserving one’s own life and that of the other fellow. It was typical to hear the prisoners, while they were being herded back to camp from their work sites in the evening, sigh with relief and say, "Well, another day is over."

It can be readily understood that such a state of strain, coupled with the constant necessity of concentrating on the task of staying alive, forced the prisoner’s inner life down to a primitive level. Several of my colleagues in camp who were trained in psychoanalysis often spoke of a “regression” in the camp inmate—a retreat to a more primitive form of mental life. His wishes and desires became obvious in: his dreams.

What did the prisoner dream about most frequently?

Of bread, cake, cigarettes, and nice warm baths. The lack of having these simple desires satisfied led him to seek wish-fulfillment in dreams. Whether these dreams did any good is another matter; the dreamer had to wake from them to the reality of camp life, and to the terrible contrast between that and his dream illusions.

I shall never forget how I was roused one night by the groans of a fellow prisoner, who threw himself about in his sleep, obviously having a horrible nightmare. Since I had always been especially sorry for people who suffered from fearful dreams or deliria, I wanted to wake the poor man. Suddenly I drew back the hand which was ready to shake him, frightened at the thing I was about to do. At that moment I became intensely conscious of the fact that no dream, no matter how horrible, could be as bad as the reality of the camp which surrounded us, and to which I was about to recall him.

Because of the high degree of undernourishment which the prisoners suffered, it was natural that the desire for food was the major primitive instinct around which mental life centered. Let us observe the majority of prisoners when they happened to work near each other and were, for once, not closely watched. They would immediately start discussing food. One fellow would ask another working next to him in the ditch what his favorite dishes were. Then they would exchange recipes and plan the menu for the day when they would have a reunion—the day in a distant future when they would be liberated and returned home. They would go on and on, picturing it all in detail, until suddenly a warning was passed down the trench, usually in the form of a special password or number:

"The guard is coming."

I always regarded the discussions about food as dangerous. Is it not wrong to provoke the organism with such detailed and affective pictures of delicacies when it has somehow managed to adapt itself to extremely small rations and low calories? Though it may afford momentary psychological relief, it is an illusion which physiologically, surely, must not be without danger.

During the later part of our imprisonment, the daily ration consisted of very watery soup given out once daily, and the usual small bread ration. In addition to that, there was the so-called "extra
allowance," consisting of three-fourths of an ounce of margarine, or of a slice of poor quality sausage, or of a little piece of cheese, or a bit of synthetic honey, or a spoonful of watery jam, varying daily. In calories, this diet was absolutely inadequate, especially taking into consideration our heavy manual work and our constant exposure to the cold in inadequate clothing. The sick who were "under special care"—that is, those who were allowed to lie in the huts instead of leaving the camp for work—were even worse off.

When the last layers of subcutaneous fat had vanished, and we looked like skeletons disguised with skin and rags, we could watch our bodies beginning to devour themselves. The organism digested its own protein, and the muscles disappeared. Then the body had no powers of resistance left. One after another the members of the little community in our hut died. Each of us could calculate with fair accuracy whose turn would be next, and when his own would come. After many observations we knew the symptoms well, which made the correctness of our prognoses quite certain. "He won't last long," or, "This is the next one," we whispered to each other, and when, during our daily search for lice, we saw our own naked bodies in the evening, we thought alike: This body here, my body, is really a corpse already. What has become of me? I am but a small portion of a great mass of human flesh ... of a mass behind barbed wire, crowded into a few earthen huts; a mass of which daily a certain portion begins to rot because it has become lifeless. I mentioned above how unavoidable were the thoughts about food and favorite dishes which forced themselves into the consciousness of the prisoner, whenever he had a moment to spare. Perhaps it can be understood, then, that even the strongest of us was longing for the time when he would have fairly good food again, not for the sake of good food itself, but for the sake of knowing that the subhuman existence, which had made us unable to think of anything other than food, would at last cease.

Those who have not gone through a similar experience can hardly conceive of the soul-destroying mental conflict and clashes of will power which a famished man experiences. They can hardly grasp what it means to stand digging in a trench, listening only for the siren to announce 9:30 or 10:00 A.M.—the half-hour lunch interval—when bread would be rationed out (as long as it was still available); repeatedly asking the foreman—if he wasn't a disagreeable fellow—what the time was; and tenderly touching a piece of bread in one's coat pocket, first stroking it with frozen gloveless fingers, then breaking off a crumb and putting it in one's mouth and finally, with the last bit of will power, pocketing it again, having promised oneself that morning to hold out till afternoon.

We could hold endless debates on the sense or nonsense of certain methods of dealing with the small bread ration, which was given out only once daily during the latter part of our confinement. There were two schools of thought. One was in favor of eating up the ration immediately. This had the twofold advantage of satisfying the worst hunger pangs for a very short time at least once a day and of safeguard against possible theft or loss of the ration. The second group, which held with dividing the ration up, used different arguments. I finally joined their ranks.

The most ghastly moment of the twenty-four hours of camp life was the awakening, when, at a still nocturnal hour, the three shrill blows of a whistle tore us pitilessly from our exhausted sleep and from the longings in our dreams. We then began the tussle with our wet shoes, into which we could scarcely force our feet, which were sore and swollen with edema. And there were the usual moans and groans about petty troubles, such as the snapping of wires which replaced shoelaces. One morning I heard someone, whom I knew to be brave and dignified, cry like a child because he finally had to go to the snowy marching grounds in his bare feet, as his shoes were too shrunken for him to wear. In those ghastly minutes, I found a little bit of comfort; a small piece of bread which I drew out of my pocket and munched with absorbed delight.

Undernourishment, besides being the cause of the general preoccupation with food, probably also
explains the fact that the sexual urge was generally absent. Apart from the initial effects of shock, this appears to be the only explanation of a phenomenon which a psychologist was bound to observe in those all-male camps: that, as opposed to all other strictly male establishments—such as army barracks—there was little sexual perversion. Even in his dreams the prisoner did not seem to concern himself with sex, although his frustrated emotions and his finer, higher feelings did find definite expression in them.

With the majority of the prisoners, the primitive life and the effort of having to concentrate on just saving one’s skin led to a total disregard of anything not serving that purpose, and explained the prisoners' complete lack of sentiment. This was brought home to me on my transfer from Auschwitz to a camp affiliated with Dachau. The train which carried us—about 2,000 prisoners—passed through Vienna. At about midnight we passed one of the Viennese railway stations. The track was going to lead us past the street where I was born, past the house where I had lived many years of my life, in fact, until I was taken prisoner.

There were fifty of us in the prison car, which had two small, barred peepholes. There was only enough room for one group to squat on the floor, while the others, who had to stand up for hours, crowded round the peepholes. Standing on tiptoe and looking past the others' heads through the bars of the window, I caught an eerie glimpse of my native town. We all felt more dead than alive, since we thought that our transport was heading for the camp at Mauthausen and that we had only one or two weeks to live. I had a distinct feeling that I saw the streets, the squares and the houses of my childhood with the eyes of a dead man who had come back from another world and was looking down on a ghostly city.

After hours of delay the train left the station. And there was the street—my street! The young lads who had a number of years of camp life behind them and for whom such a journey was a great event stared attentively through the peephole. I began to beg them, to entreat them, to let me stand in front for one moment only. I tried to explain how much a look through that window meant to me just then. My request was refused with rudeness and cynicism: "You lived here all those years? Well, then you have seen quite enough already!"

In general there was also a "cultural hibernation" in the camp. There were two exceptions to this: politics and religion. Politics were talked about everywhere in camp, almost continuously; the discussions were based chiefly on rumors, which were snapped up and passed around avidly. The rumors about the military situation were usually contradictory. They followed one another rapidly and succeeded only in making a contribution to the war of nerves that was waged in the minds of all the prisoners. Many times, hopes for a speedy end to the war, which had been fanned by optimistic rumors, were disappointed. Some men lost all hope, but it was the incorrigible optimists who were the most irritating companions.

The religious interest of the prisoners, as far and as Soon as it developed, was the most sincere imaginable. The depth and vigor of religious belief often surprised and moved a new arrival. Most impressive in this connection were improvised prayers or services in the corner of a hut, or in the darkness of the locked cattle truck in which we were brought back from a distant work site, tired, hungry and frozen in our ragged clothing.

In the winter and spring of 1945 there was an outbreak of typhus which infected nearly all the prisoners. The mortality was great among the weak, who had to keep on with their hard work as long as they possibly could. The quarters for the sick were most inadequate, there were practically no medicines or attendants. Some of the symptoms of the disease were extremely disagreeable: an irrepressible aversion to even a scrap of food (which was an additional danger to life) and terrible attacks of delirium. The worst case of delirium was suffered by a friend of mine who thought that he was dying and wanted to pray. In his delirium he could not find the words to do so. To avoid these attacks of delirium, I tried, as did many of
the others, to keep awake for most of the night. For hours I composed speeches in my mind. Eventually I began to reconstruct the manuscript which I had lost in the disinfection chamber of Auschwitz, and scribbled the key words in shorthand on tiny scraps of paper.

Occasionally a scientific debate developed in camp. Once I witnessed something I had never seen, even in my normal life, although it lay somewhat near my own professional interests: a spiritualistic séance. I had been invited to attend by the camp's chief doctor (also a prisoner), who knew that I was a specialist in psychiatry. The meeting took place in his small, private room in the sick quarters. A small circle had gathered, among them, quite illegally, the warrant officer from the sanitation squad.

One man began to invoke the spirits with a kind of prayer. The camp's clerk sat in front of a blank sheet of paper, without any conscious intention of writing. During the next ten minutes (after which time the séance was terminated because of the medium's failure to conjure the spirits to appear) his pencil slowly drew lines across the paper, forming quite legibly "V AE V." It was asserted that the clerk had never learned Latin and that he had never before heard the words "vae victis"—woe to the vanquished. In my opinion he must have heard them once in his life, without recollecting them, and they must have been available to the "spirit" (the spirit of his subconscious mind) at that time, a few months before our liberation and the end of the war.

In spite of all the enforced physical and mental primitiveness of the life in a concentration camp, it was possible for spiritual life to deepen. Sensitive people who were used to a rich intellectual life may have suffered much pain (they were often of a delicate constitution), but the damage to their inner selves was less. They were able to retreat from their terrible surroundings to a life of inner riches and spiritual freedom. Only in this way can one explain the apparent paradox that some prisoners of a less hardy make-up often seemed to survive camp life better than did those of a robust nature. In order to make myself clear, I am forced to fall back on personal experience. Let me tell what happened on those early mornings when we had to march to our work site.

There were shouted commands: "Detachment, forward march! Left-2-3-4! Left-2-3-4! Left-2-3-4! Left-23-4! First man about, left and left and left and left! Caps off!" These words sound in my ears even now.

At the order "Caps off!" we passed the gate of the camp, and searchlights were trained upon us. Whoever did not march smartly got a kick. And worse off "was the man who, because of the cold, had pulled his cap back over his ears before permission was given.

We stumbled on in the darkness, over big stones and through large puddles, along the one road leading from the camp. The accompanying guards kept shouting at us and driving us with the butts of their rifles. Anyone with very sore feet supported himself on his neighbour's arm. Hardly a word was spoken; the icy wind did not encourage talk. Hiding his mouth behind his upturned collar, the man marching next to me whispered suddenly: "If our wives could see us now! I do hope they are better off in their camps and don't know what is happening to us."

That brought thoughts of my own wife to mind. And as we stumbled on for miles, slipping on icy spots, supporting each other time and again, dragging one another up and onward, nothing was said, but we both knew: each of us was thinking of his wife. Occasionally I looked at the sky, where the stars were fading and the pink light of the "morning was beginning to spread behind a dark bank of clouds. But my mind clung to my wife's image, imagining it with an uncanny acuteness. I heard her answering me, saw her smile, her frank and encouraging look. Real or not, her look was then more luminous than the sun which was beginning to rise.

A thought transfixed me: for the first time in my life I saw the truth as it is set into song by so many
poets, proclaimed as the final wisdom by so many thinkers. The truth—that love is the ultimate and the highest goal to which man can aspire. Then I grasped the meaning of the greatest secret that human poetry and human thought and belief have to impart: The salvation of man is through love and in love. I understood how a man who has nothing left in this world still may know bliss, be it only for a brief moment, in the contemplation of his beloved. In a position of utter desolation, when man cannot express himself in positive action, when his only achievement may consist in enduring his sufferings in the right way—an honorable way—in such a position man can, through loving contemplation of the image he carries of his beloved, achieve fulfillment. For the first time in my life I was able to understand the meaning of the words, "The angels are lost in perpetual contemplation of an infinite glory."

In front of me a man stumbled and those following him fell on top of him. The guard rushed over and used his whip on them all. Thus my thoughts were interrupted for a few minutes. But soon my soul found its way back from the prisoner’s existence to another world, and I resumed talk with my loved one: I asked her questions, and she answered; she questioned me in return, and I answered.

"Stop!" We had arrived at our work site. Everybody rushed into the dark hut in the hope of getting a fairly decent tool. Each prisoner got a spade or a pickaxe.

"Can’t you hurry up, you pigs?" Soon we had resumed the previous day’s positions in the ditch. The frozen ground cracked under the point of the pickaxes, and sparks flew. The men were silent, their brains numb.

My mind still clung to the image of my wife. A thought crossed my mind: I didn’t even know if she were still alive. I knew only one thing—which I have learned well by now: Love goes very far beyond the physical person of the beloved. It finds its deepest meaning in his spiritual being, his inner self. Whether or no he is actually present, whether or not he is still alive at all, ceases somehow to be of importance.

I did not know whether my wife was alive, and I had no means of finding out (during all my prison life there was no outgoing or incoming mail); but at that moment it ceased to matter. There was no need for me to know; nothing could touch the strength of my love, my thoughts, and the image of my beloved. Had I known then that my wife was dead, I think that I would still have given myself, undisturbed by that knowledge, to the contemplation of her image, and that my mental conversation with her would have been just as vivid and just as satisfying. "Set me like a seal upon thy heart, love is as strong as death."

This intensification of inner life helped the prisoner find a refuge from the emptiness, desolation and spiritual poverty of his existence, by letting him escape into the past. When given free rein, his imagination played with past events, often not important ones, but minor happenings and trifling things. His nostalgic memory glorified them and they assumed a strange character. Their world and their existence seemed very distant and the spirit reached out for them longingly: In my mind I took bus rides, unlocked the front door of my apartment, answered my telephone, switched on the electric lights. Our thoughts often centered on such details, and these memories could move one to tears.

As the inner life of the prisoner tended to become more intense, he also experienced the beauty of art and nature as never before. Under their influence he sometimes even forgot his own frightful circumstances. If someone had seen our faces on the journey from Auschwitz to a Bavarian camp as we beheld the mountains of Salzburg with their summits glowing in the sunset; through the little barred windows of the prison carriage, he would never have believed that those were the faces of men who had given up all hope of life and liberty. Despite that factor—or maybe because of it—we were carried away by nature’s beauty, which we had missed for so long.

In camp, too, a man might draw the attention of a comrade working next to him to a nice view of the setting sun shining through the tall trees of the Bavarian woods (as in the famous water color by Durer), the same woods in which we had built an enormous, hidden munitions plant. One evening, when we were
already resting on the floor of our hut, dead tired, soup bowls in hand, a fellow prisoner rushed in and asked us to run out to the assembly grounds and see the wonderful sunset. Standing outside we saw sinister clouds glowing in the west and the whole sky alive with clouds of ever-changing shapes and colors, from steel blue to blood red. The desolate grey mud huts provided a sharp contrast, while the puddles on the muddy ground reflected the glowing sky. Then, after minutes of moving silence, one prisoner said to another, "How beautiful the world could be!"

Another time we were at work in a trench. The dawn was grey around us; grey was the sky above; grey the snow in the pale light of dawn; grey the rags in which my fellow prisoners were clad, and grey their faces. I was again conversing silently with my wife, or perhaps I was struggling to find the reason for my sufferings, my slow dying. In a last violent protest against the hopelessness of imminent death, I sensed my spirit piercing through the enveloping gloom. I felt it transcend that hopeless, meaningless world, and from somewhere I heard a victorious "Yes" in answer to my question of the existence of an ultimate purpose. At that moment a light was lit in a distant farmhouse which stood on the horizon as if painted there in the; midst of the miserable grey of a dawning morning in Bavaria. “Et lux in tenebris lucet” — and the light shineth in the darkness. For hours I stood hacking at the icy ground. The guard passed by, insulting me, and once again I communed with my beloved. More and more I felt that she was present, that she was with me; I had the feeling that I was able to touch her, able to stretch out my hand and grasp hers. The feeling was very strong: she was there. Then, at that very moment, a bird flew down silently and perched just in front of me, on the heap of soil which I had dug up from the ditch, and looked steadily at me.

Earlier, I mentioned art. Is there such a thing in a concentration camp? It rather depends on what one chooses to call art. A kind of cabaret was improvised from time to time. A hut was cleared temporarily, a few wooden benches were pushed or nailed together and a program was drawn up. In the evening those who had fairly good positions in camp—the Capos and the workers who did not have to leave camp on distant marches—assembled there. They came to have a few laughs or perhaps to cry a little; anyway, to forget. There were songs, poems, jokes, some with underlying satire regarding the camp. All were meant to help us forget, and they did help. The gatherings were so effective that a few ordinary prisoners went to see the cabaret in spite of their fatigue even though they missed their daily portion of food by going. During the half-hour lunch interval when soup (which the contractors paid for and for which they did not spend much, was labeled out at our work site, we were allowed to assemble in an unfinished engine room. On entering, everyone got a ladleful of the watery soup. While we sipped it greedily, a prisoner climbed onto a tub and sang Italian arias. We enjoyed the songs, and he was guaranteed a double helping of soup, straight "from the bottom"—that meant with peas!

Rewards were given in camp not only for entertainment, but also for applause. I, for example, could have found protection (how lucky I was never in need of it!) from the camp’s most dreaded Capo, who for more than one good reason was known as "The Murderous Capo." This is how it happened. One evening I had the great honor of being invited again to the room where the spiritualistic séance had taken place. There were gathered the same intimate friends of the chief doctor and, most illegally, the warrant officer from the sanitation squad was again present. The Murderous Capo entered the room by chance, and he was asked to recite one of his poems, which had become famous (or infamous) in camp. He did not need to be asked twice and quickly produced a kind of diary from which he began to read samples of his art. I bit my lips till they hurt in order to keep from laughing at one of his love poems and very likely that saved my life. Since I was also generous with my applause, my life might have been saved even had I been detailed to his working party to which I had previously been assigned for one day—a day that was quite enough for me. It was useful, anyway, to be known to The Murderous Capo from a favorable angle. So I
applauded as hard as J could.

Generally speaking, of course, any pursuit of art in camp was somewhat grotesque. I would say that the real impression made by anything connected with art arose only from the ghostlike contrast between the performance and the background of desolate camp life. I shall never forget how I awoke from the deep sleep of exhaustion on my second night in Auschwitz roused by music. The senior warden of the hut had some kind of celebration in his room, which was near the entrance of the hut. Tipsy voices bawled some hackneyed tunes. Suddenly there was a silence and into the night a violin sang a desperately sad tango, an unusual tune not spoiled by frequent playing. The violin wept and a part of me wept with it, for on that same day someone had a twenty-fourth birthday. That someone lay in another part of the Auschwitz camp, possibly only a few hundred or a thousand yards away, and yet completely out of reach. That someone was my wife.

To discover that there was any semblance of art in a concentration camp must be surprise enough for an outsider, but he may be even more astonished to hear that one could find a sense of humor there as well; of course, only the faint trace of one, and then only for a few seconds or minutes. Humor was another of the soul's weapons in the fight for self-preservation. It is well known that humor, more than anything else in the human make-up, can afford an aloofness and an ability to rise above any situation, even if only for a few seconds. I practically trained a friend of mine who worked next to me on the building site to develop a sense of humor. I suggested to him that we would promise each other to invent at least one amusing story daily, about some incident that could happen one day after our liberation. He was a surgeon and had been an assistant on the staff of a large hospital. So I once tried to get him to smile by describing to him how he would be unable to lose the habits of camp life when he returned to his former work. On the building site (especially when the supervisor made his tour of inspection) the foreman encouraged us to work faster by shouting: "Action! Action!" I told my friend, "One day you will be back in the operating room, performing a big abdominal operation will rush in announcing the arrival of the senior surgeon by shouting, 'Action! Action!' "

Sometimes the other men invented amusing dreams about the future, such as forecasting that during a future dinner engagement they might forget themselves when the soup was served and beg the hostess to ladle it "from the bottom."

The attempt to develop a sense of humor and to see things in a humorous light is some kind of a trick learned while mastering the art of living. Yet it is possible to practice the art of living even in a concentration camp, although suffering is omnipresent. To draw an analogy: a man's suffering is similar to the behavior of gas. If a certain quantity of gas is pumped into an empty chamber, it will fill the chamber completely and evenly, no matter how big the chamber. Thus suffering completely fills the human soul and conscious mind, no matter whether the suffering is great or little. Therefore the "size" of human suffering is absolutely relative.

It also follows that a very trifling thing can cause the greatest of joys. Take as an example something that happened on our journey from Auschwitz to the camp affiliated with Dachau. We had all been afraid that our transport was heading for the Mauthausen camp. We became more and more tense as we approached a certain bridge over the Danube which the train would have to cross to reach Mauthausen, according to the statement of experienced traveling companions. Those who have never seen anything similar cannot possibly imagine the dance of joy performed in the carriage by the prisoners when they saw that our transport was not crossing the bridge and was instead heading "only" for Dachau.

And again, what happened on our arrival in that camp, after a journey lasting two days and, three
nights? There had not been enough room for everybody to crouch on the floor of the carriage at the same
time. The majority of us had to stand all the way, while a few took turns at squatting on the scanty straw
which was soaked with human urine. When we arrived the first important news that we heard from older
prisoners was that this comparatively small camp (its population was 2,500) had no "oven," no
crematorium, no gas! That meant that a person who had become a "Moslem" could not be taken straight
to the gas chamber, but would have to wait until a so-called "sick convoy" had been arranged to return to
Auschwitz. This joyful surprise put us all in a good mood. The wish of the senior warden of our hut in
Auschwitz had come true: we had come, as quickly as possible, to a camp which did not have a
"chimney—unlike Auschwitz. We laughed and cracked jokes in spite of, and during, all we had to go
through in the next few hours.

When we new arrivals were counted, one of us was missing. So we had to wait outside in the rain and
cold wind until the missing man was found. He was at last discovered in a hut, where he had fallen asleep
from exhaustion. Then the roll call was turned into a punishment parade. All through the night and late
into the next morning, we had to stand outside, frozen and soaked to the skin after the strain of our long
journey. And yet we were all very pleased! There was no chimney in this camp and Auschwitz was a long
way off.

Another time we saw a group of convicts pass our work site. How obvious the relativity of all suffering
appeared to us then! We envied those prisoners their relatively well-regulated, secure and happy life. They
surely had regular opportunities to take baths, we thought sadly. They surely had toothbrushes and clothes
brushes, mattresses—a separate one for each of them—and monthly mail bringing them news of the
whereabouts of their relatives, or at least of whether they were still alive or not. We had lost all that a long
time ago.

And how we envied those of us who had the opportunity to get into a factory and work in a sheltered
room! It was everyone’s wish to have such a lifesaving piece of luck. The scale of relative luck extends even
further. Even among those detachments outside the camp (in one of which I was a member) there were
some units which were considered worse than others. One could envy a man who did not have to wade in
deep, muddy clay on a steep slope emptying the tubs of a small field railway for twelve hours daily. Most
of the daily accidents occurred on this job, and they were often fatal.

In other work parties the foremen maintained an apparently local tradition of dealing out numerous
blows, which made us talk of the relative luck of not being under their command, or perhaps of being
under it only temporarily. Once, by an unlucky chance, I got into such a group. If an air raid alarm had not
interrupted us after two hours (during which time the foreman had worked on me especially), making it
necessary to regroup the workers afterwards, I think that I would have returned to camp on one of the
sledges which carried those who had died or were dying from exhaustion. No one can imagine the relief
that the siren can bring in such a situation; not even a boxer who has heard the bell signifying the finish of
a round and who is thus saved at the last minute from the danger of a knockout.

We were grateful for the smallest of mercies. We were glad when there was time to delouse before
going to bed, although in itself this was no pleasure, as it meant standing naked in an unheated hut where
icicles hung from the ceiling. But we were thankful if there was no air raid alarm during this operation and
the lights were not switched off. If we could not do the job properly, we were kept awake half the night.

The meager pleasures of camp life provided a kind of negative happiness—"freedom from suffering,"
as Schopenhauer put it—and even that in a relative way only. Real positive pleasures, even small ones,
were very few. I remember drawing up a kind of balance sheet of pleasures one day and finding that in
many, many past weeks I had experienced only two pleasurable moments. One occurred when, on
returning from work, I was admitted to the cook house after a long wait and was assigned to the line filing
up to prisoner-cook F—. He stood behind one of the huge pans and ladled soup into the bowls which
were held out to him by the prisoners, who hurriedly filed past. He was the only cook who did not look at
the men whose bowls he was filling; the only cook who dealt out the soup equally, regardless of recipient,
and who did not make favorites of his personal friends or countrymen, picking out the potatoes for them,
while the others got watery soup skimmed from the top.

But it is not for me to pass judgment on those prisoners who put their own people above everyone
else. Who can throw a stone at a mail who favors his friends under circumstances when, sooner or later, it
is a question of life or death? No man should judge unless he asks himself in absolute honesty whether in
a similar situation he might not have done the same.

Long after I had resumed normal life again (that means a long time after my release from camp),
somebody showed me an illustrated weekly with photographs of prisoners lying crowded on their bunks,
staring dully at a visitor. "Isn’t this terrible, the dreadful staring faces—everything about it."

"Why?" I asked, for I genuinely did not understand.

For at that moment I saw it all again: at 5:00 A.M. it was still pitch dark outside. I was lying on the
hard boards in an earthen hut where about seventy of us were "taken care of." We were sick and did not
have to leave camp for work; we did not have to go on parade. We could lie all day in our little corner in
the hut and doze and wait for the daily distribution of bread (which, of course, was reduced for the sick)
and for the daily helping of soup (watered down and also decreased in quantity). But how content we
were; happy in spite of everything. While we cowered against each other to avoid any unnecessary loss of
warmth, and were too lazy and disinterested to move a finger unnecessarily, we heard shrill whistles and
shouts from the square where the night shift had just returned and was assembling for roll call. The door
was flung open, and the snowstorm blew into our hut. An exhausted comrade, covered with snow,
stumbled inside to sit down for a few minutes. But the senior warden turned him out again. It was strictly
forbidden to admit a stranger to a hut while a check-up on the men was in progress. How sorry I was for
that fellow and how glad not to be in his skin at that moment, but instead to be sick and able to doze on
in the sick quarters! What a lifesaver it was to have two days there, and perhaps even two extra days after
those!

All this came to my mind when I saw the photographs in the magazine. When I explained, my listeners
understood why I did not find the photograph so terrible: the people shown on it might not have been so
unhappy after all.

On my fourth day in the sick quarters I had just been detailed to the night shift when the chief doctor
rushed in and asked me to volunteer for medical duties in another camp containing typhus patients.
Against the urgent advice of my friends (and despite the fact that almost none of my colleagues offered
their services), I decided to volunteer. I knew that in a working party I would die in a short time. But if I
had to die there might at least be some sense in my death. I thought that it would doubtless be more to
the purpose to try and help my comrades as a doctor than to vegetate or finally lose my life as the
unproductive laborer that I was then.

For me this was simple mathematics, not sacrifice.

But secretly, the warrant officer from the sanitation squad had ordered that the two doctors who had
volunteered for the typhus camp should be "taken care of" till they left. We looked so weak that he
feared that he might have two additional corpses on his hands, rather than two doctors.

I mentioned earlier how everything that was not connected with the immediate task of keeping oneself
and one’s closest friends alive lost its value. Everything was sacrificed to this end. A man’s character
became involved to the point that he was caught in a mental turmoil which threatened all the values he
held and threw them into doubt. Under the influence of a world which no longer recognized the value of
human, life and human only, which had robbed him of his will and made him an object to be exterminated
(having planned, however, to make full use of him first to the last ounce of his physical resources) under
this influence the personal ego finally suffered a loss of values. If the man in the concentration camp did
not struggle against this in a last effort to save his self-respect "he lost the feeling of being an individual, a
being with a mind, with inner freedom and personal value. He thought of himself then as only a part of an
enormous mass of people; his existence descended to the level of animal life. The men were herded—
sometimes to one place then to another; sometimes driven together, then apart—like a flock of sheep
without a thought or a will of their own. A small but dangerous pack watched them from all sides, well
versed in methods of torture and sadism. They drove the herd incessantly, backwards and forwards, with
shouts, kicks and blows. And we, the sheep, thought of two things only—how to evade the bad dogs and
how to get a little food.

Just like sheep that crowd timidly into the center of a herd, each of us tried to get into the middle of
our formations. That gave one a better chance of avoiding the blows of the guards who were marching on
either side and to the front and rear of our column. The central position had the added advantage of
affording protection against the bitter winds. It was, therefore, in an attempt to save one’s own skin that
one literally tried to submerge into the crowd. This was done automatically in the formations. But at other
times it was a very conscious effort on our part in conformity with one of the camp’s most imperative laws
of self-preservation: Do not be conspicuous. We tried at all times to avoid attracting the attention of the
SS.

There were times, of course, when it was possible, and even necessary, to keep away from the crowd.
It is well known that an enforced community life, in which attention is paid to everything one does at all
times, may result in an irresistible urge to get away, at least for a short while. The prisoner craved to be
alone with himself and his thoughts. He yearned for privacy and for solitude. After my transportation to a
so-called "rest camp," I had the rare fortune to find solitude for about five minutes at a time. Behind the
earthen hut where I worked and in which were crowded about fifty delirious patients, there was a quiet
spot in a corner of the double fence of barbed wire surrounding the camp. A tent had been improvised
there with a few poles and branches of trees in order to shelter a half-dozen corpses (the daily death rate
in the camp). There was also a shaft leading to the water pipes. I squatted on the wooden lid of this shaft
whenever my services were not needed. I just sat and looked out at the green flowering slopes and the
distant blue hills of the Bavarian landscape, framed by the meshes of barbed wire. I dreamed longingly,
and my thoughts wandered north and northeast, in the direction of my home, but I could only see clouds.
The corpses near me, crawling with lice, did not bother me. Only the steps of passing guards could
rouse me from my dreams; or perhaps it would be a call to the sick-bay or to collect a newly arrived supply
of medicine for my hut—consisting of perhaps five or ten tablets of aspirin, to last for several days for fifty
patients. I collected them and then did my rounds, feeling the patients’ pulses and giving half-tablets to
the serious cases. But the desperately ill received no medicine. It would not have helped, and besides, it
would have deprived those for whom there was still some hope. For light cases, I had nothing, except
perhaps a word of encouragement. In this way I dragged myself from patient to patient, though I myself
was weak and exhausted from a serious attack of typhus. Then I went back to my lonely place on the
wood cover of the water shaft.

This shaft, incidentally, once saved the lives of three fellow prisoners. Shortly before liberation, mass
transports were organized to go to Dachau, and these three prisoners wisely tried to avoid the trip. They
climbed down the shaft and hid there from the guards. I calmly sat on the lid, looking innocent and playing
a childish game of throwing pebbles at the barbed wire. On spotting me, the guard hesitated for a
moment, but then passed on. Soon I could tell the three men below that the worst danger was over.

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It is very difficult for an outsider to grasp how very little value was placed on human life in camp. The camp inmate was hardened, but possibly became more conscious of this complete disregard of human existence when a convoy of sick men was arranged. The emaciated bodies of the sick were thrown on two wheeled carts which were drawn by prisoners for many miles, often through snowstorms, to the next camp. If one of the sick men had died before the cart left, he was thrown on anyway—the list had to be correct! The list was the only thing that mattered. A man counted only because he had a prison number. One literally became a number: dead or alive—that was unimportant; the life of a "number" was completely irrelevant. What stood behind that number and that life mattered even less: the fate, the history, the name of the man. In the transport of sick patients that I, in my capacity as a doctor, had to accompany from one camp in Bavaria to another, there was a young prisoner whose brother was not on the list and therefore would have to be left behind. The young man begged so long that the camp warden decided to work an exchange, and the brother took the place of a man who, at the moment, preferred to stay behind. But the list had to be correct! That was easy. The brother just exchanged numbers with the other prisoner.

As I have mentioned before, we had no documents; everyone was lucky to own his body, which, after all, was still breathing. All else about us, i.e., the rags hanging from our gaunt skeletons, was only of interest if we were assigned to a transport of sick patients. The departing "Moslems" were examined with unabashed curiosity to see whether their coats or shoes were not better than one's own. After all, their fates were sealed. But those who stayed behind in camp who were still capable of some work, had to make use of every means to improve their chances of survival. They were not sentimental. The prisoners saw themselves completely dependent on the moods of the guards—playthings of fate—and this made them even less human than the circumstances warranted.

In Auschwitz I had laid down a rule for myself which proved to be a good one and which most of my comrades later followed. I generally answered all kinds of questions truthfully. But I was silent about anything that was not expressly asked for. If I were asked my age, I gave it. If asked about my professional said "doctor," but did not elaborate. The first morning in Auschwitz an SS officer came to the parade ground. We had to fall into separate groups of prisoners: over forty years, under forty years, metal workers, mechanics, and so forth. Then we were examined for ruptures and some prisoners had to form a new group. The group that I was in was driven to another hut, where we lined up again. After being sorted out once more and having answered questions as to my age and profession, I was sent to another small group. Once more we were driven to another hut and grouped differently. This continued for some time and I became quite unhappy, finding myself among strangers who spoke unintelligible foreign languages then came the last selection, and I found myself back of the group that had been with me in the first hut! They had barely noticed that I had been sent from hut to hut in the meantime. But I was aware that in those few minutes fate had passed me in many different forms.

When the transport of sick patients for the "rest camp" was organized, my name (that is, my number) was put on the list, since a few doctors were needed. But no one was convinced that the destination was really a rest camp. A few weeks previously the same transport had been prepared. Then, too, everyone had thought that it was destined for the gas ovens. When it was announced that anyone who volunteered for the dreaded night shift would be taken off the transport list, eighty-two prisoners volunteered immediately. A quarter of an hour later the transport was canceled, but the eighty-two stayed on the list for the night shift. For the majority of them, this meant death within the next fortnight.

Now the transport for the rest camp was arranged for the second time. Again no one knew whether this was a ruse to obtain the last bit of work from the sick—if only for fourteen days—or whether it would go to the gas ovens or to a genuine rest camp. The chief doctor, who had taken a liking to me, told me
furtively one evening at a quarter to ten, "I have made it known in the orderly room that you can still have your name crossed off the list; you may do so up till ten o'clock."

I told him that this was not my way; that I had learned to let fate take its course. "I might as well stay with my friends," I said. There was a look of pity in his eyes, as if he knew... He shook my hand silently, as though it were a farewell, not for life, but from life. Slowly I walked back to my hut. There I found a good friend waiting for me.

"You really want to go with them?" he asked sadly.
"Yes, I am going."
Tears came to his eyes and I tried to comfort him.

Then there was something else to do—to make my will:
"Listen, Otto, if I don't get back home to my wife, and if you should see her again, then tell her that I talked of her daily, hourly. You remember. Secondly, I have loved her more than anyone. Thirdly, the short time I have been married to her outweighs everything, even all we have gone through here."

Otto, where are you now? Are you alive? What has happened to you since our last hour together? Did you find your wife again? And do you remember how I made you learn my will by heart—word for word—in spite of your childlike tears?

The next morning I departed with the transport.

This time it was not a ruse. We were not heading for the gas chambers, and we actually did go to a rest camp. Those who had pitied me remained in a camp where famine was to rage even more fiercely than in our new camp. They tried to save themselves, but they only sealed their own fates. Months later, after liberation, I met a friend from the old camp. He related to me how he, as camp policeman, had searched for a piece of human flesh that was missing from a pile of corpses. He confiscated it from a pot in which he found it cooking. Cannibalism had broken out. I had left just in time.

Does this not bring to mind the story of Death in Tehran? A rich and mighty Persian once walked in his garden with one of his servants. The servant cried that he had just encountered Death, who had threatened him. He begged his master to give him his fastest horse so that he could make haste and flee to Tehran, which he could reach that same evening. The master consented and the servant galloped off on the horse. On returning to his house the master himself met Death, and questioned him, "Why did you terrify and threaten my servant?" "I did not threaten him; I only showed surprise in still finding him here when I planned to meet him tonight in Tehran," said Death.

The camp inmate was frightened of making decisions and of taking any sort of initiative whatsoever. This was the result of a strong feeling that fate was one's master, and that one must not try to influence it in any way, but instead let it take its own course. In addition, there was a great apathy, which contributed in no small part to the feelings of the prisoner. At times, lightning decisions had to be made, decisions which spelled life or death. The prisoner would have preferred to let fate make the choice for him. This escape from commitment was most apparent when a prisoner had to make the decision for or against an escape attempt. In those minutes in which he had to make up his mind—and it was always a question of minutes—he suffered the tortures of Hell. Should he make the attempt to flee? Should he take the risk?

I, too, experienced this torment. As the battle-front drew nearer, I had the opportunity to escape. A colleague of mine who had to visit huts outside the camp in the course of his medical duties wanted to escape and take me with him. Under the pretense of holding a consultation about a patient whose illness required a specialist's advice, he smuggled me out. Outside the camp, a member of a foreign resistance movement was to supply us with uniforms and documents. At the last moment there were some technical difficulties and we had to return to camp once more. We used this opportunity to provide ourselves with
provision—a few rotten potatoes—and to look for a rucksack.

We broke into an empty hut of the women's camp, which was vacant, as the women had been sent to another camp. The hut was in great disorder; it was obvious that many women had acquired supplies and fled. There were rags, straw, rotting food, and broken crockery. Some bowls were still in good condition and would have been very valuable to us, but we decided not to take them. We knew that lately, as conditions had become desperate, they had been used not only for food, but also as washbasins and chamber pots. (There was a strictly enforced rule against having any kind of utensil in the hut. However, some people were forced to break this rule, especially the typhus patients, who were much too weak to go outside even with help.) While I acted as a screen, my friend broke into the hut and returned shortly with a rucksack which he hid under his coat. He had seen another one inside which I was to take. So we changed places and I went in. As I searched in the rubbish, finding the rucksack and even a toothbrush, I suddenly saw, among all the things that had been left behind, the body of a woman.

I ran back to my hut to collect all my possessions: my food bowl, a pair of torn mittens "inherited" from a dead typhus patient, and a few scraps of paper covered with shorthand notes (on which, as I mentioned before, I had started to reconstruct the manuscript which I lost at Auschwitz). I made a quick last round of my patients, who were lying huddled on the rotten planks of wood on either side of the huts. I came to my only countryman, who was almost dying, and whose life it had been my ambition to save in spite of his condition. I had to keep my intention to escape to myself, but my comrade seemed to guess that something was wrong (perhaps I showed a little nervousness). In a tired voice he asked me, "You, too, are getting out?" I denied it, but I found it difficult to avoid his sad look. After my round I returned to him. Again a hopeless look greeted me and somehow I felt it to be an accusation. The unpleasant feeling that had gripped me as soon as I had told my friend I would escape with him became more intense. Suddenly I decided to take fate into my own hands for once. I ran out of the hut and told my friend that I could not go with him. As soon as I had told him with finality that I had made up my mind to stay with my patients, the unhappy feeling left me. I did not know what the following days would bring, but I had gained an inward peace that I had never experienced before. I returned to the hut, sat down on the boards at my countryman's feet and tried to comfort him; then I chatted with the others, trying to quiet them in their delirium.

Our last day in camp arrived. As the battle-front came nearer, mass transports had taken nearly all the prisoners to other camps. The camp authorities, the Capos and the cooks had fled. On this day an order was given that the camp must be evacuated completely by sunset. Even the few remaining prisoners (the sick, a few doctors, and some "nurses") would have to leave. At night, the camp was to be set on fire. In the afternoon the trucks which were to collect the sick had not yet appeared. Instead the camp gates were suddenly closed and the barbed wire closely watched, so that no one could attempt an escape. The remaining prisoners seemed to be destined to burn with the camp. For the second time my friend and I decided to escape.

We had been given an order to bury three men outside the barbed-wire fence. We were the only two in camp who had strength enough to do the job. Nearly all the others lay in the few huts which were still in use, prostrate with fever and delirium. We now made our plans: along with the first body we would smuggle out my friend's rucksack, hiding it in the old laundry tub which served as a coffin. When we took out the second body we would also carry out my rucksack, and on the third trip we intended to make our escape. The first two trips went according to plan. After we returned, I waited while my friend tried to find a piece of bread so that we would have something to eat during the next few days in the woods. I waited. Minutes passed. I became more and more impatient as he did not return. After three years of imprisonment, I was picturing freedom joyously, imagining how wonderful it would be to run toward the battle-front. But we did not get that far.
The very moment when my friend came back, the camp gate was thrown open. A splendid, aluminum colored car, on which were painted large red crosses, slowly rolled on to the parade ground. A delegate from the International Red Cross in Geneva had arrived, and the camp and its inmates were under his protection. The delegate billeted himself in a farmhouse in the vicinity, in order to be near the camp at all times in case of emergency. Who worried about escape now? Boxes with medicines were unloaded from the car, cigarettes were distributed, we were photographed and joy reigned supreme. Now there was no need for us to risk running toward the fighting line.

In our excitement we had forgotten the third body, so we carried it outside and dropped it into the narrow grave we had dug for the three corpses. The guard who accompanied us—a relatively inoffensive man—suddenly became quite gentle. He saw that the tables might be turned and tried to win our goodwill. He joined in the short prayers that we offered for the dead men before throwing soil over them. After the tension and excitement of the past days and hours, those last days in our race with death, the words of our prayer asking for peace, were as fervent as any ever uttered by the human voice.

And so the last day in camp passed in anticipation of freedom. But we had rejoiced too early. The Red Cross delegate had assured us that an agreement had been signed, and that the camp must not be evacuated. But that night the SS arrived with trucks and brought an order to clear the camp. The last remaining prisoners were to be taken to a central camp, from which they would be sent to Switzerland within forty-eight hours—to be exchanged for some prisoners of war. We scarcely recognized the SS. They were so friendly, trying to persuade us to get in the trucks without fear, telling us that we should be grateful for our good luck.

Those who were strong enough crowded into the trucks and the seriously ill and feeble were lifted up with difficulty. My friend and I—we did not hide our rucksacks now—stood in the last group, from which thirteen would be chosen for the next to last truck:

The chief doctor counted out the requisite number but he omitted the two of us. The thirteen were loaded into the truck and we had to stay behind. Surprised, very annoyed and disappointed, we blamed the chief doctor, who excused himself by saying that he had been tired and distracted. He said that he had thought we still intended to escape. Impatiently we sat down keeping our rucksacks on our backs, and waited with the few remaining prisoners for the last truck. We had to wait a long time. Finally we lay down on the mattresses of the deserted guard-room, exhausted by the excitement of the last few hours and days, during which we had fluctuated continuously between hope and despair. We slept in our clothes and shoes, ready for the journey.

The noise of rifles and cannons woke us; the flashes of tracer bullets and gun shots entered the hut. The chief doctor dashed in and ordered us to take cover on the floor. One prisoner jumped on my stomach from the bed above me and with his shoes on. That awakened me all right! Then we grasped what was happening: the battle-front had reached us! The shooting decreased and morning dawned. Outside on the pole at the camp gate a white flag floated in the wind.

Many weeks later we found out that even in those last hours fate had toyed with us few remaining prisoners. We found out just how uncertain human decisions are, especially in matters of life and death. I was confronted with photographs which had been taken in a small camp not far from ours. Our friends who had thought they were traveling to freedom that night had been taken in the trucks to this camp, and there they were locked in the huts and burned to death. Their partially charred bodies were recognizable on the photograph. I thought again of Death in Teheran.

Apart from its role as a defensive mechanism, the prisoners’ apathy was also the result of other factors. Hunger and lack of sleep contributed to it (as they do in normal life, also) and to the general
irritability which was another characteristic of the prisoners' mental state. The lack of sleep was due partly to the pestering of vermin which infested the terribly overcrowded huts because of the general lack of hygiene and sanitation. The fact that we had neither nicotine nor caffeine also contributed to the state of apathy and irritability.

Besides these physical causes, there were mental ones, in the form of certain complexes. The majority of prisoners suffered from a kind of inferiority complex. We all had once been or had fancied ourselves to be "somebody." Now we were treated like complete nonentities. (The consciousness of one’s inner value is anchored in higher more spiritual things, and cannot be shaken by camp life. But how many free men, let alone prisoners, possess it? Without our conscious thinking about it, the average prisoner felt himself utterly degraded. This became obvious when one observed the contrasts offered by the singular sociological structure of the camp. The more “prominent” prisoners, the Capos, the cooks, the store-keepers and the camp policemen, did not, as a rule, feel degraded at all, like the majority of prisoners, but on the contrary—promoted! Some even developed miniature delusions of grandeur. The mental reaction of the envious and grumbling majority toward this favored minority found expression in several ways, sometimes in jokes. For instance, I heard one prisoner talk to another about a Capo, saying, "Imagine! I knew that man when he was only the president of a large bank. Isn't it fortunate that he has risen so far in the world?"

Whenever the degraded majority and the promoted minority came into conflict (and there were plenty of opportunities for this, starting with the distribution of food) the results were explosive. Therefore, the general irritability (whose physical causes were discussed above) became most intense when these mental tensions were added. It is not surprising that this tension often ended in a general fight. Since the prisoner continually witnessed scenes of beatings, the impulse toward violence was increased. I myself felt my fists clench when anger came over me while I was famished and tired. I was usually very tired, since we had to stoke our stove—which we were allowed to keep in our hut for the typhus patients—throughout the nights. However, some of the most idyllic hours I have ever spent were in the middle of the night when all the others were delirious or sleeping. I could lie stretched out in front of the stove and roast a few pilfered potatoes in a fire made from stolen charcoal. But the following day I always felt even more tired, insensitive and irritable.

While I was working as a doctor in the typhus block, I also had to take the place of the senior block warden who was ill. Therefore, I was responsible to the camp authority for keeping the hut clean—if "clean" can be used to describe such a condition. The pretense at inspection to which the hut was frequently submitted was more for the purpose of torture than of hygiene. More food and a few drugs would have helped, but the only concern of the inspectors was whether a piece of straw was left in the center corridor, or whether the dirty, ragged and verminous blankets of the patients were tucked in neatly at their feet. As to the fate of the inmates, they were quite unconcerned. If I reported smartly, whipping my prison cap from my shorn head and clicking my heels, "Hut number VI/9: 52 patients, two nursing orderlies, and one doctor," they were satisfied. And then they would leave. But until they arrived—often they were hours later than announced, and sometimes did not come at all—I was forced to keep straightening blankets, picking up bits of straw which fell from the bunks, and shouting at the poor devils who tossed in their beds and threatened to upset all my efforts at tidiness and cleanliness. Apathy was particularly increased among the feverish patients, so that they did not react at all unless they were shouted at. Even this failed at times, and then it took tremendous self-control not to strike them. For one's own irritability took on enormous proportions in the face of the other's apathy and especially in the face of the danger (i.e., the approaching inspection) which was caused by it.
In attempting this psychological presentation and a psychopathological explanation of the typical characteristics of a concentration camp inmate, I may give the impression that the human being is completely and unavoidably influenced by his surroundings: (In this case the surroundings being the unique structure of camp life, which forced the prisoner to conform his conduct to a certain set pattern.) But what about human liberty? Is there no spiritual freedom in regard to behavior and reaction to any given surroundings? Is that theory true which would have us believe that man is no more than a product of many conditional and environmental factors—be they of a biological, psychological or sociological nature? Is man but an accidental product of these? Most important, do the prisoners' reactions to the singular world of the concentration camp prove that man cannot escape the influences of his surroundings? Does man have no choice of action in the face of such circumstances?

We can answer these questions from experience as well as on principle. The experiences of camp life show that man does have a choice of action. There were enough examples, often of a heroic nature, which proved that apathy could be overcome, irritability suppressed. Man can preserve a vestige of spiritual freedom, of independence of mind, even in such terrible conditions of psychic and physical stress.

We who lived in concentration camps can remember the men who walked through the huts comforting others, giving away their last piece of bread. They may have been few in number, but they offer sufficient proof that everything can be taken from a man but one thing: the last of the human freedoms—to choose one's attitude in any given set of circumstances, to choose one's own way.

And there were always choices to make. Every day, every hour, offered the opportunity to make a decision, a decision which determined whether you would or would not submit to those powers which threatened to rob you of your very self, your inner freedom; which determined whether or not you would become the plaything of circumstance, renouncing freedom and dignity to become molded into the form of the typical inmate.

Seen from this point of view, the mental reactions of the inmates of a concentration camp must seem more to us than the mere expression of certain physical and sociological conditions. Even though conditions such as lack of sleep, insufficient food and various mental stresses may suggest that the inmates were bound to react in certain ways, in the final analysis it becomes clear that the sort of person the prisoner became was the result of an inner decision, and not the result of camp influences alone. Fundamentally, therefore, any man can, even under such circumstances, decide what shall become of him—mentally and spiritually. He may maintain his human dignity even in a concentration camp. Dostoevski said once, "There is only one thing that I dread: not to be worthy of my sufferings." These words frequently came to my mind after I became acquainted with those martyrs whose behavior in camp, whose suffering and death, bore witness to the fact that the last inner freedom cannot be lost. It can be said that they were worthy of their sufferings; the way they bore their suffering was a genuine inner achievement. It is this spiritual freedom—which cannot be taken away—that makes life meaningful and purposeful.

An active life serves the purpose of giving man the opportunity to realize values in creative work, while a passive life of enjoyment affords him the opportunity to obtain fulfillment in experiencing beauty, art, or nature. But there is also purpose in that life which is almost barren of both creation and enjoyment and which admits of but one possibility of high moral behavior: namely, in man's attitude to his existence, an existence restricted by external forces. A creative life and a life of enjoyment are banned to him. But not only creativeness and enjoyment are meaningful. If there is a meaning in life at all, then there must be a meaning in suffering. Suffering is an ineradicable part of life, even as fate and death. Without suffering and death human life cannot be complete.

The way in which a man accepts his fate and all the suffering it entails the way, the way in which he takes up his cross gives him ample opportunity—even under the most difficult circumstances—to add
deeper meaning to his life. It may remain brave, dignified and unselfish. Or in the bitter fight for self-preservation he may forget his human dignity and become no more than an animal. Here lies the chance for a man either to make use of or to forgo the opportunities of attaining the moral values that a difficult situation may afford him. And this decides whether he is worthy of his sufferings or not.

Do not think that these considerations are unworldly and too far removed from real life. It is true that only a few people are capable of reaching such high moral standards. Of the prisoners only a few kept their full inner liberty and obtained those values which their suffering afforded, but even one such example is sufficient proof that man’s inner strength may raise him above his outward fate. Such men are not only in concentration camps. Everywhere man is confronted with fate, with the chance of achieving something through his own suffering.

Take the fate of the sick—especially those who are incurable. I once read a letter written by a young invalid, in which he told a friend that he had just found out he would not live for long, that even an operation would be of no help. He wrote further that he remembered a film he had seen in which a man was portrayed who waited for death in a courageous and dignified way. The boy had thought it a great accomplishment to meet death so well. Now—he wrote—fate was offering him a similar chance.

Those of us who saw the film called Resurrection taken from a book by Tolstoy years ago, may have had similar thoughts. Here were great destinies and great men. For us, at that time, there was no great fate; there was no chance to achieve such greatness. After the picture we went to the nearest cafe, and over a cup of coffee and a sandwich we forgot the strange metaphysical thoughts which for one moment had crossed our minds. But when we ourselves were confronted with a great destiny and faced with the decision of meeting it with equal spiritual greatness, by then we had forgotten our youthful resolutions of long ago, and we failed.

Perhaps there came a day for some of us when we saw the same film again, or a similar one. But by then other pictures may have simultaneously unrolled before one’s inner eye; pictures of people who attained much more in their lives than a sentimental film could show. Some details of a particular man’s inner greatness may have come to one’s mind, like the story of the young woman whose death I witnessed in a concentration camp. It is a simple story. There is little to tell and it may sound as if I had invented it; but to me it seems like a poem.

This young woman knew that she would die in the next few days. But when I talked to her she was cheerful in spite of this knowledge. "I am grateful that fate has hit me so hard," she told me. "In my former life I was spoiled and did not take spiritual accomplishments seriously." Pointing through the window of the hut, she said, "This tree here is the only friend I have in my loneliness." Through that window she could see just one branch of a chestnut tree, and on the branch were two blossoms. "I often talk to this tree," she said to me. I was startled and didn’t quite know how to take her words. Was she delirious? Did she have occasional hallucinations? Anxiously I asked her if the tree replied. "Yes." What did it say to her? She answered, "It said to me, 'I am here—I am here—I am life, eternal life.'"

We have stated that that which was ultimately responsible for the state of the prisoner’s inner self was not so much the enumerated psychophysical causes as it was the result of a free decision. Psychological observations of the prisoners have shown that only the men who allowed their inner hold on their moral and spiritual selves to subside eventually fell victim to the camp’s degenerating influences. The question now arises, what could, or should, have constituted this “inner hold”?

Former prisoners, when writing or relating their experiences, agree that the most depressing influence of all was that a prisoner could not know how long his term of imprisonment would be. He had been given no date for his release. (In our camp it was pointless even to talk about it.) Actually a prison term was not only uncertain but unlimited. A well-known research psychologist has pointed out that life in a
concentration camp could be called a "provisional existence." We can add to this by defining it as a "provisional existence of unknown limit."

New arrivals usually knew nothing about the conditions at a camp. Those who had come back from other camps were obliged to keep silent, and from some camps no one had returned. On entering camp a change took place in the minds of the men. With the end of uncertainty there came the uncertainty of the end. It was impossible to foresee whether or when, if at all, this form of existence would end.

The Latin word finis has two meanings: the end or the finish, and a goal to reach. A man who could not see the end of his "provisional existence" was not able to aim at an ultimate goal in life. He ceased living for the future, in contrast to a man in normal life. Therefore the whole structure of his inner life changed; signs of decay set in which we know from other areas of life. The unemployed worker, for example, is in a similar position. His existence has become provisional and in a certain sense he cannot live for the future or aim at a goal. Research work done on unemployed miners has shown that they suffer from a peculiar sort of deformed time—inner time—which is a result of their unemployed state. Prisoners, too, suffered from this strange "time-experience." In camp, a small time unit, a day, for example, filled with hourly tortures and fatigue, appeared endless. A larger time unit, perhaps a week, seemed to pass very quickly. My comrades agreed when I said that in camp a day lasted longer than a week. How paradoxical was our time-experience! In this connection we are reminded of Thomas Mann's The Magic Mountain, which contains some very pointed psychological remarks. Mann studies the spiritual development of people who are in an analogous psychological position, i.e., tuberculosis patients in a sanatorium who also know no date for their release. They experience a similar existence—without a future and without a goal.

One of the prisoners, who on his arrival marched with a long column of new inmates from the station to the camp, told me later that he had felt as though he were marching at his own funeral. His life had seemed to him absolutely without future. He regarded it as over and done, as if he had already died. This feeling of lifelessness was intensified by other causes: in time, it was the limitlessness of the term of imprisonment which was most acutely felt; in space, the narrow limits of the prison. Anything outside the barbed wire became remote—out of reach and, in away, unreal. The events and the people outside, all the normal life there, had a ghostly aspect for the prisoner. The outside life, that is, as much as he could see of it appeared to him almost as it might have to a dead man who looked at it from another world.

A man who let himself decline because he could not see any future goal found himself occupied with retrospective thoughts. In a different connection, we have already spoken of the tendency there was to look into the past, to help make the present, with all its horrors, less real. But in robbing the present of its reality there lay a certain danger. It became easy to overlook the opportunities to make something positive of camp life, opportunities which really did exist. Regarding our "provisional existence" as unreal was in itself an important factor in causing the prisoners to lose their hold on life; everything in a way became pointless. Such people forget that often it is just such an exceptionally difficult external situation which gives man the opportunity to grow spiritually beyond himself. Instead of taking the camp's difficulties as a test of their inner strength, they did not take their life seriously and despised it as something of no consequence. They preferred to close their eyes and to live in the past. Life for such people became meaningless.

Naturally only a few people were capable of reaching great spiritual heights. But a few were given the chance to attain human greatness even through their apparent worldly failure and death, an accomplishment which in ordinary circumstances they would never have achieved. To the others of us, the mediocre and the half-hearted, the words of Bismarck could be applied: "Life is like being at the dentist. You always think that the worst is still to come, and yet it is over already." Varying this, we could say that most men in a concentration camp believed that the real opportunities of life had passed. Yet, in reality, there was an opportunity and a challenge. One could make a victory of those experiences turning life into
an inner triumph, or one could ignore the challenge and simply vegetate, as did a majority of the prisoners.

Any attempt at fighting the camp's psychopathological influence on the prisoner by psychotherapeutic or psychohygienic methods had to aim at giving him inner strength by pointing out to him a future goal to which he could look forward. Instinctively some of the prisoners attempted to find one on their own. It is a peculiarity of man that he can only live by looking to the future— sub specie aeternitatis. And this is his salvation in the most difficult moments of his existence, although he sometimes has to force his mind to the task.

I remember a personal experience. Almost in tears from pain (I had terrible sores on my feet from wearing torn shoes), I limped a few kilometers with our long column of men from the camp to our work site. Very cold, bitter winds struck us. I kept thinking of the endless little problems of our miserable life. What would there be to eat tonight? If a piece of sausage came as extra ration, should I exchange it for a piece of bread? Should I trade my last cigarette, which was left from a bonus I received a fortnight ago, for a bowl of soup? How could I get a piece of wire to replace the fragment which served as one of my shoelaces? Would I get to our work site in time to join my usual working party or would I have to join another, which might have a brutal foreman? What could I do to get on good terms with the Capo, who could help me to obtain work in camp instead of undertaking this horribly long daily march?

I became disgusted with the state of affairs which compelled me, daily and hourly, to think of only such trivial things. I forced my thoughts to turn to another subject. Suddenly I saw myself standing on the platform of a well-lit, warm and pleasant lecture room. In front of me sat an attentive audience on comfortable upholstered seats. I was giving a lecture on the psychology of the concentration camp! All that oppressed me at that moment became objective, seen and described from the remote viewpoint of science. By this method I succeeded somehow in rising above the situation, above the sufferings of the moment, and I observed them as if they were already of the past. Both I and my troubles became the object of an interesting psychoscientific study undertaken by myself. What does Spinoza say in his Ethics?— “Affectus, qui passio est, desinit esse passio simulque eius claram et distinctam formamus ideam.” Emotion, which is suffering, ceases to be suffering as soon as we form a clear and precise picture of it.

The prisoner who had lost faith in the future—his future—was doomed. With his loss of belief in the future, he also lost his spiritual hold; he let himself decline and became subject to mental and physical decay. Usually this happened quite suddenly, in the form of a crisis, the symptoms of which were familiar to the experienced camp inmate. We all feared this moment—not for ourselves, which would have been pointless, but for our friends. Usually it began with the prisoner refusing one morning to get dressed and wash or to go out on the parade grounds. No entreaties, no blows, no threats had any effect. He just lay there, hardly moving. If this crisis was brought about by an illness, he refused to be taken to the sick-bay or to do anything to help himself. He simply gave up. There he remained, lying in his own excreta, and nothing bothered him any more.

I once had a dramatic demonstration of the close link between the loss of faith in the future and this dangerous giving up. F—, my senior block warden, a fairly well-known composer and librettist, confided in me one day: “I would like to tell you something, Doctor. I have had a strange dream. A voice told me that I could wish for something, that I should only say what I wanted to know, and all my questions would be answered. What do you think I asked? That I would like to know when the war would be over for me. You know what I mean, Doctor—for me! I wanted to know when we, when our camp, would be liberated and our sufferings come to an end.”

“And when did you have this dream?” I asked.

“In February, 1945,” he answered. It was then the beginning of March.
“What did your dream voice answer?”

Furtively he whispered to me, “March thirtieth.”

When F— told me about his dream, he was still full of hope and convinced that the voice of his dream would be right. But as the promised day drew nearer, the war news which reached our camp made it appear very unlikely that we would be free on the promised date. On March twenty-ninth, F— suddenly became ill and ran a high temperature. On March thirtieth, the day his prophecy had told him that the war and suffering would be over for him, he became delirious and lost consciousness. On March thirty-first, he was dead. To all outward appearances, he had died of typhus.

Those who know how close the connection is between the state of mind of a man—his courage and hope, or lack of them—and the state of immunity of his body will understand that the sudden loss of hope and courage can have a deadly effect. The ultimate cause of my friend’s death was that the expected liberation did not come and he was severely disappointed. This suddenly lowered his body’s resistance against the latent typhus infection. His faith in the future and his will to live had become paralyzed and his body fell victim to illness—and thus the voice of his dream was right after all.

The observations of this one case and the conclusion drawn from them are in accordance with something that was drawn to my attention by the chief doctor of our concentration camp. The death rate in the week between Christmas, 1944, and New Year’s, 1945, increased in camp beyond all previous experience. In his opinion, the explanation for this increase did not lie in the harder working conditions or the deterioration of our food supplies or a change of weather or new epidemics. It was simply that the majority of the prisoners had lived in the naive hope that they would be home again by Christmas. As the time drew near and there was no encouraging news, the prisoners lost courage and disappointment overcame them. This had a dangerous influence on their powers of resistance and a great number of them died.

As we said before, any attempt to restore a man’s inner strength in the camp had first to succeed in showing him some future goal. Nietzsche’s words, “He who has a why to live can bear with almost any how,” could be the guiding motto or psychotherapeutic and psychohygienic efforts regarding prisoners. Whenever there was an opportunity for it, one had to give them a why—an aim—for their lives, in order to strengthen them to bear the terrible how of their existence. Woe to him who saw no more sense in his life, no aim, no purpose, and therefore no point in carrying on. He was soon lost. The typical reply with which such a man rejected all encouraging arguments was, “I have nothing to expect from life any more.”

What sort of answer can one give to that?

What was really needed was a fundamental change in our attitude toward life. We had to learn ourselves and, furthermore, we had to teach the despairing men, that it did not really matter what we expected from life, but rather what life expected from us. We needed to stop asking about the meaning of life, and instead to think of ourselves as those who were being questioned by life—daily and hourly. Our answer must consist, not in talk and meditation, but in right action and in right conduct. Life ultimately means taking the responsibility to find the right answer to its problems and to fulfill the tasks which it constantly sets for each individual.

These tasks, and therefore the meaning of life, differ from man to man, and from moment to moment. Thus it is impossible to define the meaning of life in a general way. Questions about the meaning of life can never be answered by sweeping statements. “Life” does not mean something vague, but something very real and concrete, just as life’s tasks are also very real and concrete. They form man’s destiny, which is different and unique for each individual. No man and no destiny can be compared with any other man or any other destiny. No situation repeats itself, and each situation calls for a different response. Sometimes the situation in which a man finds himself may require him to shape his own fate by action. At other times it is more advantageous for him to make use of an opportunity for contemplation and to realize assets in
this way. Sometimes man may be required simply to accept fate, to bear his cross. Every situation is
distinguished by its uniqueness, and there is always only one right answer to the problem posed by the
situation at hand.

When a man finds that it is his destiny to suffer, he will have to accept his suffering as his task; his
struggle and unique task. He will have to acknowledge the fact that even in suffering he is unique and
alone in the universe. No one can relieve him of his suffering or suffer in his place. His unique opportunity
lies in the way in which he bears his burden.

For us, as prisoners, these thoughts were not speculations far removed from reality. They were the
only thoughts that could be of help to us. They kept us from despair, even when there seemed to be no
chance of coming out of it alive. Long ago we had passed the stage of asking what was the meaning of
life, a naïve query which understands life as the attaining of some aim through the active creation of
something of value. For us, the meaning of life embraced the wider cycles of life and death, of suffering
and of dying.

Once the meaning of suffering had been revealed to us, we refused to minimize or alleviate the camp’s
tortures by ignoring them or harboring false illusions and entertaining artificial optimism. Suffering had
become a task on which we did not want to turn our backs. We had realized its hidden opportunities for
achievement, the opportunities which caused the poet Rilke to write, "Wie viel ist aufzuleiden!" (How
much suffering there is to get through!) Rilke spoke of "getting through suffering" as others would talk of
"getting through work." There was plenty of suffering for us to get through: Therefore, it was necessary to
face up to the full amount of suffering, trying to keep moments of weakness and furtive tears to a
minimum. But there was no need to be ashamed of tears, for tears bore witness that a man had the
greatest of courage, the courage to suffer. Only very few realized that. Shamefacedly some confessed
occasionally that they had wept, like the comrade who answered my question of how he had gotten over
his edema, by confessing, "I have wept it out of my system."

The tender beginnings of a psychotherapy or psychohygiene were when they were possible at all in the
camp, either individual or collective in nature. The individual psychotherapeutic attempts were often a kind
of "life-saving procedure." These efforts were usually concerned with the prevention of suicides. A very
strict camp ruling forbade any efforts to save a man who attempted suicide. It was forbidden, for example,
to cut down a man who was trying to hang himself. Therefore, it was all important to prevent these
attempts from occurring.

I remember two cases of would-be suicide, which bore a striking similarity to each other. Both men
had talked of their intentions to commit suicide. Both used the typical argument—they had nothing more
to expect from life. In both cases it was a question of getting them to realize that life was still expecting
something from them; something in the future was expected of them. We found, in fact, that or the one it
was his child whom he adored and who was waiting for him in a foreign country. For the other it was a
thing, not a person. This man was a scientist and had written a series of books which still needed to be
finished. His work could not be done by anyone else, any more than another person could ever take the
place of the father in his child’s affections.

This uniqueness and singleness which distinguishes each individual and gives a meaning to his
existence has a bearing on creative work as much as it does on human love. When the impossibility of
replacing a person is realized, it allows the responsibility which a man has for his existence and its
continuance to appear in all its magnitude. A man who becomes conscious of the responsibility he bears
toward a human being who affectionately waits for him, or to an unfinished work, will never be able to
throwaway his life. He knows the "why" for his existence, and will be able to bear almost any "how."
The opportunities for collective psychotherapy were naturally limited in camp. The right example was more effective than words could ever be. A senior block warden who did not side with the authorities had, by his just and encouraging behavior, a thousand opportunities to exert a far-reaching moral influence on those under his jurisdiction. The immediate influence of behavior is always more effective than that of words. But at times a word was effective too, when mental receptiveness had been intensified by some outer circumstances. I remember an incident when there was occasion for psychotherapeutic work on the inmates of a whole hut, due to an intensification of their receptiveness because of a certain external situation.

It had been a bad day. On parade, an announcement had been made about the many actions that would, from then on, be regarded as sabotage and therefore punishable by immediate death by hanging. Among these were crimes such as cutting small strips from our old blankets (in order to improvise ankle supports) and very minor "thefts." A few days previously a semi-starved prisoner had broken into the potato store to steal a few pounds of potatoes. The theft had been discovered and some prisoners had recognized the "burglar." When the camp authorities heard about it they ordered that the guilty man be given up to them or the whole camp would starve for a day. Naturally the 2,500 men preferred to fast.

On the evening of this day of fasting we lay in our earthen huts in a very low mood. Very little was said and every word sounded irritable. Then, to make matters even worse, the light went out. Tempers reached their lowest ebb. But our senior block warden was a wise man. He improvised a little talk about all that was on our minds at that moment. He talked about the many comrades who had died in the last few days, either of sickness or of suicide. But he also mentioned what may have been the real reason for their deaths: giving up hope. He maintained that there should be some way of preventing possible future victims from reaching this extreme state. And it was to me that the warden pointed to give this advice.

God knows, I was not in the mood to give psychological explanations or to preach any sermons—to offer my comrades a kind of medical care of their souls. I was cold and hungry, irritable and tired, but I had to make the effort and use this unique opportunity. Encouragement was now more necessary than ever.

So I began by mentioning the most trivial of comforts first. I said that even in this Europe in the sixth winter of the Second World War, our situation was not the most terrible we could think of. I said that each of us had to ask himself what irrereplaceable losses he had suffered up to then. I speculated that for most of them these losses had really been few. Whoever was still alive had reason for hope. Health, family; happiness, professional abilities, fortune, position in society—all these were things that could be achieved again or restored. After all, we still had all our bones intact. Whatever we had gone through could still be an asset to us in the future. And I quoted from Nietzsche: "Was mich nicht umbringt, macht mich starker." (That which does not kill me, makes me stronger.)

Then I spoke about the future. I said that to the impartial the future must seem hopeless. I agreed that each of us could guess for himself how small were his chances of survival. I told them that although there was still no typhus epidemic in the camp, I estimated my own chances at about one in twenty. But I also told them that, in spite of this, I had no intention of losing hope and giving up. For no man knew what the future would bring, much less the next hour. Even if we could not expect any sensational military events in the next few days, who knew better than we, with our experience of camps, how great chances sometimes opened up, quite suddenly, at least for the individual. For instance, one might be attached unexpectedly to a special group with exceptionally good working conditions—for this was the kind of thing which constituted the "luck" of the prisoner.

But I did not only talk of the future and the veil which was drawn over it. I also mentioned the past; all its joys, and how its light shone even in the present darkness. Again I quoted a poet—to avoid sounding like a preacher myself—who had written, "Was Du erlebst, kann keine Macht der Welt Dir rauben." (What
you have experienced, no power on earth can take from you.) Not only our experiences, but all we have
done, whatever great thoughts we may have had, and all we have suffered, all this is not lost, though it is
past; we have brought it into being. Having been is also a kind of being, and perhaps the surest kind.

Then I spoke of the many opportunities of giving life a meaning. I told my comrades (who lay
motionless, although occasionally a sigh could be heard) that human life, under any circumstances, never
ceases to have a meaning, and that this infinite meaning of life includes suffering and dying, privation and
death. I asked the poor creatures who listened to me attentively in the darkness of the hut to face up to
the seriousness of our position. They must not lose hope but should keep their courage in the certainty that
the hopelessness of our struggle did not detract from its dignity and its meaning. I said that someone looks
down on each of us in difficult hours—a friend, a wife, somebody alive or dead, or a God—and he would
not expect us to disappoint him. He would hope to find us suffering proudly—not miserably—knowing
how to die.

And finally I spoke of our sacrifice, which had meaning in every case. It was in the nature of this
sacrifice that it should appear to be pointless in the normal world, the world of material success. But in
reality our sacrifice did have a meaning. Those of us who had any religious faith, I said frankly, could
understand without difficulty. I told them of a comrade who on his arrival in camp had tried to make a pact
with Heaven that his suffering and death should save the human being he loved from a painful end. For
this man, suffering and death were meaningful; his was a sacrifice of the deepest significance. He did not
want to die for nothing. None of us wanted that.

The purpose of my words was to find a full meaning in our life, then and there, in that hut and in that
practically hopeless situation. I saw that my efforts had been successful. When the electric bulb flared up
again, I saw the miserable figures of my friends limping toward me to thank me with tears in their eyes.

But I have to confess here that only too rarely had I the inner strength to make contact with my
companions in suffering and that I must have missed many opportunities for doing so.

We now come to the third stage of a prisoner’s mental reactions: the psychology of the prisoner after
his liberation. But prior to that we shall consider a question which the psychologist is asked frequently,
especially when he has personal knowledge of these matters: What can you tell us about the psychological
make-up of the camp guards? How is it possible that men of flesh and blood could treat others as so many
prisoners say they have been treated? Having once heard these accounts and having come to believe that
these things did happen, one is bound to ask how, psychologically, they could happen. To answer this
question without going into great detail, a few things must be pointed out:

First, among the guards there were some sadists, sadists in the purest clinical sense.

Second, these sadists were always selected when a really severe detachment of guards was needed.
There was great joy at our work site when we had permission to warm ourselves for a few minutes (after
two hours of work in the bitter frost) in front of a little stove which was fed with twigs and scraps of wood.

But there were always some foremen who found a great pleasure in taking this comfort from us. How
clearly their faces reflected this pleasure when they not only forbade us to stand there but turned over the
stove and dumped its lovely fire into the snow! When the SS took a dislike to a person, there was always
some special man in their ranks known to have a passion for, and to be highly specialized in, sadistic
torture, to whom the unfortunate prisoner was sent.

Third, the feelings of the majority of the guards had been dulled by the number of years in which, in
ever increasing doses, they had witnessed the brutal methods of the camp. These morally and mentally
hardened men at least refused to take active part in sadistic measures. But they did not prevent others
from carrying them out.
Fourth, it must be stated that even among the guards there were some who took pity on us. I shall only mention the commander of the camp from which I was liberated. It was found after the liberation—only the camp doctor, a prisoner himself, had known of it previously—that this man had paid no small sum of money from his own pocket in order to purchase medicines for his prisoners from the nearest market town.1 But the senior camp warden, a prisoner himself, was harder than any of the SS guards. He beat the other prisoners at every slightest opportunity, while the camp commander, to my knowledge, never once lifted his hand against any of us.

It is apparent that the mere knowledge that a man was either a camp guard or a prisoner tells us almost nothing. Human kindness can be found in all groups even those which as a whole it would be easy to condemn. The boundaries between groups overlapped and we must not try to simplify matters by saying that these men were angels and those were devils. Certainly, it was a considerable achievement for a guard or foreman to be kind to the prisoners in spite of all the camp’s influences, and, on the other hand, the baseness of a prisoner who treated his own companions badly was exceptionally contemptible. Obviously the prisoners found the lack of character in such men especially upsetting, while they were profoundly moved by the smallest kindness received from any of the guards. I remember how one day a foreman secretly gave me a piece of bread which I knew he must have saved from his breakfast ration. It was far more than the small piece of bread which moved me to tears at that time. It was the human "something" which this man also gave to me—the word and look which accompanied the gift.

From all this we may learn that there are two races of men in this world, but only these two—the "race" of the decent man and the "race" of the indecent man. Both are found everywhere; they penetrate into all groups of society. No group consists entirely of decent or indecent people. In this sense, no group is of "pure race" and therefore one occasionally found a decent fellow among the camp guards.

Life in a concentration camp tore open the human soul and exposed its depths. Is it surprising that in those depths we again found only human qualities which in their very nature were a mixture of good and evil? The rift dividing good from evil, which goes through all human beings, reaches into the lowest depths and becomes apparent even on the bottom of the abyss which is laid open by the concentration camp.

And now to the last chapter in the psychology of a concentration camp — the psychology of the prisoner who has been released. In describing the experiences of liberation, which naturally must be personal, we shall pick up the threads of that part of our narrative which told of the morning when the white flag was hoisted above the camp gates after days of high tension. This state of inner suspense was followed by total relaxation. But it would be quite wrong to think that we went mad with joy. What, then, did happen?

With tired steps we prisoners dragged ourselves to the camp gates. Timidly we looked around and glanced at each other questioningly. Then we ventured a few steps out of camp. This time no orders were shouted at us, nor was there any need to duck quickly to avoid a blow or kick. Oh no! This time the guards offered us cigarettes! We hardly recognized them at first; they had hurriedly changed into civilian clothes.

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1 "An interesting incident with reference to this SS commander is in regard to the attitude toward him of some of his Jewish prisoners. At the end of the war when the American troops liberated the prisoners from our camp, three young Hungarian Jews hid this commander in the Bavarian woods. Then they went to the commandant of the American Forces who was very eager to capture this SS commander and they said they would tell him where he was but only under certain conditions: the American commander must promise that absolutely no harm would come to this man. After a while, the American officer finally promised these young Jews that the SS commander when taken into captivity would be kept safe from harm. Not only did the American officer keep his promise but, as a matter of fact, the former SS commander of this concentration camp was in a sense restored to his command, for he supervised the collection of clothing among the nearby Bavarian villages, and its distribution to all of us who at that time still wore the clothes we had inherited from other inmates of Camp Auschwitz who were not as fortunate as we, having been sent to the gas chamber immediately upon their arrival at the railway station."
We walked slowly along the road leading from the camp. Soon our legs hurt and threatened to buckle. But we limped on; we wanted to see the camp's surroundings for the first time with the eyes of free men. "Freedom" we repeated to ourselves, and yet we could not grasp it. We had said this word so often during all the years we dreamed about it, that it had lost its meaning. Its reality did not penetrate into our consciousness; we could not grasp the fact that freedom was ours.

We came to meadows full of flowers. We saw and realized that they were there, but we had no feelings about them. The first spark of joy came when we saw a rooster with a tail of multicolored feathers. But it remained only a spark; we did not yet belong to this world.

In the evening when we all met again in our hut one said secretly to the other, "Tell me, were you pleased today?"

And the other replied, feeling ashamed as he did not know that we all felt similarly, "Truthfully, no!"

We had literally lost the ability to feel pleased and had to relearn it slowly.

Psychologically, what was happening to the liberated prisoners could be called "depersonalization," Everything appeared unreal, unlikely, as in a dream. We could not believe it was true. How often in the past years had we been deceived by dreams! We dreamt that the day of liberation had come, that we had been set free, had returned home, greeted our friends, embraced our wives, sat down at the table and started to tell of all the things we had gone through—even of how we had often seen the day of liberation in our dreams. And then a whistle shrilled in our ears, the signal to get up, and our dreams of freedom came to an end. And now the dream had come true. But could we truly believe in it?

The body has fewer inhibitions than the mind. It made good use of the new freedom from the first moment on. It began to eat ravenously, for hours and days, even half the night. It is amazing what quantities one can eat. And when one of the prisoners was invited out by a friendly farmer in the neighborhood, he ate and ate and then drank coffee which loosened his tongue, and he then began to talk: often for hours. The pressure which had been on his mind for years was released at last. Hearing him talk, one got the impression that he had to talk, that his desire to speak was irresistible. I have known people who have been under heavy pressure only for a short time (for example, through a cross-examination by the Gestapo) to have similar reactions. Many days passed, until not only the tongue was loosened, but something within oneself as well; then feeling suddenly broke through the strange fetters which had restrained it.

One day, a few days after the liberation, I walked through the country past flowering meadows, for miles and miles, toward the market town near the camp. Larks rose to the sky and I could hear their joyous song. There was no one to be seen for miles around; there was nothing but the wide earth and sky and the larks' jubilation and the freedom of space. I stopped, looked around, and up to the sky—and then I went down on my knees. At that moment there was very little I knew of myself or of the world—I had but one sentence in mind—always the same: "I called to the Lord from my narrow prison and He answered me in the freedom of space."

How long I knelt there and repeated this sentence memory can no longer recall. But I know that on that day, in that hour, my new life started. Step for step I progressed, until I again became a human being.

The way that led from the acute mental tension of the last days in camp (from that war of nerves to mental peace) was certainly not free from obstacles. It would be an error to think that a liberated prisoner was not in need of spiritual care any more. We have to consider that a man who has been under such enormous mental pressure for such a long time is naturally in some danger after his liberation, especially...
since the pressure was released quite suddenly. This danger (in the sense of psychological hygiene) is the psychological counterpart of the bends. Just as the physical health of the caisson worker would be endangered if he left his diver’s chamber suddenly (where he is under enormous atmospheric pressure), so the man who has suddenly been liberated from mental pressure can suffer damage to his moral and spiritual health.

During this psychological phase one observed that people with natures of a more primitive kind could not escape the influences of the brutality which had surrounded them in camp life. Now, being free, they thought they could use their freedom licentiously and ruthlessly. The only thing that had changed for them was that they were now the oppressors instead of the oppressed. They became instigators, not objects, of willful force and injustice. They justified their behavior by their own terrible experiences. This was often revealed in apparently insignificant events. A friend was walking across a field with me toward the camp when suddenly we came to a field of green crops. Automatically, I avoided it, but he drew his arm through mine and dragged me through it. I stammered something about not treading down the young crops. He became annoyed, gave me an angry look and shouted, "You don’t say! And hasn’t enough been taken from us? My wife and child have been gassed—not to mention everything else—and you would forbid me to tread on a few stalks of oats!"

Only slowly could these men be guided back to the commonplace truth that no one has the right to do wrong, not even if wrong has been done to them. We had to strive to lead them back to this truth, or the consequences would have been much worse than the loss of a few thousand stalks of oats. I can still see the prisoner who rolled up his shirt sleeves, thrust his right hand under my nose and shouted, "May this hand be cut off if I don’t stain it with blood on the day when I get home!" I want to emphasize that the man who said these words was not a bad fellow. He had been the best of comrades in camp and afterwards.

Apart from the moral deformity resulting from the sudden release of mental pressure, there were two other fundamental experiences which threatened to damage the character of the liberated prisoner: bitterness and disillusionment when he returned to his former life.

Bitterness was caused by a number of things he came up against in his former home town. When, on his return, a man found that in many places he was met only with a shrug of the shoulders and with hackneyed phrases, he tended to become bitter and to ask himself why he had gone through all that he had. When he heard the same phrases nearly everywhere—"We did not know about it," and "We, too, have suffered," then he asked himself, have they really nothing better to say to me?

The experience of disillusionment is different. Here it was not one’s fellow man (whose superficiality and lack of feeling was so disgusting that one finally felt like creeping into a hole and neither hearing nor seeing human beings any more) but fate itself which seemed so cruel. A man who for years had thought he had reached the absolute limit of all possible suffering now found that suffering has no limits, and that he could suffer still more, and still more intensely.

When we spoke about attempts to give a man in camp mental courage, we said that he had to be shown something to look forward to in the future. He had to be reminded that life still waited for him, that a human being waited for his return. But after liberation? There were some men who found that no one awaited them. Woe to him who found that the person whose memory alone had given him courage in camp did not exist any more! Woe to him who, when the day of his dreams finally came, found it so different from all he had longed for! Perhaps he boarded a trolley, traveled out to the home which he had seen for years in his mind, and only in his mind, and pressed the bell, just as he has longed to do in thousands of dreams, only to find that the person who should open the door was not there, and would never be there again.

We all said to each other in camp that there could be no earthly happiness which could compensate
for all we had suffered. We were not hoping for happiness—it was not that which gave us courage and
gave meaning to our suffering, our sacrifices and our dying. And yet we were not prepared for
unhappiness. This disillusionment, which awaited not a small number of prisoners, was an experience
which these men have found very hard to get over and which, for a psychiatrist, is also very difficult to help
them overcome. But this must not be a discouragement to him; on the contrary it should provide an added
stimulus.

But for every one of the liberated prisoners, the day comes when looking back on his camp experiences
he can no longer understand how he endured it all. As the day of his liberation eventually came, when
everything seemed to him like a beautiful dream, so also the day comes when all his camp experiences
seem to him nothing but a nightmare.

The crowning experience of all, for the homecoming man, is the wonderful feeling that, after all he has
suffered, there is nothing he need fear any more—except his God.
ON OCTOBER 9, 1963, we were picked up in a heavily fortified police van. It had a steel divider running along the center, segregating the white prisoners from the Africans. We were driven to the Palace of Justice in Pretoria, where the Supreme Court sits, for the opening of The State versus the National High Command and others, what later became known as The State versus Nelson Mandela and others, and is still better known as the Rivonia Trial. Near the court stands a statue of Paul Kruger, the president of the Republic of the Transvaal who fought against British imperialism in the nineteenth century. Underneath this Afrikaner hero is a quotation from one of his speeches. The inscription reads, "In confidence we lay our cause before the whole world. Whether we win or whether we die, freedom will rise in Africa like the sun from the morning clouds."

Our van was in the center of a convoy of police trucks. At the front of this motorcade were limousines carrying high police officials. The Palace of Justice was teeming with armed policemen. To avoid the enormous crowd of our supporters, who had grouped in front of the building, we were driven into the rear of the building and taken in through great iron gates. All around the building police officers with machine guns stood at attention. As we descended from the van, we could hear the great crowd singing and chanting. Once inside, we were held in cells below the courtroom before the opening of what was depicted in the newspapers at home and around the world as the most significant political trial in the history of South Africa.

As we emerged from the cells, each of the accused was accompanied by two armed warders. When we entered the ornate, high-ceilinged courtroom, we each turned to the crowd and made a clenched-fist ANC salute. In the visitors' gallery our supporters shouted "Amandla! Ngawethu!" and "Mayibuye Afrika!" This was inspiring, but dangerous: the police took the names and addresses of all the spectators in the galleries, and photographed them as they left the court. The courtroom was filled with domestic and international journalists, and dozens of representatives of foreign governments.

After we filed in, a group of police officers formed a tight cordon between us and the spectators. I was disgusted to have to appear in court wearing my prison clothes of khaki shorts and flimsy sandals. As a convicted prisoner, I did not have the choice of wearing proper clothes. Many people later commented on how poorly I looked, and not just because of my wardrobe. I had been in and out of solitary confinement for months and I had lost more than twenty-five pounds. I took pains to smile at the gallery when I walked into the courtroom, and seeing our supporters was the best medicine I could have had.

Security was particularly tight as only a few weeks before Arthur Goldreich, Harold Wolpe, Mosie Moola, and Abdulhay Jassat had bribed a young guard and escaped from jail. Arthur and Harold made their way to Swaziland disguised as priests, then flew to Tanganyika. Their escape came at a time of hysteria about the underground and was greeted with blaring newspaper headlines. It was an embarrassment to the government and a boost to our morale.

Our judge in the Rivonia Trial was Mr. Quartus de Wet, judge-president of the Transvaal, who sat in his flowing red robes beneath a wooden canopy. De Wet was one of the last judges appointed by the United Party before the Nationalists came to power and was not considered a government lackey. He was a poker-faced judge who did not suffer fools gladly. The prosecutor was Dr. Percy Yutar, deputy attorney general of the Transvaal, whose ambition was to become attorney general of South Africa. He was a small,
bald, dapper fellow, whose voice squeaked when he became angry or emotional. He had a flair for the dramatic and for high-flown if imprecise language.

Yutar rose and addressed the court: "My Lord, I call the case of the state against the National High Command and others." I was accused number one. Yutar handed in the indictment and authorized that we be charged immediately and tried summarily. This was the first time we were given a copy of the indictment. The prosecution had kept it from us, though they gave it to the Rand Daily Mail) which had splashed it all over that day's edition of the paper. The indictment charged eleven of us with complicity in over two hundred acts of sabotage aimed at facilitating violent revolution and an armed invasion of the country. The state contended that we were actors in a conspiracy to overthrow the government.

We were charged with sabotage and conspiracy rather than high treason because the law does not require a long preparatory examination (which is highly useful to the defense) for sabotage and conspiracy as it does for treason. Yet the supreme penalty - death by hanging - is the same. With high treason, the state must prove its case beyond a reasonable doubt and needs two witnesses to testify to each charge. Under the Sabotage Law, the onus was on the defense to prove the accused innocent.

Bram Fischer stood up and asked the court for a remand on the grounds that the defense had not had time to prepare its case. He noted that a number of the accused had been held in solitary confinement for unconscionable lengths of time. The state had been preparing for three months, but we had only received the indictment that day. Justice de Wet gave us a three-week adjournment until October 29.

I was disturbed to discover that first day that Winnie was unable to attend. Because of her banning and her restriction to Johannesburg, she needed police permission to come to court. She had applied and been refused. I also learned that our house had been raided and the police had detained a young relative of Winnie's. Winnie was not the only wife being harassed. Albertina Sisulu and Caroline Motsoaledi were detained under the Ninety-Day Detention Act, and Walter's young son Max was also arrested. This was one of the state's most barbarous techniques of applying pressure: imprisoning the wives and children of freedom fighters. Many men in prison were able to handle anything the authorities did to them, but the thought of the state doing the same thing to their families was almost impossible to bear.

Winnie subsequently appealed to the minister of justice, who granted her permission to attend the trial on the condition that she did not wear traditional dress. Ironically, the same government that was telling us to embrace our culture in the homelands forbade Winnie from wearing a Xhosa gown into court.

During the next three weeks, we were permitted to spend our days together preparing our case. I was now among my fellow accused, and the company of my colleagues was a tonic. As awaiting-trial prisoners we were entitled to two half-hour visits a week, and one meal a day could be sent in from the outside. I soon gained back my lost weight with Mrs. Pillay's delicious dinners.

While we were preparing our defense, the government was trying the case in the newspapers. Normally, a case that is sub judice cannot be commented upon in public or in the press. But since the men arrested at Rivonia were Ninety-Day detainees, and therefore not technically charged with a crime, this judicial principle went by the wayside. We were publicly branded as violent revolutionaries by everyone from the minister of justice on down. Newspapers regularly featured headlines like "REVOLUTION ON MILITARY BASIS."

On October 29, we again entered the Palace of Justice; again the crowds were large and excited; again the security was extremely tight; again the court was filled with dignitaries from many foreign embassies. After three weeks with my comrades I felt rejuvenated, and I was far more comfortable in court this time in a suit. Our attorneys had objected to our having to come to court in prison garb and we had
won the right to wear our own clothes. We again raised clenched fists to the gallery, and were warned that if we did it again, we would be forced to come to court in our prison khakis. To prevent such outbursts, the authorities reversed the normal order of the prisoners preceding the judge into the courtroom. After that first day, the judge entered first so that court would already be in session when we entered.

We went on the attack immediately - Bram Fischer criticized the state's indictment as shoddy, poorly drawn, and containing absurdities such as the allegation that I had participated in certain acts of sabotage on dates when I was in Pretoria Local. Yutar was flummoxed. Judge de Wet looked to him to reply to Bram's argument, and instead of offering particulars he began to give what the judge derided as "a political speech." De Wet was impatient with Yutar's fumbling and told him so. "The whole basis of your argument as I understand it, Mr. Yutar, is that you are satisfied that the accused are guilty." De Wet then quashed the indictment and gavelled the session to a close.

For that moment we were technically free, and there was pandemonium in the court. But we were rearrested even before Judge de Wet left his seat. Lieutenant Swanepoel clapped each of us on the shoulder and said, "I am arresting you on a charge of sabotage," and we were herded back to our cells. Even so, this was a blow to the government, for they now had to go back to the drawing board in the case they were calling the trial to end all trials.

The state redrew their indictment and we were back in court in early December. We all sensed that in the interim Justice de Wet had grown more hostile to us. We suspected his previous independence had brought down the wrath of the government and pressure had been applied. The new charges were read: we were alleged to have recruited persons for sabotage and guerrilla warfare for the purpose of starting a violent revolution; we had allegedly conspired to aid foreign military units to invade the republic in order to support a Communist revolution; and we had solicited and received funds from foreign countries for this purpose. The orders for munitions on the part of the accused, said Yutar melodramatically, were enough to blow up Johannesburg.

The registrar then requested our pleas. We had agreed not to plead in the traditional manner but to use the moment to show our disdain for the proceedings. "Accused number one, Nelson Mandela, do you plead guilty or not guilty?"

I rose and said, "My Lord, it is not I, but the government that should be in the dock. I plead not guilty."

"Accused number two, Walter Sisulu, do you plead guilty or not guilty?"

Sisulu: "The government is responsible for what has happened in this country. I plead not guilty."

Justice de Wet said he was not interested in hearing political speeches, that we should merely plead not guilty or guilty. But his direction was ignored. Each of the accused suggested that it was the government that was criminal before pleading not guilty.

To enhance the drama of the proceedings, the state had made arrangements for a live broadcast of Yutar's speech on the South African Broadcasting System. Microphones had been placed on the prosecution table as well as in front of the judge. But just as Yutar was clearing his throat, Bram Fischer rose and made an application to the court for the removal of the microphones on the grounds that the broadcasts would unfairly prejudice the case and were not in keeping with the dignity of the court. Despite Yutar's shrill plea for their retention, Justice de Wet ordered them removed.

In his address, Yutar argued that from the time the ANC had been driven underground, the organization had embarked on a policy of violence designed to lead from sabotage through guerrilla warfare to an armed invasion of the country. He asserted that we planned to deploy thousands of trained guerrilla units throughout the country, and these units were to spearhead an uprising that would be followed by an armed invasion by military units of a foreign power. "In the midst of the resulting chaos,
turmoil, and disorder," Yutar proclaimed, "it was planned by the accused to set up a Provisional Revolutionary Government to take over the administration and control of the country." The engine of this grand plan was Umkhonto we Sizwe, under the political direction of the ANC and the Communist Party, and the headquarters of Umkhonto was Rivonia.

In his orotund prose, Yutar described how we recruited members for MK, how we planned our national uprising for 1963 (here he was confusing us with the PAC), how we erected a powerful radio transmitter at Rivonia, and how we were collectively responsible for two hundred twenty-two acts of sabotage. He said Elias Motsoaledi and Andrew Mlangeni were in charge of recruiting members and that Dennis Goldberg ran a special school for recruits in the Cape. He detailed the production of various bombs, as well as the solicitation of money abroad.

Over the next three months, the state produced one hundred seventy-three witnesses and entered into the record thousands of documents and photographs, including standard works on Marxism, histories of guerrilla warfare, maps, blueprints, and a passport made out to one David Motsamayi. The first witness was a police photographer who had taken pictures of Rivonia, and the next witnesses were domestic workers for the Goldreich family, who had been held in detention all this time even though they had no connection to the politics of the household. These servants identified most of us by pointing to us in the dock, but old Mr. Jelliman, in a brave attempt to help me, pretended that he did not see me when he was asked to point to accused number one. Look again, the prosecutor said, go over all the faces carefully. "I do not think he is here," Jelliman said quietly.

We wondered what evidence the state had to prove my guilt. I had been out of the country and in prison while much of the planning at Rivonia had taken place. When I saw Walter in Pretoria Local just after my sentencing, I urged him to make sure that all my books and notes were removed from the farm. But during the first week of the trial, when Rusty Bernstein applied for bail, Percy Yutar dramatically produced the sketch of the Fort and the accompanying note about escape that I had made while detained there. Yutar exclaimed that this was evidence that all of the accused meant to escape. It was a sign that nothing of mine had been removed from Rivonia. Later, I was told that my colleagues at Rivonia had decided to preserve my escape note because they thought it would be historic in the future. But in the present, it cost Rusty Bernstein his bail.

The state's star witness was Bruno Mtololo, or "Mr. X" as he was known in court. In introducing "Mr. X," Yutar informed the court that the interrogation would take three days and then, in theatrical tones, he added that the witness was "in mortal danger." Yutar asked that the evidence be given in camera, but that the press be included provided that they not identify the witness.

Mtololo was a tall, well-built man with an excellent memory. A Zulu from Durban, he had become the leader of the Natal region of MK. He was an experienced saboteur, and had been to Rivonia. I had met him only once, when I addressed his group of MK cadres in Natal after my return from the continent. His evidence concerning me in particular made me realize that the state would certainly be able to convict me.

He began by saying that he was an MK saboteur who had blown up a municipal office, a power pylon, and an electricity line. With impressive precision, he explained the operation of bombs, land mines, and grenades, and how MK worked from underground. Mtololo said that while he had never lost faith in the ideals of the ANC, he did lose faith in the organization when he realized that it and MK were instruments of the Communist Party.

His testimony was given with simplicity and what seemed like candor, but Mtololo had gone out of his way to embellish his evidence. This was undoubtedly done on police instructions. He told the court that during my remarks to the Natal Regional Command I had stated that all MK cadres ought to be good Communists but not to disclose their views publicly. In fact, I never said anything of the sort, but his
testimony was meant to link me and MK to the Communist Party. His memory appeared so precise the ordinary person would assume that it was accurate in all instances. But this was not so.

I was bewildered by Mtolo’s betrayal. I never ruled out the possibility of even senior ANC men breaking down under police torture. But by all accounts, Mtolo was never touched. On the stand, he went out of his way to implicate people who were not even mentioned in the case. It is possible, I know, to have a change of heart, but to betray so many others, many of whom were quite innocent, seemed to me inexcusable.

During cross-examination we learned that Mtolo had been a petty criminal before joining MK and had been imprisoned three previous times for theft. But despite these revelations, he was an extremely damaging witness, for the judge found him reliable and believable, and his testimony incriminated nearly all of us.

The keystone of the state's case was the six-page Plan of Action confiscated in the Rivonia raid. The leaders of the High Command had had this very document before them on the table when the police stormed the farm. Operation Mayibuye sketches out in general form the plan for the possible commencement of guerrilla operations, and how it might spark a mass armed uprising against the government. It envisions an initial landing of small guerrilla forces in four different areas of South Africa and the attacking of pre-selected targets. The document set a goal of seven thousand MK recruits in the country who would meet the initial outside force of one hundred twenty trained guerrillas.

The prosecution's case rested in large part on their contention that Operation Mayibuye had been approved by the ANC executive and had become the operating plan of MK. We insisted that Operation Mayibuye had not yet been formally adopted and was still under discussion at the time of the arrests. As far as I was concerned, Operation Mayibuye was a draft document that was not only not approved, but was entirely unrealistic in its goals and plans. I did not believe that guerrilla warfare was a viable option at that stage.

The plan had been drafted in my absence so I had very little knowledge of it. Even among the Rivonia Trialists there was disagreement as to whether the plan had been adopted as ANC policy. Govan, who had drafted the document with Joe Slovo, insisted that it had been agreed upon and felt that it was wrong for us to argue in court that it was still under discussion. But all the other accused contended that the document, while drawn up by the High Command, had not been approved by the ANC executive or even seen by Chief Luthuli.

Although a capital trial can be quite grim, our spirits were generally high. There was a good deal of gallows humor among us. Dennis Goldberg, the youngest of the accused, had an irrepressible sense of humor and often had us laughing when we should not have been. When one of the prosecution witnesses described how Raymond Mhlaba had worn a clerical collar as a disguise, Dennis took to calling him Reverend Mhlaba.

In our consulting room downstairs, we often communicated through notes, which we would then burn and throw in the wastebasket. One of the Special Branch officers who looked after us was Lieutenant Swanepoel, a burly, red-faced fellow who was convinced we were always putting one over on him. One day, while Swanepoel was observing us from the door, Govan Mbeki began to write a note in a conspicuously secretive manner. With similar drama he handed me the note. I read it, nodded my head sagely, and passed it to Kathy, who ostentatiously took out his matches as if to burn the note when Swanepoel swooped into the room, grabbed the paper out of Kathy’s hands, and said something about the dangers of lighting matches indoors. He then left the room to read his prize; a few seconds later, he stormed back saying, "I will get all of you for this!" Govan had written in capital letters: "ISN'T SWANEPOEL A FINE-LOOKING CHAP?"
We were locked up in prison and on trial for our lives, but outside new life was blossoming. Jimmy Kantor's wife was to give birth any day. Jimmy was an attorney who had been roped into the trial by the state for no other reason than that he was Harold Wolpe's brother-in-law.

One morning, when we were sitting in the dock, a note was passed down to me from the other end.

Barbara and I have discussed godfathers at length and we have come to the conclusion that, whether the baby is a girl or boy, we would consider it an honour if you would agree to accept this office as an adjunct to the more disreputable positions you have held in the past.

By return mail I sent Jimmy back a note. I would be more than delighted, and the honour is mine, not the baby's. Now they dare not hang me.

Chapter 56

THE STATE CASE continued through the Christmas season of 1963, ending on February 29, 1964. We had a little over a month to examine the evidence and prepare our defense. We were not all equally affected by the evidence. There was no evidence against James Kantor; he was not even a member of our organization and should not have been on trial at all. For Rusty Bernstein, Raymond Mhlaba, and Ahmed Kathrada, the evidence of involvement in conspiracy was slight and we decided they should not incriminate themselves. In Rusty's case, the evidence was negligible; he had merely been found at Rivonia with the others. The remaining six of us would make admissions of guilt on certain charges.

Bram was deeply pessimistic. He avowed that even if we proved that guerrilla war had not been approved and our policy of sabotage was designed not to sacrifice human life, the state could still impose the death sentence. The defense team was divided on whether or not we should testify. Some asserted that it would hurt our case if we testified. George Bizos, though, suggested that unless we gave evidence and convinced the judge that we had not decided on guerrilla warfare, he would certainly impose the supreme penalty.

Right from the start we had made it clear that we intended to use the trial not as a test of the law but as a platform for our beliefs. We would not deny, for example, that we had been responsible for acts of sabotage. We would not deny that a group of us had turned away from nonviolence. We were not concerned with getting off or lessening our punishment, but with having the trial strengthen the cause for which we were all struggling - at whatever cost to ourselves. We would not defend ourselves in a legal sense so much as in a moral sense. We saw the trial as a continuation of the struggle by other means. We would readily admit what was known by the state to be true but refuse to give away any information we thought might implicate others.

We would dispute the state's central contention that we had embarked on guerrilla warfare. We would admit that we had made contingency plans to undertake guerrilla warfare in the event sabotage failed. But we would claim it had not yet failed, for it had not been sufficiently attempted. We would deny the claims of murder and damage to innocent bystanders that the state alleged; either these claims were outright lies, or the incidents were the work of someone else. We had never contemplated the intervention of foreign military forces. In order to make these claims, we believed we would have to explain Operation Mayibuye to the court.

In my own case, the court had sufficient evidence for a conviction. Documents in my handwriting showed that I had left the country illegally, had arranged for military training for our men, and had been behind the formation of Umkhonto we Sizwe. There was also a document in my handwriting called "How to be a good Communist," which the state suggested was proof that I was a card-carrying Communist. In
fact the document’s title was taken from the work of a Chinese theoretician named Liu Shao Chi, and was written by me to prove a point to Moses Kotane. We had been engaged in a running debate about the appeal of communism to ordinary South Africans. I had long argued that Communist literature was, for the most part, dull, esoteric, and Western-centered, but ought to be simple, clear, and relevant to the African masses. Moses insisted it could not be done. To prove my point, I had taken Liu’s essay and rewritten it for an African audience.

I would be the first witness and therefore set the tone for the defense. In South African courts, evidence from the witness box can be given only in the form of an answer to a question. I did not want to be limited to that format. We decided that instead of giving testimony, I would read a statement from the dock, while the others would testify and go through cross-examination.

Because a witness making a statement from the dock does not submit to cross-examination or questions from the bench, the statement does not have the same legal weight as ordinary testimony. Those who choose to make such a statement usually do so to avoid cross-examination. Our attorneys warned me that it would put me in a more precarious legal situation; anything I said in my statement regarding my own innocence would be discounted by the judge. But that was not our highest priority. We believed it was important to open the defense with a statement of our politics and ideals, which would establish the context for all that followed. I wanted very much to cross swords with Percy Yutar, but it was more important that I use the platform to highlight our grievances.

All of this was agreed upon in consultation, mainly through notes because the consultation room was bugged. We even used the state’s eavesdropping to our advantage by supplying them with disinformation. We gave every indication that I was going to testify so that they would spend their time planning their cross-examination. In a staged conversation, I told our attorney Joel Joffe that I would need the Treason Trial record to prepare my testimony. We smiled at the notion of Yutar poring over the hundred or so volumes of Treason Trial transcripts.

I spent about a fortnight drafting my address, working mainly in my cell in the evenings. When I was finished, I read it first to my comrades and fellow accused. They approved of it, suggesting a few changes, and then I asked Bram Fischer to look it over. Bram became concerned after reading it and had a respected advocate named Hal Hanson read it. Hanson told Bram, "If Mandela reads this in court they will take him straight out in back of the courthouse and string him up." That confirmed Bram's anxieties and he came to me the next day and urged me to modify the speech. I felt we were likely to hang no matter what we said, so we might as well say what we truly believed. The atmosphere at the time was extremely grim, with newspapers routinely speculating that we would receive the death sentence. Bram begged me not to read the final paragraph, but I was adamant.

On Monday, the twentieth of April, under the tightest of security, we were taken to the Palace of Justice, this time to begin our defense. Winnie was there with my mother, and I nodded to them as we entered the court, which was again full.

Bram announced that certain parts of the state’s evidence would be conceded by the accused, and there was a buzz in the court. But he went on to say that the defense would deny a number of the state’s assertions, including the contention that Umkhonto we Sizwe was the military wing of the ANC. He said that the leaders of MK and the ANC "endeavored to keep these two organizations entirely separate. They did not always succeed in this," he said, "but ... every effort was made to achieve that object." He emphatically denied that the ANC took orders from the Communist Party. He said the defense would challenge the allegation that Goldberg, Kathrada, Bernstein, and Mhlaba were members of Umkhonto. He stated that the defense would show that Umkhonto had not in fact adopted Operation Mayibuye, and that MK had not embarked on preparations for guerrilla warfare.

"That will be denied?" asked Justice de Wet incredulously. "That will be denied," replied Bram.
"The evidence will show that while preparations for guerrilla warfare were being made, no plan was ever adopted. It was hoped throughout that such a step could be avoided."

Then, in his soft voice, Bram said, "The defense case, My Lord, will commence with a statement from the dock by accused number one, who personally took part in the establishment of Umkhonto, and who will be able to inform the court of the beginnings of that organization."

At this, Yutar popped up from the table and cried, "My Lord! My Lord!" He was distressed that I would not be testifying for he had undoubtedly prepared for my cross-examination. "My Lord," he said rather despondently, "a statement from the dock does not carry the same weight as evidence under oath."

"I think, Dr. Yutar," Justice de Wet responded dryly, "that counsel for the defense have sufficient experience to advise their clients without your assistance." Yutar sat down.

"Neither we nor our clients are unaware of the provisions of the criminal code," replied Bram. "I call on Nelson Mandela."

I rose and faced the courtroom and read slowly.

I am the first accused. I hold a Bachelor’s degree in Arts, and practiced as an attorney in Johannesburg for a number of years in partnership with Mr. Oliver Tambo. I am a convicted prisoner, serving five years for leaving the country without a permit and for inciting people to go on strike at the end of May 1961. I admit immediately that I was one of the persons who helped to form Umkhonto we Sizwe and that I played a prominent role in its affairs until I was arrested in August 1962. At the outset, I want to say that the suggestion made by the state in its opening that the struggle in South Africa is under the influence of foreigners or Communists is wholly incorrect. I have done whatever I did, both as an individual and as a leader of my people, because of my experience in South Africa, and my own proudly felt African background, and not because of what any outsider might have said. In my youth in the Transkei, I listened to the elders of my tribe telling stories of the old days. Amongst the tales they related to me were those of wars fought by our ancestors in defense of the fatherland. The names of Dingane and Bambatha, Hintsa and Makanna, Sphungthi and Dalasile, Moshoeshoe and Sekhukhuni, were praised as the pride and glory of the entire African nation. I hoped then that life might offer me the opportunity to serve my people and make my own humble contribution to their freedom struggle. This is what has motivated me in all that I have done in relation to the charges made against me in this case.

Having said this, I must deal immediately and at some length with the question of violence. Some of the things so far told the court are true and some are untrue. I do not, however, deny that I planned sabotage. I did not plan it in a spirit of recklessness nor because I have any love of violence. I planned it as a result of a calm and sober assessment of the political situation that had arisen after many years of tyranny, exploitation, and oppression of my people by whites.

I wanted to impress upon the court that we had not acted irresponsibly or without thought to the ramifications of taking up violent action. I laid particular emphasis on our resolve to cause no harm to human life.

We of the ANC have always stood for a nonracial democracy, and we shrank from any action which might drive the races further apart than they already were. But the hard facts were that fifty years of nonviolence had brought the African people nothing but more repressive legislation, and fewer and fewer rights. It may not be easy for this court to understand, but it is a fact that for a long time the people had been talking of violence - of the day when they would fight the white man and win back their country, and we, the leaders of the ANC, had nevertheless always prevailed upon them to avoid violence and to use peaceful methods. While some of us discussed this in May and June of 1961, it could not be denied that our policy to achieve a nonracial state by nonviolence had achieved nothing, and that our followers were beginning to lose confidence in this policy and were developing disturbing ideas of terrorism....
Umkhonto was formed in November 1961. When we took this decision, and subsequently formulated our plans, the ANC heritage of nonviolence and racial harmony was very much with us. We felt that the country was drifting towards a civil war in which blacks and whites would fight each other. We viewed the situation with alarm. Civil war would mean the destruction of what the ANC stood for; with civil war racial peace would be more difficult than ever to achieve. We already have examples in South African history of the results of war. It has taken more than fifty years for the scars of the South African [Anglo-Boer] War to disappear. How much longer would it take to eradicate the scars of interracial civil war, which could not be fought without a great loss of life on both sides?

Sabotage, I said, offered the best hope for future race relations. The reaction of the white rulers to our first efforts was swift and brutal; sabotage was declared to be a crime punishable by death. We did not want civil war, I said, but we needed to be prepared for it.

Experience convinced us that rebellion would offer the government limitless opportunities for the indiscriminate slaughter of our people. But it was precisely because the soil of South Africa is already drenched with the blood of innocent Africans that we felt it our duty to make preparations as a long-term undertaking to use force in order to defend ourselves against force. If war were inevitable, we wanted the fight to be conducted on terms most favorable to our people. The fight which held out prospects best for us and the least risk of life to both sides was guerrilla warfare. We decided, therefore, in our preparations for the future, to make provision for the possibility of guerrilla warfare. All whites undergo compulsory military training, but no such training was given to Africans. It was in our view essential to build up a nucleus of trained men who would be able to provide the leadership which would be required if guerrilla warfare started. We had to prepare for such a situation before it became too late to make proper preparations.

I explained that at this stage in our discussions I left the country to attend the PAFMECSA conference and undergo military training. I said that I underwent training because if there was to be a guerrilla war, I wanted to be able to stand and fight beside my own people. Even so, I believed that the possibilities of sabotage were far from exhausted and should be pursued with vigor.

I told the court of the dividing line between the ANC and MK, and how we made good-faith attempts to keep the two separate. This was our policy, but in practice, it was not so simple. Because of bannings and imprisonment, people often had to work in both organizations. Though this might have sometimes blurred the distinction, it did not abolish it. I disputed the allegations of the state that the aims and objects of the ANC and the Communist Party were one and the same.

The ideological creed of the ANC is, and always has been, the creed of African Nationalism. It is not the concept of African Nationalism expressed in the cry, "Drive the white man into the sea." The African Nationalism for which the ANC stands is the concept of freedom and fulfillment for the African people in their own land. The most important political document ever adopted by the ANC is the Freedom Charter. It is by no means a blueprint for a socialist state.... The ANC has never at any period of its history advocated a revolutionary change in the economic structure of the country, nor has it, to the best of my recollection, ever condemned capitalist society....

The ANC, unlike the Communist Party, admitted Africans only as members. Its chief goal was, and is, for the African people to win unity and full political rights. The Communist Party's main aim, on the other hand, was to remove the capitalists and to replace them with a working class government. The Communist Party sought to emphasize class distinctions whilst the ANC seeks to harmonize them. It is true that there has often been close cooperation between the ANC and the Communist Party. But cooperation is merely proof of a common goal- in this case the removal of white supremacy - and is not proof of a complete community of interests. The history of the world is full of similar examples. Perhaps the most striking illustration is to be found in the cooperation between Great Britain, the United States of
America and the Soviet Union in the fight against Hitler. Nobody but Hitler would have dared to suggest that such cooperation turned Churchill or Roosevelt into Communists or Communist tools, or that Britain and America were working to bring about a Communist world....

It is perhaps difficult for white South Africans, with an ingrained prejudice against communism, to understand why experienced African politicians so readily accepted Communists as their friends. But to us the reason is obvious. Theoretical differences amongst those fighting against oppression is a luxury we cannot afford at this stage. What is more, for many decades Communists were the only political group in South Africa who were prepared to treat Africans as human beings and their equals; who were prepared to eat with us; talk with us, live with and work with us. Because of this, there are many Africans who, today, tend to equate freedom with communism.

I told the court that I was not a Communist and had always regarded myself as an African patriot. I did not deny that I was attracted by the idea of a classless society, or that I had been influenced by Marxist thought. This was true of many leaders of the newly independent states of Africa, who accepted the need for some form of socialism to enable their people to catch up with the advanced countries of the West.

From my reading of Marxist literature and from conversations with Marxists’ I have gained the impression that Communists regard the parliamentary system of the West as undemocratic and reactionary. But, on the contrary, I am an admirer of such a system.

The Magna Carta, the Petition of Rights and the Bill of Rights, are documents which are held in veneration by democrats throughout the world. I have great respect for British political institutions, and for the country’s system of justice. I regard the British Parliament as the most democratic institution in the world, and the independence and impartiality of its judiciary never fail to arouse my admiration. The American Congress, the country’s doctrine of separation of powers, as well as the independence of its judiciary, arouse in me similar sentiments.

I detailed the terrible disparities between black and white life in South Africa. In education, health, income, every aspect of life, blacks were barely at a subsistence level while whites had the highest standards in the world - and aimed to keep it that way. Whites, I said, often claim that Africans in South Africa were better off than Africans in the rest of the continent. Our complaint, I said, was not that we were poor by comparison with the people in the rest of Africa, but that we were poor by comparison with the whites in our country, and that we were prevented by legislation from righting that imbalance.

The lack of human dignity experienced by Africans is the direct result of the policy of white supremacy. White supremacy implies black inferiority. Legislation designed to preserve white supremacy entrenches this notion. Menial tasks in South Africa are invariably performed by Africans. When anything has to be carried or cleaned the white man looks around for an African to do it for him, whether the African is employed by him or not....

Poverty and the breakdown of family life have secondary effects. Children wander about the streets of the townships because they have no schools to go to, or no money to enable them to go to school, or no parents at home to see that they go to school, because both parents (if there be two) have to work to keep the family alive. This leads to a breakdown in moral standards, to an alarming rise in illegitimacy and to growing violence which erupts, not only politically, but everywhere....

Africans want a just share in the whole of South Africa; they want security and a stake in society. Above all, we want equal political rights, because without them our disabilities will be permanent. I know this sounds revolutionary to the whites in this country, because the majority of voters will be Africans. This makes the white man fear democracy....

This then is what the ANC is fighting for. Their struggle is a truly national one. It is a struggle of the African people, inspired by their own suffering and their own experience. It is a struggle for the right to
I had been reading my speech, and at this point I placed my papers on the defense table, and turned to face the judge. The courtroom became extremely quiet. I did not take my eyes off Justice de Wet as I spoke from memory the final words.

During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

The silence in the courtroom was now complete. At the end of the address, I simply sat down. I did not turn and face the gallery, though I felt all their eyes on me. The silence seemed to stretch for many minutes. But in fact it lasted probably no more than thirty seconds, and then from the gallery I heard what sounded like a great sigh, a deep, collective "ummmm," followed by the cries of women.

I had read for over four hours. It was a little after four in the afternoon, the time court normally adjourned. But Justice de Wet, as soon as there was order in the courtroom, asked for the next witness. He was determined to lessen the impact of my statement. He did not want it to be the last and only testimony of the day. But nothing he did could weaken its effect. When I finished my address and sat down, it was the last time that Justice de Wet ever looked me in the eye.

The speech received wide publicity in both the local and foreign press, and was printed, virtually word for word, in the Rand Daily Mail. This despite the fact that all my words were banned. The speech both indicated our line of defense and disarmed the prosecution, which had prepared its entire case based on the expectation that I would be giving evidence denying responsibility for sabotage. It was now plain that we would not attempt to use legal niceties to avoid accepting responsibility for actions we had taken with pride and premeditation.

Accused number two, Walter Sisulu, was next. Walter had to bear the brunt of the cross-examination that Yutar had prepared for me. Walter withstood a barrage of hostile questions and rose above Yutar's petty machinations to explain our policy in clear and simple terms. He asserted that Operation Mayibuye and the policy of guerrilla warfare had not been adopted as ANC policy. In fact, Walter told the court that he had personally opposed its adoption on the grounds that it was premature.

Govan followed Walter in the witness box and proudly related to the court his longtime membership in the Communist Party. The prosecutor asked Govan why, if he admitted many of the actions in the four counts against him, he did not simply plead guilty to the four counts? "First," Govan said, "I felt I should come and explain under oath some of the reasons that led me to join these organizations. There was a sense of moral duty attached to it. Secondly, for the simple reason that to plead guilty would to my mind indicate a sense of moral guilt. I do not accept there is moral guilt attached to my answers."

Like Govan, Ahmed Kathrada and Rusty Bernstein testified to their membership of the Communist Party as well as the ANC. Although Rusty was captured at Rivonia during the raid, the only evidence of a direct nature that the state had against him was that he had assisted in the erection of a radio aerial at the farm. Kathy, in his sharp-witted testimony, denied committing acts of sabotage or inciting others to do so, but he said he supported such acts if they advanced the struggle.

We had all been surprised when accused number eight, James Kantor, had been arrested and grouped with us. Apart from being the brother-in-law and legal partner of Harold Wolpe, who performed a number of transactions for us through his office, he had no involvement whatsoever with the ANC or MK. There was virtually no evidence against him, and I assumed the only reason the state kept up the charade of prosecuting him in prison was to intimidate progressive lawyers.

On the day that Justice de Wet was to rule on Jimmy's case, we were waiting in the cells underneath the
court and I said to Jimmy, "Let us exchange ties for good luck." But when he saw the wide, old-fashioned tie I gave him compared to the lovely, silk tie he gave me, he probably thought I was merely trying to improve my wardrobe. Jimmy was something of a clotheshorse, but he wore the tie to court and when Justice de Wet dismissed the charges against him, he lifted the tie up to me as a kind of salute and farewell.

Raymond Mhlaba was one of the leading ANC and MK figures in the eastern Cape, but because the state did not have much evidence against him, he denied he was a member of MK and that he knew anything about sabotage. We all decided that neither Elias Motsoaledi, accused number nine, nor Andrew Mlangeni, accused number ten, should testify. They were low-level members of MK, and could not add much to what had already been said. Elias Motsoaledi, despite having been beaten and tortured in prison, never broke down. Andrew Mlangeni, the last accused, made an unsworn statement admitting that he carried messages and instructions for MK and had disguised himself as a priest to facilitate this work. He, too, informed the court that he had been assaulted while in prison, and subjected to electric shock treatment. Andrew was the last witness. The defense rested. All that remained were the final arguments and then judgment.

On the twentieth of May, Yutar handed out a dozen blue leather bound volumes of his final speech to the press and one to the defense. Despite its handsome packaging, Yutar's address was a garbled summary of the prosecution's case and did not explain the indictment or assess the evidence. It was filled with ad hominem insults. "The deceit of the accused is amazing," he said at one point. "Although they represented scarcely 1% of the Bantu population they took it upon themselves to tell the world that the Africans in South Africa are suppressed, oppressed and depressed." Even Judge de Wet seemed mystified by Yutar's speech, and at one point interrupted him to say, "Mr. Yutar, you do concede that you failed to prove guerrilla warfare was ever decided upon, do you not?"

Yutar was stunned. He had assumed precisely the opposite. We were surprised as well, for the judge's question gave us hope. Yutar haltingly told the court that preparations for guerrilla warfare were indeed made.

"Yes, I know that," de Wet replied impatiently, "the defense concedes that. But they say that prior to their arrest they took no decision to engage in guerrilla warfare. I take it that you have no evidence contradicting that and that you accept it?"

"As Your Worship wishes," Yutar said in a strangled voice.

Yutar finished by saying that the case was not only one of high treason "par excellence," but of murder and attempted murder, neither of which was mentioned in the indictment. In a fit of bluster, he proclaimed, "I make bold to say that every particular allegation in the indictment has been proved." He knew, even as he uttered those words, that they were patently false.

Defense counsel Arthur Chaskalson rose first to deal with some of the legal questions raised by the prosecution. He rejected Yutar's statement that the trial had anything to do with murder, and reminded the court that MK's express policy was that there should be no loss of life. When Arthur began to explain that other organizations committed acts of sabotage for which the accused were blamed, de Wet interrupted to say he already accepted that as a fact. This was another unexpected victory.

Bram Fischer spoke next and was prepared to tackle the state's two most serious contentions: that we had undertaken guerrilla warfare and that the ANC and MK were the same. Though de Wet had said he believed that guerrilla warfare had not yet begun, we were taking no chances. But as Bram launched into his first point, de Wet interjected somewhat testily, "I thought I made my attitude clear. I accept that no decision or date was fixed upon for guerrilla warfare."

When Bram began his second point, de Wet again interrupted him to say that he also conceded the fact that the two organizations were separate. Bram, who was usually prepared for anything, was
hardly prepared for de Wet’s response. He then sat down; the judge had accepted his arguments even before he made them. We were jubilant - that is, if men facing the death sentence can be said to be jubilant. Court was adjourned for three weeks while de Wet considered the verdict.

Chapter 57

THE WORLD had been paying attention to the Rivonion Trial. Night-long vigils were held for us at St. Paul’s Cathedral in London. The students of London University elected me president of their Students’ Union, in absentia. A group of experts at the U.N. urged a national convention for South Africa that would lead to a truly representative parliament, and recommended an amnesty for all opponents of apartheid. Two days before Judge de Wet was due to give his decision, the U.N. Security Council (with four abstentions, including Great Britain and the United States) urged the South African government to end the trial and grant amnesty to the defendants.

In the days before we were due to reconvene, I wrote papers for a set of London University examinations for my LL.B. It might seem odd that I was taking law exams a few days before the verdict. It certainly seemed bizarre to my guards, who said I would not need a law degree where I was going. But I had continued my studies through the trial and I wanted to take the examinations. I was single minded about it, and I later realized that it was a way to keep myself from thinking negatively. I knew I would not be practicing law again very soon, but I did not want to consider the alternative. I passed the exams.

On Thursday, June 11, we reassembled in the Palace of Justice for the verdict. We knew that for at least six of us, there could be no verdict but guilty. The question was the sentence.

De Wet wasted no time in getting down to business. He spoke in low, rapid tones. "I have recorded the reasons for the conclusions I have come to. I do not propose to read them out."

"Accused number one is found guilty on all four counts. Accused number two is found guilty on all four counts. Accused number three is found guilty on all four counts...."

De Wet pronounced each of the main accused guilty on all counts. Kathy was found guilty on only one of four counts, and Rusty Bernstein was found not guilty and discharged.

"I do not propose to deal with the question of sentence today," de Wet said. "The state and the defense will be given opportunities to make any submission they want tomorrow morning at ten o’clock." Court was then adjourned.

We had hoped that Kathy and Mhlaba might escape conviction, but it was another sign, if one was necessary, that the state was taking a harsh line. If he could convict Mhlaba on all four counts with little evidence, could the death sentence be far behind for those of us against whom the evidence was overwhelming?

That night, after a discussion among ourselves, Walter, Govan, and I informed counsel that whatever sentences we received, even the death sentence, we would not appeal. Our decision stunned our lawyers. Walter, Govan, and I believed an appeal would undermine the moral stance we had taken. We had from the first maintained that what we had done, we had done proudly, and for moral reasons. We were not now going to suggest otherwise in an appeal. If a death sentence was passed, we did not want to hamper the mass campaign that would surely spring up. In light of the bold and defiant line we had taken all along, an appeal would seem anticlimactic and even disillusioning. Our message was that no sacrifice was too great in the struggle for freedom.

Counsels were unhappy about our decision, and wanted to talk about an appeal. But Walter, Govan, and I wanted to discuss the mechanics of the sentencing procedure the next day. If we were sentenced to death, what would then happen? We were told that after de Wet pronounced the death sentence, he would ask me, as the first accused, "Have you any reason to advance why the sentence of
death should not be passed?" I told Bram, Joel, and Vernon that in that case I would have quite a lot to say. I would tell de Wet that I was prepared to die secure in the knowledge that my death would be an inspiration to the cause for which I was giving my life. My death - our deaths - would not be in vain; if anything we might serve the cause greater in death as martyrs than we ever could in life. Counsel said that such a speech would not be very helpful for an appeal, and I reaffirmed that we would not be appealing.

Even if - especially if - we did not receive the death penalty, there were practical reasons not to appeal. For one thing, we might lose. An appellate court might decide that de Wet had been too lenient and that we deserved the death penalty. An appeal would forestall international pressure to release us.

For the state, a death sentence would be the most practical verdict. We had heard that John Vorster, the minister of justice, had told friends that Prime Minister Smuts's greatest blunder during the Second World War was not hanging him for his treason. The Nationalists, he said, would not make the same mistake.

I was prepared for the death penalty. To be truly prepared for something, one must actually expect it. One cannot be prepared for something while secretly believing it will not happen. We were all prepared, not because we were brave but because we were realistic. I thought of the line from Shakespeare: "Be absolute for death; for either death or life shall be the sweeter."

Chapter 58

ON FRIDAY, JUNE 12, 1964, we entered court for the last time. Nearly a year had passed since the fateful arrests at Rivonia. Security was extraordinarily high. Our convoy raced through the streets with sirens wailing. All the roads leading to the courthouse had been blocked off to normal traffic. The police checked the identification of anyone attempting to go near the Palace of Justice. They had even set up checkpoints at the local bus and railway stations. Despite the intimidation, as many as two thousand people assembled in front of the courthouse holding banners and signs such as "WE STAND BY OUR LEADERS." Inside, the spectators' gallery was full, and it was standing room only for the local and foreign press.

I waved hello to Winnie and my mother. It was heartening to see them there; my mother had journeyed all the way from the Transkei. It must be a very odd sensation to come to a courtroom to see whether or not your son will be sentenced to death. Though I suspect my mother did not understand all that was going on, her support never wavered. Winnie was equally stalwart, and her strength gave me strength.

The registrar called out the case: "The State against Mandela and others." Before the sentence was to be passed, there were two pleas in mitigation. One was delivered by Harold Hanson and the other by the author Alan Paton, who was also national president of the Liberal Party. Hanson spoke eloquently, saying that a nation’s grievances cannot be suppressed, that people will always find a way to give voice to those grievances. "It was not their aims which had been criminal," said Hanson, "only the means to which they had resorted." Hanson said the judge would do well to recall that his own people, the Afrikaners, had struggled violently for their freedom.

Though Paton did not himself support violence, he said the accused had had only two alternatives: "to bow their heads and submit, or to resist by force." The defendants should receive clemency, he said, otherwise the future of South Africa would be bleak.

But de Wet did not seem to be listening to either man. He neither looked up nor took any notes while they spoke. He seemed absorbed in his own thoughts. He had obviously already decided; he was'
merely waiting for the moment to reveal his decision.

He nodded for us to rise. I tried to catch his eye, but he was not even looking in our direction. His eyes were focused on the middle distance. His face was very pale, and he was breathing heavily. We looked at each other and seemed to know: it would be death, otherwise why was this normally calm man so nervous? And then he began to speak.

I have heard a great deal during the course of this case about the grievances of the non-European population. The accused have told me and their counsel have told me that the accused who were all leaders of the non-European population were motivated entirely by a desire to ameliorate these grievances. I am by no means convinced that the motives of the accused were as altruistic as they wish the court to believe. People who organize a revolution usually take over the government and personal ambition cannot be excluded as a motive.

He paused for a moment as if to catch his breath. De Wet’s voice, which was muted before, was now barely audible.

The function of this court as is the function of the court in any other country is to enforce law and order and to enforce the laws of the state within which it functions. The crime of which the accused have been convicted, that is the main crime, the crime of conspiracy, is in essence one of high treason. The state has decided not to charge the crime in this form. Bearing this in mind and giving the matter very serious consideration I have decided not to impose the supreme penalty which in a case like this would usually be the proper penalty for the crime, but consistent with my duty that is the only leniency which I can show. The sentence in the case of all the accused will be one of life imprisonment.

We looked at each other and smiled. There had been a great collective gasp in the courtroom when de Wet announced that he was not sentencing us to death. But there was consternation among some spectators because they had been unable to hear de Wet’s sentence. Dennis Goldberg’s wife called to him, “Dennis, what is it?!”

"Life!" he yelled back, grinning. "Life! To live!"

I turned and smiled broadly to the gallery, searching out Winnie’s face and that of my mother, but it was extremely confused in the court, with people shouting, police pushing the crowd this way and that. I could not see them. I flashed the thumbs-up ANC salute as many of the spectators were dashing outside to tell the crowd the verdict; Our police guardians began to hustle us out of the dock and toward the door leading underground, and although I looked again for Winnie’s face, I was not able to see her before I ducked through the door leading to the cells below.

We were kept handcuffed in the cells underneath the courthouse. The police were extremely nervous about the crowd outside. They kept us underground for more than half an hour, hoping people would disperse. We were taken through the back of the building and entered the black van. We could hear the motorcycle escort revving up beside us. To avoid the crowd, the van took a different course, but even so, we could hear the crowd shouting “Amandla!” and the slow beautiful rhythms of “Nkosi Sikelel’ Afrika.” We made clenched fists through the bars of the window, hoping the crowd could see us, not knowing if they could.

All of us were now convicted prisoners. We were separated from Dennis Goldberg because he was white and he was taken to a different facility. The rest of us were locked up in cells in Pretoria Local away from all the other prisoners. Instead of shouts and songs, we now heard only the clanging of doors and gates.

That night, as I lay on my mat on the floor of my cell, I ran over the reasons for de Wet’s decision. The demonstrations throughout South Africa and the international pressure undoubtedly weighed on his mind. International trade unions had protested the trial. Dockworkers’ unions around the world threatened not to handle South African goods. The Russian Prime Minister, Leonid Brezhnev, wrote to Dr. Verwoerd
asking for leniency. Members of the United States Congress protested. Fifty members of the British Parliament had staged a march in London. Alex Douglas-Home, the British foreign secretary, was rumored to be working behind the scenes to help our cause. Adlai Stevenson, the U.S. representative at the U.N., wrote a letter saying that his government would do everything it could to prevent a death sentence. I thought that once de Wet had accepted that we had not yet initiated guerrilla warfare and that the ANC and MK were separate entities, it would have been difficult to impose the death penalty; it would have seemed excessive.

Verwoerd told Parliament that the judgment had not been influenced by the telegrams of protest and representations that had come in from around the world. He boasted that he had tossed into the wastebasket all the telegrams from socialist nations.

Towards the end of the proceedings, Judge de Wet had remarked in passing to Bram Fischer that the defense had generated a great deal of worldwide propaganda in the case. This was perhaps his own way of acknowledging the pressure. He knew that if we were executed, the great majority of the people would regard him as our killer.

Yet he was under even greater pressure from his own people. He was a white Afrikaner, a creature of the South African system and mind-set. He had no inclination to go against the belief system that had formed him. He had succumbed to these pressures by sentencing us to life and resisted them by not giving us death.

I was surprised and displeased by the sentences de Wet imposed on Kathrada, Motsoaledi, and Mlangeni. I had expected him to discharge Kathy, and to give Elias and Andrew lighter sentences. The latter two were comparatively junior members of MK, and the combined offenses of the three of them could hardly be compared with those of the rest of us. But by not appealing, we undoubtedly cost Kathy, Andrew, and Elias: an appeals court might have cut down their sentences.

Every evening, in Pretoria Local, before lights were out, the jail would echo to African prisoners singing freedom songs. We too would sing in this great swelling chorus. But, each evening, seconds before the lights were dimmed, as if in obedience to' some silent command, the hum of voices would stop and the entire jail would become silent. Then, from a dozen places throughout the prison, men would yell “Amandla!” This would be met by hundreds of voices replying “Ngawethu” Often, we would start this call-and-response ourselves, but that night, other nameless prisoners took the initiative, and the voices from around the prison seemed uncommonly strong as though steeling us for what lay ahead.
Freedom and Liberty
Mercedes Peñalba Sotorrio

The question about where lies the nature of freedom can only be answered through understanding human nature. Freedom is a vital part of what we see as human nature. We’re not only rational animals and freedom cannot be a result of evolution, even if understanding that evolution has made it easier to be free. We differ from animals because we can get over our instincts, we can control ourselves. In other words: freedom lets us express our humanity.

But, what happens when we lose it? Can we lose our freedom?

Growing up in Spain I had never thought of what freedom meant or if it was different from the liberties I had because I lived in a democracy (Franco died years before I was born). It was not until I participated in the Ruta Quetzal that I was confronted with the possibility that freedom and liberty were not as synonymous as they appeared to be.¹

During my trip with 50 other students from all over Spain and Iberoamerica through Texas, Mexico and Guatemala, I encountered people who did not enjoy the liberties that I had always assumed were natural but still were joyful and felt free.

With nothing but my rucksack, we were eating, sleeping, and doing everything surrounded by nature, with nothing else than what we brought and what we could get in the little pueblos we encountered, and with each other for sole company. This made me more aware of my surroundings and of the things that were going on. Especially in the area of Oaxaca and in Guatemala, where there are so many different tribes that live very poorly, and are surrounded by drug lords and traffickers that pass people through the borders, I came to realise that freedom was something that was still there even when your situation was not the best.

That is when I understood the difference between freedom and liberty. Freedom was not about doing but about being, while liberty was about doing. The political dissent that I saw in some countries, that my own had experienced and still does to some extent, is fueled by a desire to increase liberties not freedom. Freedom is independent of state legislation because it is within me and is not about action.

That’s because the nature of freedom relies on the human nature. They share the same source. And where does human nature come from? Humans have proved ourselves to be transcendent and that make us think we owe our nature to something more transcendent than science. We owe our freedom to the same thing to which we owe our capacities, our intelligence and our will: to God. Because after centuries of thinking we can’t deny that our transcendence has to come from something or someone greater than the realities we can see or prove. Freedom is an example of how difficult is to understand ourselves, because freedom along with our rational nature and our will to act has made humanity capable of the most amazing things in both ways: worst and best.

¹ Ruta Quetzal is a state-private sector cosponsored activity that takes almost 200 Spanish and Latin American 18 yr. olds, each year on a two month long cultural exchange trip through different areas of both regions.
Chapter IV
Solidarity

"What does it mean to be in solidarity? It means to carry the burden of another person. No one is an island all alone. We are bound to each other even if we do not know it. The landscape binds us, flesh and blood bind us, work and speech bind us. However, we are not always conscious of these bonds. When solidarity is born, this consciousness is awakened, and then speech and word appear- and at that point something that was hidden becomes manifest. All our bonds become visible. Then one person shoulders the burden of another."

Jozef Tischner
*Spirit of Solidarity*
Chapter 4 Objectives- Solidarity

This chapter introduces the concept of solidarity as understood throughout history, and in particular through recent developments in theory and practice. It is important to understand the idea that solidarity begins as friendships amongst individuals. Such friendship must be based on a mutual recognition of the value of each person, and the truth of this value even in the face of opposing claims or coercive ideology. In healthy societies, this value claim is obvious and respected. In unhealthy societies, including totalitarian societies, the value of the person becomes relative, and the value of the person can be denied for material or ideological purposes.

The following readings provide various examples of solidarity, and recognize the power that arises from living in the truth, and the challenge this offers to regimes or systems that refuse to recognize objective truths about the value of the human person.

Readings

i. H.H. The Dalai Lama, Our Global Family …136
ii. Mahatma Gandhi, Satyagraha: Not Passive Resistance …138
iii. Norman Davies, “The Solidarity Decade” from God’s Playground …142
iv. Member’s Corner: 88 Generation: The Fight for Democracy in Burma …164
v. WYA Declaration on Family …166
vi. WYA Declaration on Solidarity …167

Questions

1. What are the underlying concepts found in the declarations on the family and solidarity and the Dalai Lama’s Global Family?

2. What are the ideas in the Polish experience that appeal to the Burmese member?
When I meet people in different parts of the world, I am always reminded that we are all basically alike. We are all human beings. Maybe we have different clothes, our skin is of a different color or we speak different languages. That is on the surface. But basically, we are the same human beings. That is what binds us to each other. That is what makes it possible for us to understand each other and to develop friendship and closeness.

Because we all share this small planet Earth, we have to learn to live in harmony and peace with each other and with nature. That is not just a dream, but a necessity. We are dependent on each other in so many ways that we can no longer live in isolated communities and ignore what is happening outside those communities. We need to help each other when we have difficulties, and we must share the good fortune that we enjoy. I speak to you as just another human being; as a simple monk. If you find what I say useful, then I hope you will try to practice it.

The realization that we are all basically the same human beings, who feel happiness and try to avoid suffering, is very helpful in developing a sense of brotherhood and sisterhood; a warm feeling of love and compassion for others. This, in turn, is essential if we are to survive in this ever-shrinking world we live in. For if we each selfishly pursue only what we believe to be in our own interest, without caring about the needs of others, we not only may end up harming others but also ourselves. This fact has become very clear during the course of this century. We know that to wage a nuclear war today, for example, would be a form of suicide; or that by polluting the air or the oceans, in order to achieve some short-term benefit, we are destroying the very basis for our survival. As individuals and nations are becoming increasingly interdependent, therefore, we have no other choice than to develop what I call a sense of universal responsibility.

Today, we are truly a global family. What happens in one part of the world may affect us all. This, of course, is not only true of the negative things that happen, but is equally valid for the positive developments. We not only know what happens elsewhere, thanks to the extraordinary modern communications technology, we are also directly affected by events that occur far away. We feel a sense of sadness when children are starving in Eastern Africa. Similarly, we feel a sense of joy when a family is reunited after decades of separation by the Berlin Wall. Our crops and livestock are contaminated and our health and livelihood threatened when a nuclear accident happens miles away in another country. Our own security is enhanced when peace breaks out between warring parties in other continents.

But war or peace; the destruction or the protection of nature; the violation or promotion of human rights and democratic freedoms; poverty or material well-being; the lack of moral and spiritual values or their existence and development; and the breakdown or development of human understanding are not isolated phenomena that can be analyzed and tackled independently of one another. In fact, they are very much interrelated at all levels and need to be approached with that understanding.

Peace, in the sense of the absence of war, is of little value to someone who is dying of hunger or cold. It will not remove the pain of torture inflicted on a prisoner of conscience. It does not comfort those who have lost their loved ones in floods caused by senseless deforestation a neighboring country. Peace can only last where human rights are respected, where the people are fed, and where individuals and nations free. True peace with oneself and with the world around us can only be achieved through the development of mental peace. The other phenomena mentioned above are similarly interrelated. Thus, for example, we see that a clean environment, wealth or democracy mean little in the face of war, especially nuclear war, and that material development is not sufficient to ensure human happiness.
Material progress is of course important for human advancement. In Tibet, we paid much too little attention to technological and economic development, and today we realize that this was a mistake. At the same time, material development without spiritual development can also cause serious problems. In some countries too much attention is paid to external things and very little importance is given to inner development. I believe both are important and must be developed side by side so as to achieve a good balance between them. Tibetans are always described by foreign visitors as being a happy, jovial people. This is part of our national character, formed by cultural and religious values that stress the importance of mental peace through the generation of love and kindness to all other living sentient beings, both human and animal. Inner peace is the key: If you have inner peace, the external problems do not affect your deep sense of peace and tranquillity. In that state of mind you can deal with situations with calmness and reason, while keeping your inner happiness. That is very important. Without this inner peace, no matter how comfortable your life is materially, you may still be worried, disturbed or unhappy because of circumstances.

Clearly, it is of great importance, therefore, to understand the interrelationship among these and other phenomena, and to approach and attempt to solve problems in a balanced way that takes these different aspects into consideration. Of course it is not easy. But it is of little benefit to try to solve one problem if doing so creates an equally serious new one. So really we have no alternative: We must develop a universal responsibility not only in the geographic sense, but also in respect to the different issues that confront our planet.

Responsibility does not only lie with the leaders of our countries or with those who have been appointed or elected to do a particular job. It lies with each of us individually. Peace, for example, starts within each one of us. When we have inner peace, we can be at peace with those around us. When our community is in a state of peace, it can share that peace with neighboring communities, and so on. When we feel love and kindness toward others, it not only makes others feel loved and cared for, but it helps us also to develop inner happiness and peace. And there are ways in which we can consciously work to develop feelings of love and kindness. For some of us, the most effective way to do so is through religious, practice. For others it may be nonreligious practices. What is important is that we each make a sincere effort to take our responsibility for each other and for the natural environment we live in seriously.

Reason, Courage, determination and the inextinguishable desire for freedom can ultimately win. In the struggle between force of war, violence and oppression on the one hand, and peace, reason and freedom on the other, the latter are gaining the upper hand. This realization fills us Tibetans with hope that someday we too will once again be free.
Satyagraha: Not Passive Resistance
Mahatma Gandhi

The force denoted by the term 'passive resistance' and translated into Hindi as nishkriya pratirodha is not very accurately described either by the original English phrase or by its Hindi rendering. Its correct description is satyagraha. Satyagraha was born in South Africa in 1908. There was no word in any Indian language denoting the power which our countrymen in South Africa invoked for the redress of their grievances. There was an English equivalent, namely, 'passive resistance', and we carried on with it. However, the need for a word to describe this unique power came to be increasingly felt, and it was decided to award a prize to anyone who could think of an appropriate term. A Gujarati-speaking gentleman submitted the word 'satyagraha', and it was adjudged the best.

'Passive resistance' conveyed the idea of the Suffragette Movement in England. Burning of houses by these women was called 'passive resistance' and so also their fasting in prison. All such acts might very well be 'passive resistance' but they were no satyagraha. It is said of 'passive resistance' that it is the weapon of the weak, but the power which is the subject of the article can be used only by the strong. This power is not 'passive' resistance; indeed it calls for intense activity. The movement in South Africa was not passive but active. The Indians of South Africa believed that Truth was their object, that Truth ever triumphs, and with this definiteness of purpose they persistently held on to Truth. They put up with all the suffering that this persistence implied. With the conviction that Truth is not to be renounced even unto death, they shed the fear of death. In the cause of Truth, the prison was a palace to them and its doors the gateway to freedom.

Satyagraha is not physical force. A satyagrahi does not inflict pain on the adversary; he does not seek his destruction. A satyagrahi never resorts to firearms. In the use of satyagraha, there is no ill will whatever.

Satyagraha is pure soul-force. Truth is the very substance of the soul. That is why this force is called satyagraha. The soul is informed with knowledge. In it burns the flame of love. If someone gives us pain through ignorance, we shall win him through love. 'Non-violence is the supreme dharma' is the proof of this power of love. Non-violence is a dormant state. In the waking state, it is love. Ruled by love, the world goes on. In English there is a saying, "Might Is Right." Then there is the doctrine of the survival of the fittest. Both these ideas are contradictory to the above principle. Neither is wholly true. If ill-will were the chief motive-force, the world would have been destroyed long ago; and neither would I have had the opportunity to write this article nor would the hopes of the readers be fulfilled. We are alive solely because of love. We are all ourselves the proof of this. Deluded by modern Western civilization, we have forgotten our ancient civilization and worship the might of arms.

We forget the principle of non-violence, which is the essence of all religions. The doctrine of arms stands for irreligion. It is due to the sway of that doctrine that a sanguinary war is raging in Europe.

In India also we find worship of arms. We see it even in that great work of Tulsidas. But it is seen in all the books that soul-force is the supreme power.

Rama stands for the soul and Ravana for the non-soul. The immense physical might of Ravana is as nothing compared to the soul-force of Rama. Ravana’s ten heads are as straw to Rama. Rama is a yogi, he has conquered self and pride. He is 'placid equally in affluence and adversity'; he has 'neither attachment, nor the intoxication of status'. This represents the ultimate in satyagraha. The banner of satyagraha can again fly in the Indian sky and it is our duty to raise it. If we take recourse to satyagraha, we can conquer our conquerors the English, make them bow before our tremendous soul-force, and the issue will be of benefit to the whole world.
It is certain that India cannot rival Britain or Europe in force of arms. The British worship the war-god and they can all of them become, as they are becoming, bearers of arms. The hundreds of millions in India can never carry arms. They have made the religion of non-violence their own. It is impossible for the varnashrama system to disappear from India.

The way of varnashrama is a necessary law of nature. India, by making a judicious use of it, derives much benefit. Even the Muslims and the English in India observe this system to some extent. Outside of India, too, people follow it without being aware of it. So long as this institution of varnashrama exists in India, everyone cannot bear arms here. The highest place in India is assigned to the brahmana dharma—which is soul-force. Even the armed warrior does obeisance to the Brahmin. So long as this custom prevails, it is vain for us to aspire for equality with the West in force of arms.

It is our Kamadhenu. It brings good both to the satyagrahi and his adversary. It is ever victorious. For instance, Harishchandra was a satyagrahi, Prahlad was a satyagrahi, Mirabai was a satyagrahi. Daniel, Socrates and those Arabs who hurled themselves on the fire of the French artillery were all satyagrahis. We see from these examples that a satyagrahi does not fear for his body, he does not give up what he thinks is Truth; the word ‘defeat’ is not to be found in his dictionary, he does not wish for the destruction of his antagonist he does not vent anger on him; but has only compassion for him.

A satyagrahi does not wait for others, but throws himself into the fray, relying entirely on his own resources. He trusts that when the time comes, others will do likewise. His practice is his precept. Like air, satyagraha is all-pervading. It is infectious, which means that all people—big and small, men and women—can become satyagrahis. No one is kept out from the army of satyagrahis. A satyagrahi cannot perpetrate tyranny on anyone; he is not subdued through application of physical force; he does not strike at anyone. Just as anyone can resort to satyagraha, it can be resorted to in almost any situation.

People demand historical evidence in support of satyagraha. History is for the most part a record of armed activities. Natural activities find very little mention in it. Only uncommon activities strike us with wonder. Satyagraha has been used always and in all situations. The father and the son, the man and the wife are perpetually resorting to satyagraha, one towards the other. When a father gets angry and punishes the son, the son does not hit back with a weapon, he conquers his father’s anger by submitting to him. The son refuses to be subdued by the unjust rule of his father but he puts up with the punishment that he may incur through disobeying the unjust father. We can similarly free ourselves of the unjust rule of the Government by defying the unjust rule and accepting the punishments that go with it. We do not bear malice towards the Government. When we set its fears at rest, when we do not desire to make armed assaults on the administrators, nor to unseat them from power, but only to get rid of their injustice, they will at once be subdued to our will.

The question is asked why we should call any rule unjust. In saying so, we ourselves assume the function of a judge. It is true. But in this world, we always have to act as judges for ourselves. That is why the satyagrahi does not strike his adversary with arms. If he has Truth on his side, he will win, and if his thought is faulty, he will suffer the consequences of his fault.

What is the good, they ask, of only one person opposing injustice; for he will be punished and destroyed, he will languish in prison or meet an untimely end through hanging. The objection is not valid. History shows that all reforms have begun with one person. Fruit is hard to come by without tapasya. The suffering that has to be undergone in satyagraha is tapasya in its purest form. Only when the tapasya is capable of bearing fruit do we have the fruit. This establishes the fact that when there is insufficient tapasya, the fruit is delayed. The tapasya of Jesus Christ, boundless though it was, was not sufficient for Europe’s need. Europe has disapproved Christ. Through ignorance, it has disregarded Christ’s pure way of life. Many Christs will have to offer themselves as sacrifice at the terrible altar of Europe, and only then will
realization dawn on that continent. But Jesus will always be the first among these. He has been the sower of the seed and his will therefore be the credit for raising the harvest.

It is said that it is a very difficult, if not an altogether impossible, task to educate ignorant peasants in satyagraha and that it is full of perils, for it is a very arduous business to transform unlettered ignorant people from one condition into another. Both the arguments are just silly. The people of India are perfectly fit to receive the training of satyagraha. India has knowledge of dharma, and where there is knowledge of dharma, satyagraha is a very simple matter. The people of India have drunk of the nectar of devotion. This great people overflows with faith. It is no difficult matter to lead such a people on to the right path of satyagraha. Some have a fear that once people get involved in satyagraha, they may at a later stage take to arms. This fear is illusory. From the path of satyagraha [clinging to truth], a transition to the path of a satyagraha [clinging to untruth] is impossible. It is possible of course that some people who believe in armed activity may mislead the satyagrahis by infiltrating into their ranks and later making them take to arms. This is possible in all enterprises. But as compared to other activities, it is less likely to happen in satyagraha, for their motives soon get exposed and when the people are not ready to take up arms, it becomes almost impossible to lead them on to that terrible path. The might of arms is directly opposed to the might of satyagraha. Just as darkness does not abide in light, soulless armed activity cannot enter the sun-like radiance of soul-force. Many Pathans took part in satyagraha in South Africa abiding by all the rules of satyagraha.

Then it is said that much suffering is involved in being a satyagrahi and that the entire people will not be willing to put up with this suffering. The objection is not valid. People in general always follow in the footsteps of the noble. There is no doubt that it is difficult to produce a satyagrahi leader. Our experience is that a satyagrahi needs many more virtues like self-control, fearlessness, etc., than are requisite for one who believes in armed action. The greatness of the man bearing arms does not lie in the superiority of the arms, nor does it lie in his physical prowess. It lies in his determination and fearlessness in face of death. General Gordon was a mighty warrior of the British Empire. In the statue that has been erected in his memory he has only a small baton in his hand. It goes to show that the strength of a warrior is not measured by reference to his weapons but by his firmness of mind. A satyagrahi needs millions of times more of such firmness than does a bearer of arms. The birth of such a man can bring about the salvation of India in no time. Not only India but the whole world awaits the advent of such a man. We may in the meanwhile prepare the ground as much as we can through satyagraha.

How can we make use of satyagraha in the present conditions?

Why should we take to satyagraha in the fight for freedom? We are all guilty of killing manliness. So long as our learned Annie Besant is in detention, it is an insult to our manhood. How can we secure her release through satyagraha? It may be that the Government has acted in good faith, that it has sufficient grounds for keeping her under detention. But, at any rate, the people are unhappy at her being deprived of her freedom. Annie Besant cannot be freed through armed action. No Indian will approve of such an action. We cannot secure her freedom by submitting petitions and the like. Much time has passed. We can all humbly inform the Government that if Mrs. Annie Besant is not released within the time limit prescribed by us, we will all be compelled to follow her path. It is possible that all of us do not like all her actions; but we find nothing in her actions which threatens the 'established Government' or the vested interests. Therefore we too by participating in her activities will ask for her lot, that is, we shall all court imprisonment. The members of our Legislative Assembly also can petition the Government and when the petition is not accepted, they can resign their membership. For swaraj also, satyagraha is the unfailing weapon. Satyagraha means that what we want is truth, that we deserve it and that we will work for it even unto death.
Nothing more need be said. Truth alone triumphs. There is no dharma higher than Truth. Truth always wins. We pray to God that in this sacred land we may bring about the reign of dharma by following satyagraha and that this, our country, may become an example for all to follow.
During the ten years which separated the summer of 1980 from the autumn of 1990, Poland experienced a political roller-coaster ride, such as few countries have ever endured. At the start of the decade, she was still in the grip of the Communist dictatorship and the Soviet Bloc. At the end, she was a free nation. There were three distinct phases. In 1980-1, the independent Solidarity Movement — the only independent organization of its kind in the history of the Soviet Bloc — mounted an unprecedented challenge to the ruling Party’s monopoly. In 1981-83, the military element within the Communist system launched a violent counter-attack, introducing martial law, suppressing all overt Solidarity activities and desperately trying to impress its Soviet masters. From 1983-90, the military leaders failed in all their attempts to restore a viable Communist order, eventually choosing to reinstate Solidarity and to aim for stability through partnership. The outcome was the opposite of that intended. The Communist system collapsed.

Although some sort of major crisis in Poland had been long predicted, no one foresaw the exact course which events would take. Few people guessed that the political initiative would not be seized by the Church, by disgruntled reformers in the Party, or by dissident intellectuals, but by the Polish working class and by a completely new crop of proletarian activists. Few commentators would have banked on an orderly confrontation between a mass opposition and the state security apparatus. Indeed, until an obscure body calling for independent trades unions surfaced in the early summer of 1980, no one in the wider world had ever heard of it. When interviewed in June, the prime mover of this ‘discussion group’, an unemployed electrician from Gdansk, had no idea when it might produce concrete results. All he knew, just a few weeks before the eruption, was that the cause was worth striving for.

The resultant Solidarity Movement emerged in July - August 1980 from the conjunction of the old dissident groups with a new and much more widespread determination to resist. Polish society, which had remained fractured throughout the 1970s, now assumed an overwhelming sense of common purpose. Workers and intellectuals joined hands; and an important section of grass-root Communists would openly join their demands. The starting-point, as four years earlier, was an arbitrary rise in food prices. A rash of strikes broke out in factories all over the country, first in Lublin and then in almost every town and city. And strikes were illegal. The official Trades Unions, which were designed to enforce the policy of the ruling Party, lost all control. The workers were not just demanding pay rises in line with the cost of living. They wanted redress for all manner of neglected grievances. As the pressure mounted, the Party adopted a strategy of dealing with the strikes on a piecemeal basis. It very nearly worked. Local officials bought off the strikers with a varying mixture of money, promises and threats. Their orders were to minimize confrontation, and at all costs to prevent the coalescence of local strikes into a nationwide operation of defiance. They had almost succeeded. They had not counted on the inspirational and negotiational abilities of one extraordinary man.

Lech Walesa (b. 1943) had been in jail, it was said, a hundred times. He was that simple electrician from the Lenin Shipyards at Gdanskj and he had been repeatedly and ineffectively disciplined for his refusal to toe the Communist management’s line. He was a loyal Catholic: the father of seven children; and a member of an underground workers’ group devoted to the memory of their fellow protesters killed by the security forces ten years before. Above all, he belonged to the class and generation most fervently devoted to the non-yielding but non-violent philosophy of the new Pope. When the strike started in the Lenin Shipyard, the dismissed Walesa was not even present. But he soon made his famous jump over the back
wall, and took over as chairman of the strike committee. The scene was unprecedented. Almost 20,000 strikers were barricaded inside their place of work. Thousands of well-wishers outside the gates festooned them with flowers and icons. A priest was let in to hear the men's confessions and to celebrate workplace mass — a novelty for the Soviet Bloc. And educated advisers arrived. And the world media waited, sensing the brink of a revolution. Walesa's team reached agreement on all the purely local issues, but in the critical days refused to call off the strike until all other strikes had been satisfactorily resolved. Hence the name 'Solidarity', and the accompanying demand for an independent, self-governing trades union to which any Polish worker could adhere. The local strike committee in Gdansk was expanded and renamed as the wider Interfactory Strike Committee (MKS).

The summer crisis had developed with dizzy acceleration. At first, the rash of scattered strikes looked as if they were heading in the same direction as their predecessors in 1970 and 1976. But in due course it became clear that this time round the workers were not prepared to be fobbed off. When Walesa's strikers in Gdansk rejected a favorable settlement of their own claims on the grounds that they would be betraying their fellow strikers elsewhere, the moment of truth had arrived. The realization suddenly dawned that the ruling Party's monopoly was under siege from concerted action across the country. The hearts of all dedicated Communists sank when they saw the slogan; WORKERS OF ALL ENTERPRISES—UNITE!

No Communist Party had ever conceded the principle that workers could run their own affairs. Experiments in so-called 'Workers Self-Government' which were undertaken in Yugoslavia and briefly in Poland after 1956 never shook off Party control. Whilst claiming to uphold the 'dictatorship of the Proletariat', the Soviet Bloc operated on the basis of the Party elite giving orders to the workers as to everyone else. So Walesa was challenging the most sacred myth which underpinned not merely the People's Republic of Poland but every other part of Moscow's empire. A well-dressed deputy prime minister was sent up from Warsaw to lead negotiations. Mieczyslaw Jagielski blustered and expressed pain but could not budge his proletarian adversaries. In the end, he realized that only two alternatives remained — either agreement on the strikers’ terms or an immediate resort to force for which the Party was not prepared.

The Gdansk Agreement of 31 August 1980 contained twenty-one points.

Some of the clauses, such as that demanding the reinstatement of sacked workers, possessed purely local significance. But others marked a fundamental shift in the prevailing political order. For Walesa insisted not only that his new nationwide trades union should be ‘independent’ and ‘self-governing’, but also that the right to strike, freedom of speech, and access to the media should be guaranteed. Equally, he insisted that he and his colleagues be granted immunity from arrest or punishment. As he knew from hard experience, the usual practice of the Communist authorities when faced with dissent was to make tactical concessions on paper and then to nullify them through the exercise of arbitrary measures. He signed the Agreement in the hope that this time the concessions, once granted, would be unstoppable. Jagielski signed it, with the approval of the Politburo, on the usual Communist assumption that concessions granted by the Party could later be withdrawn by the Party. A young British observer, who was given exceptional assistance by Polish colleagues eager to inform the outside world, recorded the proceedings in inimitable style.

Day Seventeen: Saturday 30 August

‘PROLETARIANS OF ALL FACTORIES UNITE!’ — a large banner is strung above the main gate.
About half-past ten Jagielski finally arrives ... and cheerfully shakes hands all round. In the glass room, Gwiazda reads out the working-group’s draft agreement on points 1 and 2, passing rather quickly over the controversial passage about the new unions ‘recognizing that PZPR plays the leading role in the state, and not disturbing the established system of international alliances ... ’ Jagielski, with a certain flourish, announces his acceptance of the first point. A roar of applause from the hall; they have won, after all, they have done the ‘impossible’...

The second point promises not only the ‘right to strike’ but also the personal security of the strikers and ‘persons helping them’. ‘Mr. Chairman,’ the voice of Jagielski comes crisply through the loudspeakers, ‘I should like to know ... are the words “persons helping them” necessary at all?’... But his voice is drowned by a surge of indignation ... ‘We accept we accept ...’ Jagielski cries above the babble...

Jubilation. Walesa carried shoulder high to the main gate. ‘Sto lat, sto lat ....’ they sing, ‘Let him live for a hundred years ...’

Day Eighteen: Sunday 31 August

9 a.m. You could be forgiven for thinking the Pope has come again. In the same brilliant sunlight, the same vast, excited gentle crowd, and over the loudspeakers, the sound of a Mass being celebrated...

Shortly after eleven the government team arrives for the last time ... Once again they are led through the lines of shipyard workers, smiling and laughing now. Andrzy Wajda is here with a camera team to make a sequel to his portrait of a Stalinist hero-workers, Man of Marble...

There is another wrangle about the political prisoners, but then they pass on rapidly through the other seventeen points, reading and initialing the texts ... They break for lunch...

Walesa, uncharacteristically, reads a short prepared statement:

Kochani (a word meaning literally ‘beloved’) We return to work on 1 September ... We got all we could in the circumstances. And we will achieve the rest because we now have the most important thing, our IN-DE-PEN-DENT, SELF-GOVERNING TRADES UNIONS. That is our guarantee for the future ... I declare the strike ended.

Prolonged applause. The two delegations rise to sing the national anthem...

Proceeding to the hall, they assemble for the last time on the platform, between Lenin, the cross and the eagle, for the final signing ceremony. Walesa thanks the Deputy Prime Minister ... ”We have settled, as Pole talks to Pole (jak Polak z Polakiem). Jagielski picks up the phrase ‘as Pole talks to Pole’ and concludes ‘ ... I deeply believe that we wish to serve the cause of the people, of our nation, of our socialist fatherland ... ’ The state television cameras whirl. On the news this evening, the country will be shown the packed hall enthusiastically applauding the title of the socialist fatherland. But they will also see Walesa signing the Agreement with an outsize plastic ballpoint pen, decorated with a photograph of the Pope.
Then more cheers, more ovations, a vote of thanks ... as the gates are thrown open. It is the end of the beginning.  

And it was the pin-hole through which all the stored up myths, fictions and pretensions of the Communist world would rapidly seep away.

In its first period of free activity, which lasted from 31 August 1980 to 12 December 1981, Solidarity grew from strength to strength. Once it was legally registered in court, it could not be overthrown until the Communist government was prepared to flout its own law. It attracted millions from all walks of life, rapidly exceeding its original brief as a syndicalist organization. It became a social movement, a countrywide mutual aid society for anyone and everyone who wished to be shielded from the Party’s dictates. Moreover, it gained the powerful sponsorship of the Polish Primate, whose message of strength through peace was universally respected.

At an early stage, Wałesa had rejected the concept of a centralized organization. He did not wish to see a powerful executive giving directives to subordinate regional branches. Instead, he argued for the sovereignty of the existing regional strike committees, whose delegates would henceforth be free to approve or to ignore the recommendations of a National Coordinating Commission. Such a system would have obvious difficulties in formulating common policies. But it was well designed to resist and survive any outside attack on its central organs or leaders. It was also strangely reminiscent of the historic relationship between Sejm and sejmiki in the ancient Polish-Lithuanian Republic. Wałesa, like the old Sarmatian nobleman whom he so uncannily resembled, seems to have grasped instinctively that the principal threat to Solidarity’s existence would come from the absolute pretensions of state and Party power. If this was so, the Polish working class was reviving the long 10 principles of the Noble Democracy—traditions which appeared to have survived two centuries of oblivion. At the very least, it was a fascinating historical parallel.

Inevitably, of course, the rise of Solidarity inflicted massive damage on the Communist establishment. The main casualty was Edward Gierek the discredited First Secretary, who was replaced on 6 September 1980 by a compromise figure of opaque Views, Stanislaw Kania. More seriously, the conventional workings of the Party dictatorship were fouled up by the appearance of ‘horizontal structures’ among the comrades who were beginning to join Solidarity but not to leave the party. As a political army the PZPR simply could not function, if, instead of taking orders unquestioningly from the top, its soldiers wanted to discuss the orders among themselves.

Most importantly, the Polish comrades were losing the confidence of their Soviet masters. This was an era in which the ‘Brezhnev Doctrine’ still held good, even though Brezhnev was in the terminal stages of a long degenerative illness. Ever since the invasion of Czechoslovakia in 1968, fraternal parties had been given the leeway to follow their own “roads of socialism” but only on condition that they did not waver in their allegiance to Marxism-Leninism. And a free trades union supported by millions of workers is something which Lenin would never have permitted. So once Solidarity was officially recognized and registered, the Moscow Centre prepared to intervene.

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Moscow had numerous mechanisms in place for ensuring the subservience of its satellites. In normal times, the International Department of the CPSU was charged with supervising all the Central Committees of all the fraternal parties abroad. It treated all appointments to the upper echelons of those parties as its own preserve, incorporating all the Communist leaders who held power abroad into its own Soviet nomenklatura system. In theory, therefore, no satellite government was capable of straying from the set path. But when, as in Prague in 1968 or in Warsaw in 1980, the foreign comrades exceeded their brief, they could be preserved from several directions. In the last resort, the Soviet Army stood ready to roll in and to reassert Moscow’s control. Before that, every satellite country possessed its own army and interior security forces whose senior officers were Soviet-trained and sworn under oath to uphold the Soviet alliance. Lastly, there was the KGB whose agents held influential posts in every sector of each satellite’s State and Party machine. This is where General Wojciech Jaruzelski came into his own.

Born in 1923 Jaruzelski was a man with the biography of a janissary. He was a Pole, the son of a traditional Catholic landed family from the Lublin region who had fallen into the clutches of the Soviet regime at a tender age and who had been trained and nurtured as a member of the Communist elite. In 1939, when the Soviet Army occupied eastern Poland, he and his family had been captured and deported to Siberia, where his father was killed. Two years later, like many Poles released from the camps, he set off to join the Polish Army in Russia. But failing to reach his destination in time he joined the Soviet Army instead as a cadet. He returned to Poland in 1944 under Soviet command in the ranks of the 1st (Berling) Army. Yet he was no ordinary young military officer. As his subsequent career indicated, he belonged to an elite corps of political officers, who combined political functions with their everyday soldierly duties. Already in 1956, when the bulk of Soviet ‘advisers’ serving in Poland were shipped back home, Jaruzelski remained, emerging as director of the super-sensitive Political-Military Department that in effect controlled the Polish People’s Army on Moscow’s behalf. Almost certainly from this time, he was a close associate of the Andropov Circle. In due course, he surfaced to public view as Minister of Defense and, from February 1981, as Prime Minister.

For twenty-five years, Yuri Andropov was Moscow’s principal pro-consul in the countries of East Europe. As Soviet Ambassador in Budapest during and after the Hungarian Rising of 1956, he devised a strategy for containing the restless satellites, which, after the apparent success of ‘Kadarisation’ in Hungary, was applied (with variations) throughout the Bloc. In essence, the strategy combined the introduction of liberal, free-market mechanisms into the economy with the maintenance of ultra-vigilant controls in the political field. When in the late seventies, Andropov became head of the KGB, he could begin to think of reforming the USSR itself. Yet much was against him. In Moscow, the Politburo was still heavy weighted in favour of over-cautious conservatives from another era. In the Soviet Bloc as a whole, every country seemed to follow its own wayward path. Romania was in the hands of the maverick Ceausescu. Czechoslovakia had been rigidly ‘normalized’ according to early Brezhnian norms. Poland, under Gierek, was doubly misguided. It had combined political laxity, with economic heresy, putting itself at the mercy of western loan sharks. Worst of all, Andropov was seriously ill. He and his acolytes – which included both Wojciech Jaruzelski and the young Mikhail Gorbachev – could only hope that he would live long enough for an opportunity to open up.

One thing was certain. Solidarity was rapidly undermining the chances of the Moscow Centre ever being able to introduce the sort of reforms envisaged. So Solidarity had to be stopped – as much in the interest of the would-be Soviet reformers as that of the Soviet hardliners. Information would later emerge of preparations made by General Jaruzelski’s Ministry of Defence in August 1980, even before Solidarity had
been recognized. The Army lent armoured personnel carriers to the militia. Military airplanes were made available to transport policemen to Gdansk from distant parts of the country. And military presses printed propaganda leaflets which caricatured Walesa as the leader of a South American style putsch and which were distributed in Gdansk to discredit the strikers.¹

Once Solidarity had been formally registered, however, it is clear that alarm bells began to ring in Moscow with much greater insistence. By December, the Soviet leadership had decided on a show of strength, if not in the form of direct military intervention at least in the form, as in Czechoslovakia in August 1968, of threatening military manoeuvres. A Soviet warfleet appeared in the Baltic off the Bay of Gdansk. Soviet tank divisions massed on Poland’s eastern frontiers. According to American satellite surveillance, the tanks on one day actually crossed onto Polish territory. President Carter’s National Security adviser, Polish-born Zbigniew Brezezinski, held an urgent telephone conversation with the Polish Pope in Rome it was mid-December 1980. But then the tension subsided. No intervention occurred.

Much remains to be clarified about this curious episode. But the essential outlines can be deduced. One knows, for example, that General Jaruzelski was appointed Prime Minister shortly after the start of the crisis, thereby giving his pro-Muscovite faction of the PZPR a hold over the state machine irrespective of the faltering Party leadership. One also knows, from what happened later in the year, that early in 1981, secret planning began under Jaruzelski’s direction for a military coup. In the view of some commentators, the main question revolved round the conundrum of whether Jaruzelski acted of his own free will or on orders sent by Moscow. But such a debate ignores the realities. As a Soviet placeman inside Poland throughout his career, Jaruzelski did not have the option of making his own decision. He might conceivably have taken the initiative in proposing a course of action that was subsequently approved by his masters in Moscow. He could fairly claim to have acted from humanitarian motives by seeking to, keep bloodshed to a minimum. And by preferring the solution of would-be Soviet reformers as opposed to the advocates of merciless repression, he could be regarded as playing a relatively skilful and enlightened political game. But it was a game that was played within the framework of Soviet domination over Poland. Whatever explanations Jaruzelski was to give in his memoirs, patriotism simply could not have entered the equation.²

Throughout 1981, therefore, Solidarity struggled to realise its objectives, oblivious to the preparations that were being made to suppress it. It overcame numerous difficulties. On March 19, it resisted the temptation to take to the streets in response to a police provocation at Bydgoszcz, where Solidarity activists were savagely beaten. (The Bydgoszcz Affair was terminated at the end of the month by an accord in Warsaw which many people considered to make unnecessary concessions.) In early July, it survived the threatening debates of a Communist Party Congress which many expected to end in a call for Soviet intervention. In September, it successfully organized a national congress of its own in which, despite the feverish and chaotic atmosphere, delegates from all over Poland confirmed the overwhelming popularity of its cause. Above all, it attracted the support of some ten million members; and it became the natural arbiter of all manner of disputes — in the factories, in the big housing estates, in the shops, even in the streets. 1981 was a year of maximum social distress. Empty food stores were closed for most of the day. Families stood in line for hours on end waiting for their meagre rations. Queues at petrol stations stretched for miles.

¹ P Wronski, ‘Sierpien general6w’ (The Generals’ August), Gazeta Wyborcza, 30 August 2001, reporting documents released by the Ministry of Defence.
Solidarity stewards kept cheerful order. Walesa and his associates toured the country to rally spirits. No major disturbances were recorded.

The bread queues of 1980-81 turned into the biggest social, political, and historical seminar that Poles have ever attended. The mood deteriorated when meat rationing was introduced. In every town and city, people stoically standing together day after day, rain or shine, talked about anything and everything, and from their common hardship developed a strong sense of togetherness. They talked about their families’ experiences during the War and under Stalinism; they talked about the glaring contrast between their own knowledge and the false information still served up by the state-censored media; and they talked openly about the cruelties and corruption of the ruling regime. (They couldn’t help but notice, for example, that Party comrades who had access to private Party shops with preferential supplies, did not have to stand in line with ordinary folk.) Above all, they told jokes. Polish political humour came into its own. ‘What word is the same in English and in Polish?’ they would ask. And the answer was ‘meat’ (a synonym for the Polish mit or ‘myth’). Nothing could have been more corrosive of the Party’s reputation. The Censorship was irrelevant. After thirty-five years of so-called ‘socialist progress’, everyone could see that the Communist system had failed.

In this strange atmosphere, where political relaxation mingled with economic hardship, many of the restraints on cultural life collapsed. Publishers, theatre directors, artistic patrons, and filmmakers found the courage to produce and to promote the sort of books, shows, and events which the Communist apparatus would never have tolerated in normal times. A demoralized Party establishment could not find the strength to stop them. One of the most sensational events was the return to Poland of Czesław Miłosz (b. 1911) who won the Nobel Prize for Literature in 1980. An émigré poet, author of the devastating analysis of Communist cultural policy, The Captive Mind (1953), and son of the lost Eastern Borderlands, was turned overnight into a national celebrity. For years, he had lingered in the Censorship’s lowest category of villains, who could not even be mentioned to be denounced. And now, suddenly, his name was on everyone’s lips, his collected poems on every student’s reading list. No less sensational was the unrestricted release of Andrzej Wajda’s two dissident films Man of Iron (1981) and Man of Marble (1977). Though the latter film had circulated earlier in limited circles, the two films now appeared together in every cinema in the land; and they constituted the most telling indictment to which the Communist myth had ever been exposed. Their theme was the post-war history of Poland’s working class. And their chilling message underlined the fact that most of the terrible ordeals and sacrifices of the past three decades, patiently borne in the hope of a better future, had largely been in vain.

Poland suffered two severe blows in May 1981, when Cardinal Wyszynski died and when an attempt was made to assassinate the Pope. For twenty-five years, the Primate of the Polish Church had exercised enormous influence in national life, enjoying a level of respect and personal authority unrivalled among his contemporaries. He had been the guarantor of the modus vivendi between the rulers and the ruled which, despite interruptions, had generally held good since 1956. As a professed patron of Solidarity, he reinforced the view that Walesa’s movement posed no violent threat to the social or political order. After his death, anxieties inevitably increased. His successor, Józef Glemp (b. 1929) the Bishop of Warmia was a man of far smaller presence, who would vacillate ever more unsteadily between the demands of the regime and the pleas of his flock.

In the autumn, the political climate deteriorated. Negotiations between Solidarity and the Government were making no real progress. Attempts to form a three-side council of national reconciliation supported
by the ruling Party, by the Church, and by Solidarity, came to nothing. An impasse was visibly approaching and recriminations were mounting. Party spokesmen blamed Solidarity for making impossible demands, whilst Solidarity spokesmen blamed the Party for reneging on its promises. Most alarmingly, the police took action to prevent Solidarity from operating in selected sectors of industry. A persistent strike in the city of Radom were surrounded by rumours of police brutality. These only became intelligible when word spread that Radom was the unpublicized centre of Poland's secret arms industry. Despite its disarray, the Communist movement had no intention of letting Solidarity penetrate the inner strongholds of the Warsaw Pact's infrastructure. The limit had been reached.

During these months, many outside observers lost sight of the tell-tale signs of vital changes within the PZPR which should have given ample warning of the shock to come. But in retrospect, it is easy to see that the military conspirators were clearing the ground for action. In October, General Jaruzelski assumed the supreme position of Party Secretary, replacing the ineffective Stanislaw Kania but taking care to express his adherence to the continuing programme of Odnowa or 'Party Renewal', which Kania had launched. In October, Jaruzelski sent thousands of small army patrols into the countryside, ostensibly to help with the distribution of food, but equally to collect local information and to spread the image of the Army as the people's friend. In November and early December, as Jaruzelski tightened his grip, the official media, enthusiastically led by the daily television news (DTV), rose to a crescendo in its crude attempts to discredit the Solidarity leaders and if possible to goad them into an open act of rebellion. On 4 December, they obtained what they wanted. A secret microphone placed by the security services in a meeting between Walesa and the strike leaders at Radom picked up an outburst which, when suitably doctored, sounded like a call for a general rising. The Radom tapes were manipulated. But they could be used as 'evidence'. After that, it was only a matter of days before the snatch squads completed their training, the troops were put into position, and the generals received their orders.

Which only leaves the intriguing question of what precisely was meant by 'the core of the Communist Establishment' which had planned the demarche, which could apparently act independently of the main Party apparatus and which, if necessary, could overthrow it. The answer did not just lie with General Jaruzelski and his immediate associates such as General Kiszczak or General Siwicki, who had quietly joined him in the Politburo. It lay with all those persons, in uniform or not, who held all the key positions in government and industry, especially in the military, security and intelligence services, and who held their first allegiance to the Soviet agencies that had approved those positions in the first place. It should have been no revelation. But the core of the Communist Establishment consisted of the servile agents and infiltrators of the Soviet Union. General Jaruzelski was to describe them as 'patriots'.

At this juncture, a British author who had been asked by his publishers to summarize the progress of Solidarity over the preceding year was convinced that some sort of political coup was brewing. He was also convinced that nothing could bring Poland back to the status quo before 1980...

Much depends of the actions on the Soviet Union whose dilemma is as obvious as its intentions are obscure. If the Soviet Union intervenes by force ... it may regain control of Poland for a season; but it will earn the undying contempt of all Poles, and will lose their support for ever. Poland would rapidly become an intolerable burden on the whole Soviet empire. On the other hand, if the Soviet Union withholds its forces and chooses the path of restraint, there is no way that the Polish Party
can reassert its former position. Whatever happens, there can be no return to the ancient regime as practised in Poland by Gomulka and Gierek since 1956.4

The Military Dictatorship from December 1981

General Jaruzelski’s Coup of 13 December 1981 took almost everyone by surprise. It surprised the Western academics, who, with very few exceptions, had argued how the structure of the Soviet system precluded a take-over by the Military. It surprised the members of the Council of State who were given only a couple of hours’ notice to legalize the ‘state of war’. It certainly surprised the leaders of Solidarity, most of whom were arrested in their beds during the first night. Most Poles awoke on the morning of the 13th, to find tanks on the streets, army checkpoints at every crossroads, and the Proclamation of Martial Law (printed earlier in the Soviet Union) posted on every corner. In the course of the next week, most of the spontaneous protest strikes in mines, shipyards, and factories up and down the country were broken by mobile squads of the ZOMO police, operating behind army cordons.

As it happened, the leaders of Western governments were not surprised by developments. They had been tipped off by information given to the CIA by Col. Ryszard Kuklinski, an officer of Poland’s military intelligence working in Washington.5 The USA and NATO reacted with equanimity.

At some points, there were repeated occupations and reoccupations. At two mines in Silesia, ‘Wujek’ and ‘Piast’, there were protracted underground sit-ins; at the Wujek mine, seven men were killed for resisting. But, in general, resistance was swiftly and efficiently crushed. The element of surprise was very effective. By the end of the year, the armed forces were incontestably in control of the country.

For many years, little was publicly known about the repressions of 1981-2. But details would emerge in time. It turned out, for example, that the ZOMO platoon which had caused the fatalities at the Wujek Mine had subsequently been sent for special physical training in the Tatra Mountains. Unbeknown to the zomowscy, their mountaineering instructors were Solidarity supporters to a man, who set out to do their own detective work. By suitably plying their charges with alcohol, they obtained detailed descriptions of events at the mine and compiled a secret report. Twenty years later, the report would be produced at the policemen’s long delayed trial. Its authors would give evidence to the effect that the platoon Commander ignored his orders not to open fire and that three members of his platoon then shot at the strikers na łeb i komore – in other words with the clear intention of killing them.6

Throughout 1982, Poland was officially ruled by a Military Council of National Salvation (WRON) – popularly known as wrona or ‘The Crow’. General Jaruzelski presided over a group made up exclusively, according to its own pronouncements, of serving Polish officers. Tens of thousands of innocent citizens were arrested without charge. Some 10,000 were detained in forty-nine internment camps. There were reports of beatings and deaths. Countless people were coerced into signing ‘pledges of loyalty’ (that is, pledges of disloyalty to Solidarity) on pain of their livelihood or their liberty. All official institutions, from the Ministries to the railway stations or public libraries, were subject to the orders of a military commissar, and

were purged of unreliable elements. The principal industrial enterprises were militarized. The work-force answered to army discipline. The rules of martial law permitted the authorities to impose a nighttime curfew, to curtail all transport and travel, to record all telephone conversations, to ban all social gatherings, and to punish the least sign of dissent by on-the-spot fines or instant arrest. By the implicit admissions of the WRON’s own pronouncements, it had declared war on Polish society. On whom else? All pretence of legality was cast aside. For weeks, official spokesmen denied that Walesa, the leader of Solidarity, had been either arrested or interned. He was ‘helping the authorities’, but happened to be unavailable for comment. He was eventually served with a pre-dated internment order, when an international outcry forced clarification of his position. Whenever the courts were rash enough to acquit persons charged with alleged offences against martial law, the defendants could be declared ‘a threat to public order’ and incarcerated in a psychiatric ward. The Ministry of Justice saw no shame in such lawless proceedings, which it openly reported presumably to intimidate an already frightened populace.

Despite repeated attempts, the remnants of Solidarity were unable to challenge the iron grip of the Military. The year 1982 began with a slogan, widely chalked on walls by Solidarity sympathizers: Zima wasza, wiosna nasza –‘the winter is yours, the spring will be ours’. But spring never came. Minor demonstrations and token strikes, usually on the 13th of each month, were contained. Major disturbances on 31 August, the second anniversary of the Gdansk agreement, and on 8 November, the anniversary of Solidarity’s legal registration, did not present the ZOMO with any insuperable problem. In several provincial cities – at Nowa Huta, at Lubin in Silesia, and particularly at Wroclaw – outbreaks of determined resistance persisted well into the autumn. But all the logistics of repression, treachery, and misinformation stood on the side of the Crow. On 8 October the authorities felt strong enough to announce that Solidarity, and all other free unions, had been abolished, not merely ‘suspended’, and in November to release a powerless Walesa. In December, most internees, though not political prisoners, were released. By this time Government spokesmen had begun to talk disparagingly of Solidarity members as ‘criminals’, and to brag that ‘the spring, too, will be ours’.

Step by step, as the Communists took stock of their miraculous escape, they tried to re-establish control over the organizations which had earlier repudiated them. Their main target, to begin with, was the intelligentsia, that incurable source, from their point of view, of festering dissent. The Journalists’ Association (SDP) was abolished in March; the Film Makers’ Union and the Actors’ Union (ZASP), which had bravely boycotted the official media, were dissolved in December. Even PAX, the Party’s pet association of ‘progressive Catholics’ had to be purged. Perhaps the WRON thought it was attacking the roots of the crisis; but it was only scratching the surface. No important sector of Polish society was won over to the Communists’ cause.

All Jaruzelski’s attempts at constructive politics fell flat. Despite the Primate’s initial desire to compromise, the General did not re-establish any real dialogue with the Church. His fine-sounding Patriotic Movement for National Rebirth (PRON) was packed with his own dependants talking exclusively to themselves. His new, official Trades Unions were shunned by everyone who could not be pressured into joining. The declaration of the ‘suspension’ of the State of War at the end of December was greeted as an empty gesture.

Economic performance continued to deteriorate. Contrary to the claims of official propaganda, which had blamed everything on Solidarity, the suppression of Solidarity did not produce any overall improvement. Despite a modest increase in one or two sectors, such as coal production, industrial productivity actually
decreased. For the fourth year running, Poland’s GNP suffered a further catastrophic drop, of fifteen per cent. The mounting foreign debt headed towards thirty billion dollars; even current interest payments had to be rescheduled. The demand for food was eased by the draconian and long overdue price rises of up to 300 per cent, introduced in February; but most Poles continued to survive on the breadline. Queuing remained a way of life. The Government expressed its hope for self-sufficiency in food by 1990. The standard of living plummeted. The vast gap between the purchasing power of the average family and the goods available for sale continued to widen, even though real incomes had fallen by forty per cent. Government finance, with the budget deficit accelerating through the hundreds of milliards of zlotys, was running out of control.

The imbalance of foreign trade could only be regulated by the summary cancellation of imports, on which the revival of industry would depend. Poland, which is a rich country blessed with great natural resources, sank into a state of abject poverty unparalleled in Europe.

As a result of the December Coup, Poland’s standing on the international scene lost all semblance of respectability. The military regime was widely seen as a surrogate of the Soviet Union, and was treated as such. The USA pointedly introduced economic sanctions against the USSR as well as against Poland, demanding that the State of War be rescinded, that the internees be released, and that genuine dialogue be initiated. Although American policy caused friction among America’s Western allies, who were scrambling at that time to close a series of deals with Moscow over the Siberian pipeline project, it left no room for doubt concerning the ultimate responsibility for Poland’s distress. The overthrow of Poland’s Soviet-controlled civilian dictatorship by a Soviet-controlled military dictatorship could hardly be regarded as a major shift in the balance of international power; but it provided a suitable occasion for giving the world a lesson in East European realities. Those well-intentioned pundits, who had revived their delusions about the supposed ‘convergence’ of the Soviet and the Western worlds, received a rude set-back. Two Polish Ambassadors, in Washington and Tokyo, defected; and by their pathetic reversal of roles, from staunch Communist loyalist to eager democrat overnight, exposed the wretched morale on which the communist elite is founded. Candles, which were lighted on Christmas Eve in the windows of The White House and the Vatican alike, symbolized the lengthy vigil expected by Poland’s foreign friends. The Polish Government reacted angrily when its measures of limited relaxation did not bring the expected withdrawal of Western sanctions. As always on such occasions, it was assumed that the comfortable leaders of the Western democracies, having made their token gesture, would soon forget their love for Poland.

It must be said, however, that many harsh words were fired at the military regime in Poland without due attention to the precise target. Indeed, it is quite clear that the Polish authorities took great pains to conceal what was really afoot, and may well have welcomed the deafening barrage of inaccurate foreign criticism. For, in spite of everything, the conduct of policy in Poland lacked many of the characteristic ingredients not only of military take-overs elsewhere in the world but also of the usual Soviet-style programmes of ‘normalization’. The repression was highly selective, and strangely half-hearted. It lacked the gratuitous violence of Afghanistan or El Salvador, with which it was competing for headline space in the world’s newspapers. It lacked the wholesale social terror which reigned in Kadar’s Hungary after 1956, or the systematic purges of Husak’s ‘normalization’ in Czechoslovakia after 1968. It did not resort to mass deportations, which would have been a sure sign of Soviet initiative; and it lacked any note of urgency to restore the rule of the Party. Above all, it lacked any direct involvement by Soviet personnel. For some reason, which had not become entirely clear by the end of the State of War, the Military Regime did not feel inclined to exploit its new-found powers to the full. It was curiously inhibited, and by Soviet standards,
unbelievably restrained. Its immobility remained an unsolved riddle. Much may be attributed to the paralysis of the Party machine which had suffered the political equivalent of a nervous breakdown, and which was incapable of reassuming power even if ordered to do so. But that was not the whole story. There were tell-tale hints that Jaruzelski’s fight behind the scenes against his comrades and his would-be allies was even more crucial than his public confrontation with Solidarity. One had to wonder what was happening in the silent wrangle between the various factions of the Polish Communist camp. One had to wonder why the Western press was allowed to remain in Warsaw in force, despite occasional molestations, unless, perhaps, it was reporting the wrong things. It was hard to imagine, if the presence of Western pressmen and television crews did not serve someone’s interest, why an all-powerful police state could not have them all unceremoniously expelled. Most interestingly, one had to wonder about Jaruzelski’s role in the run-up to Brezhnev’s succession in Moscow. Jaruzelski was certainly engaged in a holding operation, and playing the waiting game. But, to the outside world at least, it was not immediately evident for whom or for what he was waiting.

For Jaruzelski was not merely Moscow’s man in Poland. He was the servant of the military interest within the Soviet apparatus, the batman of the Soviet marshals. By taking over the People’s Republic himself, he had saved the Soviet Army from a very unpleasant task. At the same time, by deploying the Polish armed forces, he had raised the stakes against an eventual Soviet invasion of Poland. He was the first Polish leader since the war who put Poland in a position capable of defending itself. His démarche cut both ways. He crushed the hopes of SOLIDARITY; but he equally forestalled the prospect of a vendetta against Poland by the more doctrinaire comrades in Moscow and Warsaw. No one was to know which of the two opposite dangers he judged the more menacing, and to what extent, if any, Marshal Kulikov disagreed. All one can say is that he had been schooled by the Soviet Military for the eventuality of political intervention in Poland ever since Rokossovski’s expulsion in 1956. He had taken over the duties of the last remaining Soviet general officers in Poland – in 1960 as the head of the Army’s Political Department, and in 1965 as the Chief of the General Staff. As Minister of Defence, he had served ex officio as a deputy commander of the Warsaw Pact joint forces for some fifteen years, in the closest possible association with the Soviet top brass. In 1981-2, when he added the posts of Prime Minister, First Secretary, and Chairman of the WRON to his collection, he had ensured, for the time being at least, that no one else could muscle his way on to the Polish political stage. At which point, Yuri I. Andropov appeared at the controls of the Soviet Bloc, but with no indication whether his elevation was connected with the ambitions of the marshals, or not. Twelve months after the December Coup, the fate of People’s Poland was back where it had started nearly forty years before – in the hands of the Soviet Military, and of their Polish military aides; but there was no clue as to where it would end up. Nor could there be. The formulation of Soviet policy after Brezhnev’s death, like the progress of the Polish Revolution, was still in a state of suspense.

The Terminal Illness of the PRL, 1983-1989

Seen in retrospect, it is obvious that Soviet-type Communism was suffering from a far more deadly disease than appeared on the surface. Most Western observers did not catch sight of the symptoms until the amazing career of Mikhail Gorbachev in the USSR in the late 1980s and his ill-fated policies of glasnost and perestroika. Yet to a political sophistiqué like Jaruzelski, a member of the Soviet Bloc’s secret inner circle, the writing on the wall must have been visible considerably earlier. Indeed, there is every reason to believe that Jaruzelski, who had been closely associated with Andropov long before Gorbachev had, was acting under privileged, well-informed elite of the KGB were capable of pursuing. Most Poles were too angry with Jaruzelski to see what he was up to; and, in any case, a rescue for Communism was the last
thing whey wanted. Yet if Gorbachev proved to be Communism’s false Messiah, Jaruzelski was its pseudo
John the Baptist.

Unfortunately for Jaruzelski, the power game of the Soviet leadership, which was essential for the success
of a Soviet satellite, did not play itself out in the most favourable way. Yuri Andropov died in Moscow in
February 1983 within a year of his elevation. His successor, Konstantin Chernyenko, was an ageing
nonentity, whose moribund inertia made the late Brezhnev look the paragon of dynamism. Gorbachev,
who reached the top in March 1985, was slow to reveal his hand, and initially gave priority to the
reduction of international tension, So it was 1987 at least before Jaruzelski could be seen to be working in
unison with a really congenial Soviet leader. By that time, Jaruzelski’s impasse was far advanced, and
Gorbachev was approaching the point where the USSR’s European satellites had lost their former
usefulness.

Jaruzelski’s impasse derived from the consequences of his own triumph. By leading twentieth-century
Europe’s most impressive military coup, he had totally disabled the democratic opposition. But he had also
destroyed the confidence of the Polish Communists, and had crippled the civilian structures through which
the PZPR had once operated. Short of using the Army indefinitely as a substitute government, in a strategy
which would have weakened the country’s military readiness, he could only hope against hope that new
allies and inventive helpers would materialize. Meanwhile, Poland’s practical problems multiplied. The
PRON experiment proved abortive, Industrial productivity remained catastrophically low. Tinkering with
market mechanism could not lift the deadweight of central economic planning. Foreign debt stayed
damagingly high. International sanctions blocked the prospect of further international assistance. Most
worryingly perhaps, the underground opposition was creating a viable world of its won, completely
divorced from government-approved agencies. Jaruzelski undoubtedly possessed the instruments of
effective repression. He could have closed down the clandestine printing presses, rearrested the activists,
and passed few exemplary death sentences. But, like Gorbachev after him, he knew that the old
Communist methods were bankrupt, and that the system could be revived only through a measure of
popular co-operation. So he refrained from extreme measures. He harassed the illegal Underground, but
allowed it to exist. He invited the Polish Pope to Poland for a second visit in June 1983, to gain a fleeting
shaft of reflected glory. But, then, he had to swallow his dismay when his chief prisoner, Lech Wałesa, was
awarded the Nobel Peace Prize. For a political leader desperately in search of respectability, it was a body
blow.

This time around, the outside world was much better informed about Polish affairs than ever before. In
1980-1, the global media had descended on Poland. The homeland of John Paul II and of Walesa was no
longer a strange, unknown country. Western intellectuals, who had traditionally harboured a strong
contingent of pro-Soviet fellow travelers, could finally see reality with their own eyes and largely
abandoned their former sympathies. A torrent of books and films about Poland swept aside the prevailing
indifference and ignorance. Only a tiny handful of left-wing militants could maintain the pretence that
Solidarity was the work of saboteurs and provocateurs. In English-speaking countries, books such as
Timothy Garton Ash’s Polish Revolution, which chronicled the events of 1980-1, or Norman Davies God’s
Playground, which presented the essential historical background, enjoyed wide circulation.

The Poles, too, were able to receive far more information than previously. Equally, they were far more
receptive. Having enjoyed a season of what Gorbachev would later call glasnost, they were not going to
give up easily. Hence, despite the censorship and the jamming, they were aware as never before that the
outside world was concerned for their fate. After 1980, public awareness of émigré journals such as *Kultura*, edited in Paris by Jerzy Giedroyc, was much enhanced. A very special role was played by the US-sponsored Radio Free Europe in Munich, and by the Polish-language services of the BBC, Radio Vatican, Deutsche Welle, Radio France Internationale, and others. Forty years earlier, the Nazis had routinely shot any Pole caught in possession of a radio. In 1944-5, the Soviet NKVD issued licences only to approved radio listeners. In the 1980s, with radios in every household, such measures were impractical.

Underground Solidarity gave pride of place to the war of information. Excluded from most areas of political activity, it threw itself with a will into the *Drugi Obieg*, literally ‘the other circulation’—the Polish equivalent of Russian *samizdat*, or ‘self-publishing’. Starting during martial law and continuing to the end of the 1980’s, a huge network of illegal newsletters, journals, and books was secretly printed and distributed. Courageous men and women risked their freedom in order to take part. At first, the operation sought simply to keep people abreast of current affairs. But it soon grew into a massive onslaught against every aspect of Communist ideology – in philosophy, religion, history, political theory, economics, and general literature. Favoured authors included exiled Poles and Catholics, together with all the forbidden Western classics - from Orwell and Popper to Arendt, Solzhenitsyn, and Teilhard de Chardin.

The story of one title among tens of thousands may convey something of the movement's aims and excitement. *White Eagle-Red Star*, originally published in London, told the tale of Poland's victory over the Red Army during the Polish-Soviet War of 1919-20. In the official media, the subject had long been taboo. So it was adopted by a fearless woman translator from Gdansk, who ten years earlier had sailed around the world in a single-handed yacht. The author was contacted by telephone by an unidentified person calling from Paris. He was asked the unusual question: 'Would you agree to your book being published without your agreement?' (The *Drugi Obieg* tried to protect its authors by stating that they were not responsible for the illegal editions.) The translator then set to work under a pseudonym. Her first attempt at translating the book hit the rocks when the police raided her flat and put her in prison. Her second attempt sank when the police swooped at night on the secret printing press and confiscated all copies. But the third attempt completed its triumphant voyage after six years of subterfuge and incredible determination. The author, who was in California, had been kept informed by a mysterious correspondent, who turned out to be the translator's sister. Sheer admiration was the only possible reaction. These people were going to win.

The ambiguous stance of the authorities was revealed by the tragic fate of the Solidarity priest Father Jerzy Popieluszko, vicar of the parish of St Stanislaw Kostka in Warsaw. After the suspension of martial law, Father Popieluszko had started to organize weekly 'Masses for the Homeland'. The fury of the police grew in proportion to the rapidly expanding size of his congregation. One dark night in October 1984, three agents of the Ministry of the Interior ambushed the car of the turbulent priest, strangled him, and threw his body into a reservoir. But the crime was bungled. There was a witness. Father Popieluszko's bodyguard, a former paratrooper, had thrown himself from the car at speed. He had witnessed the ambush, and had evaded the ambushers. Very soon news of the murder was spreading. The usual official formula of a murder committed by 'unknown perpetrators' was flatly disbelieved. The discovery of Father Popieluszko's mangled body raised the spectre of popular disturbances. General Jaruzelski was forced to act.

The significance of Jaruzelski's decision cannot be exaggerated. For the first time in the history of the People's Republic since 1956, he ordered that agents of the Communist regime should answer in public for their misdeeds. The three guilty policemen were brought to trial, and were sentenced to long periods of
imprisonment. In a society where the Communist dictators had never been held to account, this event was a milestone. It was meant to curry favour with the populace, and was intended as a small sop to stem larger demands. The ministers and senior officers who had sanctioned the murder were not investigated.

Jaruzelski, who had earlier introduced a State Tribunal for investigating former Party leaders, posed as the improbable champion of justice. Even so, a major shift had now occurred. The system was visibly cracking. The Communists’ posture of infallibility had been abandoned. Henceforth, no servant of the regime could be sure that the Party’s shield of immunity was intact. A criminal regime had admitted to a crime, and not just to errors or to ‘socially inappropriate measures’. What is more, Western governments grew less timid. A visiting British minister laid a wreath on Father Popieluszko’s grave, thereby signaling where the sympathies of the outside world lay. When Mrs. Thatcher eventually visited Gdansk in 1988, she was mobbed.

The Popieluszko affair in Warsaw coincided with the emergence of Gorbachev in Moscow. Over the following months and years, the two developments interacted. As the Cold War was gradually eased abroad, the justification for Communist dictatorship dissolved at home. As the Soviet General Secretary increasingly encouraged glasnost, the old practice of stifling discussion could no longer be upheld. First in the ranks of the ruling party and then in society at large, the inevitability of far-reaching reform became more and more apparent.

In the 1980s, the Roman Catholic Church in Poland attained a status of unparalleled respect. It was truly the shepherd of the nation, protecting all manner of people, including non-Catholics, and resisting all official attempts to curb its influence. It gained enormously in stature from the Pope’s two visits in 1979 and 1983 and from the readiness of the Solidarity priests to suffer for the cause. A network of parishes led by indomitable clerics offered refuge to all and sundry, patronized cultural events that could not be staged in official places, and resolutely preached the doctrines of non-violence and ‘spiritual mastery’. The heroes were legion, but, apart from Father Popieluszko, it would not be amiss to pick out the parishes of Podkowa LeSna near Warsaw, of Stalowa Wola, and of Mistrzejowice near Cracow. The programme of modern church-building begun in the 1970s was continued in times of the greatest economic distress, thereby giving physical witness in almost every town and village to the Church’s contemporary vigour.

It would not be unfair to point out that the Church hierarchy was less resolute than the grass roots. The new Polish Primate, Archbishop Glemp, was fearful of losing the partnership established by his predecessor with the ruling Party, and often appeared to vacillate. Something less than wholehearted support was extended to some of the junior priests in political trouble. Even so, as an institution, the Church remained rock solid in its determination to propagate an alternative vision of the nation’s future. And the Primate’s Council of mixed clerical and lay composition consistently acted as the most powerful forum of mediation.

Polish literature of the 1980s saw few new works of substance. The most respected names, such as those of the poet Zbigniew Herbert or Tadeusz Konwicki, had made their reputations earlier. Konwicki’s searing novel *Mala Apokalipsa* (The Little Apocalypse, 1979) was the last major publication to appear before martial law. By describing a fictional scenario of social and political collapse, it firmly planted the idea of such an eventuality in its readers’ minds. The principal strategy of the Underground was to familiarize the public with authors living abroad or banned by censorship. The award of the Nobel Prize in 1980 to the Californian-based Czeslaw Milosz had given him hero’s status. His verses contained the exquisite taste of forbidden fruit, whilst his devastating study of *The Captive Mind* (1953) totally discredited the cultural and
psychological machinery of Communism. A similar role was played by Milosz’s fellow exiles Leszek Kolakowski and Gustaw Herling-Grudzinski. All of them were in the censorship category of non-persons who could not even be mentioned in order to be denounced. Kolakowski’s three volume *Główne nurty marksizmu* (The Main Trends of Marxism, 1976-8) demolished Communist claims to a monopoly of virtue in socialist thought. Herling-Grudzinski, who had survived Siberia, was the political writer who most effectively destroyed all prevailing illusions about Soviet history. One of the few works designed to encourage dialogue with the Jaruzelski regime was Adam Michnik’s *Lewica, Kościół, Dialog* (The Left and the Church, first published 1976).

In the second half of the 1980s, the Jaruzelski regime abandoned ideological considerations almost completely and adopted a purely pragmatic stance. A member of the Politburo confronted in 1986 by an American student with the naive question ‘Are you a Communist or are you not?’ was incapable of answering ‘Yes’ or ‘No’. (He said that he was a ‘pragmatist’.) Yet hopes of reaching a political consensus through economic success – an old Marxist illusion – were constantly dashed. The existing system was unable to deliver economic success, and the illegal opposition was unwilling to consider political participation on the terms available. The Chernobyl disaster left a cloud of nuclear pollution not just over Poland’s eastern neighbours, but over the whole Soviet system. As from 1985, Solidarity leaders like Adam Michnik in his *List Z Kurkowej* (Letter from Chickenville) were floating the idea of dialogue. But they could not do so effectively whilst their individual and collective rights remained unrecognized. The Opposition was too weak to overthrow the regime, but it was still strong enough to prevent the regime from making any general progress. As a result, initiative after initiative bit the dust. In May 1987, for example, a law was passed to encourage social consultation. An obligatory referendum then posed the question ‘Are you in favour of the Polish model of deep democratization ... the strengthening of self-government ... and the widening of civil rights ...?’ It was like asking for a popular view of apple pie. But even that could not command a majority. Also in 1987, a Spokesperson for Citizens’ Rights, an ombudsman, was appointed. But there were no citizens’ rights worth speaking of. What is more, the official, Communist-run trade union organization, the OPZZ," which had been set up in 1984 to fill the gap left by the banning of Solidarity, was growing restless. Strikes were threatened. The regime was rapidly reapproaching the point where the whole crisis had started in August 1980. The leading politicians were desperate to push through reforms. But they had no popular support to do so. The impasse came to a head in the late summer of 1988. When strikes broke out, both in Gdansk and elsewhere, none other than Lech Walesa was brought out of the wilderness in order to persuade the strikers to stand down. He thereby won an undertaking that negotiations would take place. In November, he was allowed to debate his case on state television, thoroughly embarrassing the head of the official trades unions, Alfred Miodowicz. Then the Prime Minister resigned because he could no longer cope with the OPZZ. Jaruzelski’s regime stared political bankruptcy in the face. With enormous reluctance, the Communists edged towards sharing power. At one point, Jaruzelski had to confront the Party with an offer of his own resignation. Eventually the waverers were convinced that undiluted dictatorship was no longer viable and that dialogue with Solidarity was unavoidable. The date for the first meeting of a Round Table between the Communist Government and the Solidarity Opposition was set for 6 February 1989.

*The Death of Polish Communism, 1989-90*

The sight of a weakened totalitarian regime voluntarily entering into meaningful negotiations with its opponents is not unprecedented. In Poland, which is part of the Roman Catholic world, the example of Spain was well known; and the process of bargaining whereby the late Fascist regime prepared the way for
its own demise had been discussed more than once in Polish opposition circles. After all, the problems of post-Communism were not very different from those of post-Fascism. The Polish Communists, of course, had different ideas. There can be little reason for arguing that the group around Jaruzelski, by pressing for dialogue with Solidarity, thought that they were surrendering power. On the contrary, they planned to use Solidarity for their own purposes, and to make a number of limited concessions whilst holding on to the essential levers of control. After all, they were well accustomed to the tactic of co-opting 'non-Party' figures and of disarming their critics by absorbing them into the system. For them, the real question was whether the Solidarity leaders would agree to a subservient role or whether once again they would try to be independent. Naturally, the Party beton or 'hardliners' were suspicious. But they, too, saw that things could not carry on unchanged. Some of them thought that South Korea offered an attractive model: a capitalist economy linked to authoritarian politics.

One should also stress that early in 1989 the Poles were ploughing a lone furrow. As yet, none of the other Communist states was showing outward signs of distress and no ruling Party had compromised its 'leading role'. Gorbachev's perestroika in the USSR was aiming at very limited goals, which the Polish comrades had already conceded. In the political field, the sort of Party-guided pseudo-pluralism, which Gorbachev seemed to favour, had operated in the PRL for over thirty years. The Warsaw Pact was still unquestioned. Comecon was still in place. Huge numbers of Soviet troops were still stationed either in Poland or in the immediate vicinity. The unsmiling comrades in neighbouring Czechoslovakia and East Germany were deeply anxious. When the Round Table finally assembled in the Viceregal Palace in Warsaw — with auxiliary talks in Magdalenka, all the participants were understandably given to caution. Nor should one forget the continuing, low-level threat of official terror. In the two weeks that separated the PZPR's formal agreement to talks with Solidarity and the opening of the first session in the old Viceregal Palace on 6 February, two nasty political murders took place. Both victims of the 'unidentified perpetrators' were priests. One of them, Father Stefan Niedzielak, had been chaplain to the Organization of Katyn Families. The other; Father Stanislaw Suchowolec, had been chaplain to the branch of Solidarity in Bialystok. The secret police were letting it be known that developments were not to their liking.

The months of the Round Table talks, like the months preceding them, saw many an impasse. The Communist team was headed by Jaruzelski’s right-hand man, General Kiszczak, Minister of the Interior, by the young Aleksander Kwasniewski, assistant to the Prime Minister, Rakowski, and by a trade-union specialist, Professor Reykowski. They were shadowed by three powerful secretaries of the Central Committee — Ciosek, Gdula, and Cypryniak. The Solidarity side was headed by their respected Catholic adviser, Tadeusz Mazowiecki, together with the leaders of several subdivided negotiating teams — Geremek, Kuron, Bujak, Frasyniuk, and Kaczynski. In its plenary sessions, the Round Table had to seat more than a hundred people. Walesa, who had been very active in the secret contacts which set the official talks in motion, now shadowed Jaruzelski by staying behind the scenes. Both sides withstood considerable pressure from their own colleagues. Just as the Party hardliners criticized Jaruzelski for selling out to the despised Opposition, so several unbending elements of the Opposition, like the KPN. ‘Fighting Solidarity’, attacked Walesa for preparing ‘a dirty deal’. A key factor, however, developed from the agreement that Solidarity’s negotiators should now have access to the official media. Day after day, and for the first time since 1980, the faces of Mazowiecki, Kuron, Geremek, and others appeared on national TV. They were no longer ‘agitators’, ‘extremists’, and ‘troublemakers’. They were intelligent, determined men calmly stating opinions, with which the mass of the public sympathized. As time passed, a climate built up where the Communists were forced to concede far more than they had originally intended.
At the start, the Party negotiators proposed a very limited form of power-sharing. A re-legalized Solidarity would be invited to join a Party-run front organization similar to PRON and would be allocated thirty per cent of the mandates in the Party-run electoral list. This proposal, which by Communist standards was rather generous, had no chance of acceptance. So the next stage was for Solidarity to be offered thirty-five per cent of the mandates in a reserved sector of the electoral list that would not be subject to Party supervision. In return, however, the Communists demanded a greatly strengthened state presidency, which would obviously be under their control and which would be empowered to dismiss an insubordinate assembly. This further proposal would still have left Solidarity in a largely ‘decorative’ position. But then Kwasniewski came up with the idea that the second chamber of the Assembly, the Senate, might be subject to completely free elections. The Solidarity side began to be seriously tempted, whilst Kwasniewski’s colleagues took fright. A long standoff occurred before the free Senate idea returned as a definite offer. The Solidarity negotiators could see that their counterparts were desperate for a settlement. So their tactic was to indicate acceptance of the revised proposals subject to agreement on a long list of auxiliary concessions. In the end they achieved far more than they could ever have dreamed of. Not only was Solidarity to be re-legalized, but thirty-five per cent of the Sejm and all seats in the Senate were to be opened to free election. And that was only the start. The freely elected Senate was to possess the right of veto on all legislation. Solidarity was to enjoy both legal access to the media and the right of publishing its own Gazeta Wyborcza or ‘Electoral Newspaper’ — only the second independent broadsheet (after the Catholic Tygodnik Powszechny) in the history of the PRL. All independent artistic and professional organizations closed down during martial law were to be re-registered. All political activists deprived of employment since 1981 were to be re-employed. Most important, perhaps, though often forgotten, a declaration was made to the effect that within four years at the latest all elections in Poland were to be completely free. Everyone knew that the Communist ethos permitted the breaking of inconvenient promises. None the less, as things stood the limited elections of 1989 were to be conducted as a first step toward greater democracy to come. The agreement was signed on 5 April. Solidarity was legally re-registered two weeks later. To let the world know of their success, Walesa and his aides travelled to Rome to receive the public blessing of the Pope.

The Polish elections of 4 June 1989 proved to be an unprecedented sensation. After all, with only one-third of the Assembly up for election, there was no chance that the PZPR could have been voted out of power. Yet the psychological impact was shattering. In the first round of voting, Solidarity headed the list in 252 out of the 261 seats where they could compete. Still more exhilarating was the fact that, in the closed section of the electoral list where Solidarity was not allowed to compete, only two out of thirty-five Communist-sponsored candidates passed the test. An old rubric, which said that every candidate had to obtain fifty per cent approval, had been formulated in times when the Communist-machine could engineer a ninety+ per cent result. It was now used by uninhibited voters to strike out with relish almost every Communist-sponsored name from their voting papers. In the first free voting since 1939 — or possibly since 1926 — support for the Communists was shown to lie somewhere between three and four per cent. On the very same day, the Chinese Communist government perpetrated the massacre of Tiananmen Square.

In the second round of voting two weeks later, every Solidarity candidate for the Sejm except one was a confirmed winner. (The one loser, in the town of Pila (formerly Schneidemuhl), was unique in that he had failed to have his photograph taken with Lech Walesa for his electoral poster.) Solidarity completely dominated the Senate. On 19 July, General Jaruzelski scraped through to be elected State President by a single vote.
In the summer of 1989, feverish political manoeuvrings continued. Prior to Jaruzelski’s appointment as State President, the new editor of Gweta Wyborcza, Adam Michnik, had launched the astounding slogan of ‘Your President, Our Prime Minister’. Solidarity was moving from the acceptance of token influence in the Assembly towards real power in government, and several factors were helping. First, Jaruzelski’s move to the presidency, and his replacement as First Secretary of the PZPR by Mieczyslaw Rakowski, suggested that the chief post in the country no longer lay with the Communist Party. Secondly, Walesa found that the PZPR’s satellite parties, the Peasant ZSL and the SD, were no longer willing to follow Communist orders blindly. The prospect suddenly dawned of a Solidarity-led ‘Coalition of National Responsibility’ that could command more votes in the Sejm than the PZPR could. The Communist monopoly was under threat. Finally, on 16 August, a spokesman of the Soviet Foreign Office made an announcement without parallel. ‘We do not interfere,’ he said, ‘in the internal affairs of Poland. The Poles must solve their problems themselves.’ Gorbachev had spoken. The shock could not have been greater if the Vatican had announced that it did not interfere in the internal affairs of the Polish Church. The Communist Premier of the day, General Kiszczak, resigned immediately. On 24 August, the Assembly confirmed Tadeusz Mazowiecki’s appointment as Prime Minister. A Catholic country had a Catholic premier for the first time in exactly fifty years.

Given the avalanche that was brewing elsewhere in the Soviet Bloc, it is important to be precise about the situation in Poland during Mazowiecki’s premiership. If properly understood, it goes a long way to explain the extraordinary – and one might say uncharacteristic restraint which distinguished developments in Poland from those in the neighbouring countries. Commentators abroad were apt to say that SOLIDARITY had ‘won’, or that Communism had collapsed. They were wrong. They failed to grasp – as most Western observers of Soviet-type regimes had always failed to grasp – that the dual Party-State system bore little resemblance to Western forms of government and that the state premiership was still a subordinate position. Despite their huge disrepute, the Communists were still at the controls. The constitution had not been amended to abolish the leading role of the PZPR or the obligatory alliance with the USSR. President Jaruzelski, who was still a Party dignitary, commanded the armed forces, could dismiss the Sejm, and could dissolve the premier. Most of the key ministries, including Foreign Affairs, Defence, and the Interior, which controlled the various internal security forces, were still in Communist hands. The country was still occupied by the Soviet Army. Censorship was still in operation. The secret police were still on the prowl, having murdered yet another priest, Father Sylwester Zych, only a month earlier.

So Mazowiecki was a political hostage strapped into an invisible straitjacket. When he took his place at the Council of Warsaw Pact, the only non-Communist participant since the founding of the organization, his presence drew gasps of amazement. But few outsiders realized just how constrained he was. Apart from that, he was an experienced politician and a dogged plodder. He was not going to flex his muscles too dramatically. His political career went back to the pseudopluralism of the late 1950S, and before that to a period of employment in PAX, and his hopes had been dashed many times. So his ambitions were not great. He aimed to consolidate Solidarity’s gains but not to press for more. Solidarity was winning the game. But final victory was still tantalizingly out of reach.

In the later months of 1989, therefore, when the Hungarian comrades threw in the towel, the Berlin Wall collapsed, the Velvet Revolution captured Czechoslovakia, and Romania overthrew Ceausescu in a pool of blood, Poland lay strangely quiet. On the political front, the Solidarity leaders were happy to leave things well alone. They knew that every catastrophe that the Communist movement suffered abroad was undermining the foundations of the Polish Party. What is more, on the economic front, they saw that
Poland’s problems were rapidly becoming critical. In his initial statement, Mazowiecki had expressed support for a gradualist approach towards a social market economy along West German lines. This was a distinct advance on the compromise ‘socialist market economy’ debated at the Round Table talks. But the onset of galloping hyperinflation in September convinced the government of the urgent need for ‘shock therapy’. The chief therapist was to be a young neo-liberal Solidarity economist, Dr. Leszek Balcerowicz (b. 1947).

On 29 December 1989, important changes were made to the Constitution.

The ideological Marxist preamble was abolished, together with the leading role of the PZPR and the so-called supremacy of the working class. The name of the state was changed back to that of the Polish Republic. The crown was returned atop the eagle on the national coat of arms, and the ‘sovereign nation’ was reinstated as the main legitimizing principle. In theory, therefore, the former ‘socialist’ order had gone. In practice, much of it still remained intact. General Jaruzelski kept his position as President together with all the extended powers established earlier in the year.

The Balcerowicz Plan came into effect on 1 January 1990. It introduced a thoroughgoing capitalist economy overnight, together with a new convertible currency. Central government control over all sectors of the economy was abandoned. Privatization was encouraged at all levels, but first in the financial and industrial sectors. Hyperinflation stopped. Confidence returned. Foreign investment began. International assistance, initially from the IMF, became possible. Hard times, of course, continued. Productivity was still falling. Unemployment was increasing. Foreign trade was nearly paralysed. Living standards slumped. The turnaround did not begin until the middle of the following year, 1991, partly because Comecon had ceased to function. But hope, the most essential of commodities, returned.

In subsequent years, Professor Balcerowicz would often be asked about the secret of his success. In the decade to come, when all the countries of the Soviet Bloc would be engaged in the so-called ‘process of transition’, people wanted to know why some countries coped much better than others and why, in particular, the Polish economy performed best of all. Balcerowicz harboured few doubts. ‘What matters is the initial direction [of the reforms].’ He said. And further: ‘You cannot leave Communism by small steps.’ ‘You have to be quick.’ To underline the point, he would recount an anecdote about meeting the premier of the former Soviet Republic of Kirgistan, a physicist, who explained to him that the time available between one crystalline state and another was very, very short. The ex-crystallographer, Balcerowicz felt, had the right instinct. ‘A pure economist would probably have got it hopelessly wrong.’

The Balcerowicz Plan administered the coup de grâce to the PZPR. Every Communist textbook that had ever existed preached the doctrine that politics was driven by economics, that political organizations reflected the relationships of their members to the means of production. Hence Communist parties only made sense if they exercised monopoly control over all branches of economic life. And that monopoly had now been lost. The seventh and last First Secretary of the PZPR, Mieczyslaw Rakowski, was an intelligent but unscrupulous opportunist of the worst ilk. A long-term editor of the high-grade propagandist weekly Polityka, he had often posed in the West as a flexible moderate and had made friends in several foreign Social Democratic parties. But he was remembered in Poland for his supercilious attitude to the working class and in particular for his vicious baiting of the defeated strikers in Gdansk in 1983. Not surprisingly, he

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7 Leszek Balcerowicz, speech at Templeton College, Oxford, 12 October 2001
had clung to power in 1989-90, first as Premier and then as First Secretary, while many of his similarly intelligent colleagues were leaving the sinking ship. But even he could not keep the crew together. The day inevitably came when the last meeting of the Central Committee was called. Speeches about glorious traditions were recited. The comrades stood to sing 'The Internationale' for the very last time. The Party’s standards were paraded, then carried out, as Marx would have said, to the dustbin of history. No one present at that meeting cared to recall what terrible misery the Party had caused.

With the PZPR done for, the contract agreed between Solidarity and the PZPR at the Round Table became redundant, but Mazowiecki, faithful to his oath of office, felt obliged to hold to the chosen course. A law was passed on 28 February 1990 introducing political pluralism and the right to form political parties. This would lead, after eighteen months’ preparation, to the first fully democratic parliamentary elections held in October 1992. In the meantime, however, there remained the pressing problem of General Jaruzelski, whose Party had disappeared from under his feet but who still occupied the presidential palace. Lech Wałęsa, who did not hide his own presidential ambitions, let it be known that the current situation was intolerable and launched the programme of przyspieszenie or political ‘acceleration’. Popular opinion was growing impatient of a state of affairs where economic hardship was reaching a maximum but where democratization was moving at a snail’s pace. After much delay, Jaruzelski agreed to the shortening of his term; and the political vacuum was filled by the announcement in September of the universal and direct election of a new President to be held in eight weeks’ time.

In the course of Mazowiecki’s government, the state censorship lost the will to function. One result was that several long-standing historical taboos were lifted. In December 1989, the director of the State Museum at Auschwitz (Oswiecim) confessed that the previous official figure of four million victims had been a fabrication. A more realistic estimate of between 1.2 million and 1.5 million victims was issued, the majority of them Jews. Whilst giving prominence to the Jewish tragedy, this news also confirmed the fact that several hundred thousand non-Jews perished in that one camp alone. The stage was set for an unseemly and long-running confrontation between Catholics and Jews over the proper means of mourning Auschwitz. In March 1990, on the fiftieth anniversary of the Katyn Massacres, President Jaruzelski formally received documentary evidence from President Gorbachev proving that the mass murder of c. 25,000 Polish officers and other prisoners had been perpetrated by the Soviet NKVD in 1940 and not by the German SS in 1941. This caused little surprise to the Polish public, except for the fact that a Russian leader had finally confessed to a historic crime. But it opened up further worrying questions. How many of the estimated twenty-seven million people lost in the USSR during the Second World War were Polish citizens – Poles, Ukrainians, and Jews? And how many of these lost millions were victims not of the Nazi occupation but of the Stalinist terror? The old Communist fiction that all war crimes and all crimes against humanity must be attributed to the Fascists had been blown apart.

The presidential election was conducted in two stages on 25 November and 9 December. Its conduct came close to farce. In the first stage, Wałęsa had to run against three rivals from the former Opposition, Mazowiecki Moczulski and Bartoszcze, against a member of the former Communist coalition, Cimoszewicz, and against a mysterious entrant called Tyminski. The latter was said to be a Polish entrepreneur from Canada, though he was totally unknown to Polish Canadians. He was almost certainly a wild card thrown in by the secret police. On the basis of no credentials whatsoever, he declared himself to be the proponent of a ‘third way’ and to everyone’s utter amazement collected more votes than all the candidates except Wałęsa. Mazowiecki in particular, the hero of 1989, became a laughing stock. In the second round, Wałęsa defeated Tyminski by a decent but not crushing margin. The turn-out was a mere fifty-three per
cent. It was less than ecstatic. Popular disillusionment was already in train. Walesa celebrated his victory by promptly dismissing the Government, and by setting up a new Cabinet headed by a young colleague from Gdansk, Jan Krzysztof Bielecki.

One final detail remained to be settled. The Polish Government-in-Exile had kept the flame of legitimacy burning for fifty-one long years. From their residence in London, a series of exiled presidents had carried the torch first handed them in 1939. They had watched all the country's catastrophes from afar: the Nazi and Soviet occupations, the Communist takeover of 1944-8, the Polish October of 1956, the scandals of 1968, the Baltic riots, the rise and fall of Solidarity in 1980-1, the rise and fall of Martial Law, and the collapse of Communism. But now the last of the line, the silver-haired President Ryszard Kaczorowski, flew from London to Warsaw taking the pre-war presidential insignia with him. It was a most generous and symbolic act. The Government-in-Exile had voluntarily decided to end its career with honour. Thanks to its final gesture, President Walesa was able to take office on 22 December 1990 carrying the symbols of his democratic predecessors. It was as if the People’s Republic had never existed. This was the true moment of Poland’s liberation.
In September 2006 I was in London finishing my Master’s thesis; I was the lucky one amongst my classmates in Rangoon as I had been granted a visa to travel to the UK to do research for my thesis. Most of my classmates were back home trying to finish as well, but unlike me, they had to work from the meagre resources that the government allowed them at in the national library. As I sat in my room looking out into the courtyard of Goodenough College in London’s Bloomsbury neighborhood, I was struck by the beauty of the day with the soft misty rain coming down over the green yard in the late summer morning. It filled me with a joy and gratefulness to be alive that quickly led to anxiety when I remembered I only had a short while before returning home. That the source of my anxiety was not my thesis deadline led me to a feeling of guilt; I didn’t want to return to Rangoon and my life there. I was privileged, my father was in favor with the junta so I had been able to travel, but even if I hadn’t given my thesis the boost that researching abroad would give it, I knew I would still receive my diploma.

I had to stop working as the anxiety and guilt were too strong. I suddenly didn’t want to finish my thesis, I didn’t want to receive my master’s diploma, all I wanted was to stay overlooking the courtyard and rain. For the first time the injustice of my position came to me in its full force; it was unfair that I was in London while my friends were quarantined in Rangoon because they were not my father’s children. I didn’t do any more work that afternoon. I walked out into the rain and walked for hours until I had made my mind up: I would return. I would finish my thesis but I would reject the diploma that was awaiting as I could not continue to benefit will others suffered. I wasn’t sure what I was going to do but return I must and from there things would fall into place. I went back to my room and found a note from a friend inviting me to a group discussion of some readings, a local chapter of some NGO, its name: the World Youth Alliance, and I decided to join her. It was the best decision I could have made, not just because my friend is one of the happiest people I know so that you cannot help but feel light around her, but because the reading being discussed was about a movement in Poland, against their communist regime. It made me want to take the Polish experience to Burma because of their ability to put their country’s good before their own personal comfort and their ability to unite as one before a power that only looked to divide and control them.

I returned to Burma and for the year that followed I became ever more involved with the opposition, especially after the junta’s ineffectiveness to aid our populations affected by the Tsunami and their aggressive reaction to the Saffron Revolution in August 2007 which led to the consolidation of the 88 generation group. The 88 generation began as a student group who took their name from the groups of dissidents in 1988 that had been crushed by the junta. They became stronger after Saffron because the torture of the monks enraged all our society. Never had the junta violated something so sacred for all of us; it was their torture that led me to finally confront all around me and join forces with 88. The response by the other Buddhists through the region and internationally heartened us onwards in the fight for our liberation. Once joining 88 I took to them the readings from the WYA track A on solidarity, with which we quickly identified. Just like Poland we had our own style of communism that was suppressing our freedom and liberties in the name of autocratic conservation of our precolonial culture, just like Poland we could only save ourselves and Burma if we worked together putting our common good above our personal
comfort and good. Many incarcerations followed, many died but we have continued fighting for those in jail, for those who still walk through the streets in relative ‘liberty’, for ourselves because we no longer want to just survive the regime, we want to build our society.
**WYA Declaration on the Family**  
*Brussels, Belgium 2004*

Written for the Tenth Anniversary of the International Year of the Family, the Declaration on the Family formed a critical part of the Europe4Family bike-ride and celebrations. This WYA Declaration recognizes that the family is the most basic unit of society and the place where free and responsible citizens are best formed. In order to develop free and just societies, the family must be cultivated and protected in culture and law.

We affirm that the family is a school of deeper humanity; within which each member learns best what it means to be a human person. There, each member of the human family, from conception to natural death, experiences the gift of unconditional, enduring love. Thus each human person is carefully taught by the family to be responsible, to commit, to share, and to love.

Within the family children first come to understand their own intrinsic and inviolable human dignity. Through their complementary roles, mother and father, equal in dignity, show their children that the freedom of the human person is most fully and rightly lived in the gift of self. True love freely received and given within the family is an image of the transcendent love that makes possible the fulfillment and completion of every human being.

The family sustains society as it gives life to the next generation. It also has the privilege of forming free and responsible citizens, thus securing democracy. As the fundamental unit of society the family ensures the sustainability of civilization and culture. It takes on essential tasks in the care of all and especially the weakest and most vulnerable.

In honor of this joyful commemoration of the year of the family, we invite every individual to join us in solidarity and seek to strengthen his or her own family; we ask business, arts and media to support us by creating a family friendly climate; and we ask national, regional and international politicians to hear us and respond by creating the framework for a family friendly society.
WYA Declaration on Solidarity
Cologne, Germany 2005

The WYA Declaration on Solidarity identifies solidarity as the unified commitment of persons to live and work in the truth of who we are and for the pursuit of the common good.

We, young people from all regions of the world, commit to living and promoting solidarity in all human relationships.

We believe that solidarity is the unified commitment of persons to live and work in the truth of who we are and for the pursuit of the common good. This begins with a fundamental recognition and common understanding of the human person.

Recalling that the intrinsic dignity of each person is the foundation of all just human interactions; and recalling that this dignity is inalienable and cannot be mitigated in any degree; we affirm that every person is free, possessing the power to choose to act in accordance with the reality of the dignity of all persons.

Solidarity is built on the use of this freedom to willfully recognize fundamental human needs, desires, and rights and to authentically pursue their fulfillment for all persons. It is the foundation for sustainable development and the building of free, just and peaceful societies.

The family, as the primary cell of such societies, can provide the person with a fundamental experience of what it means to be truly human, through the parents’ unconditional gift of self to the child and through their mutual self-gift to each other. The experience of the truth of the person through gift of self can also be encountered through other human relationships. This understanding of reciprocal personal donation prepares the ground for solidarity.

Visible signs of need, suffering and injustice expose the universal human condition of vulnerability and reveal a common identity amongst the self and other persons. This in turn lays the foundation for the understanding and forgiveness necessary for lasting solidarity. We, as young people, particularly commit ourselves in solidarity to all those who live in need, experience the vulnerability and hardships of war, famine, disease or social unrest, and who suffer the poverty of hopelessness.

Through this unified commitment to solidarity, we build the foundation for the establishment of a free, just and peaceful world.
Chapter V
Culture

“Draw a tree, but not in the Western fashion. Not from top downwards. A tree grows up not down. The strokes must be from the base upwards. This was basic, this reverse for life, for organic growth. While you print, each stroke of brush, each moment of finger, of wont, of elbow, contemplates and celebrates this growth.”

Satyajit Ray
Calm Within, Fire Without
Chapter 5 Objectives- Culture

This chapter introduces the concept of culture as the expression of a region, society, set of values and environment. Culture is a manifestation of the human ability to adapt to our surroundings and make from them not only a livable place but an expression of our spirit. This highlights how an individual artist is never fully detached from the society and community in which he moves, and why art reflects something of the person and the place in which it was created.

The readings also examine the use of culture, especially art, in the promotion of political ideology in creating a regime to control society and the individual. This is particularly obvious in Havel’s article but can be found in also in Pieper; both instruct the reader on the need to express truth through culture in the face of ideological abuse. Ideological art both reflects a fictional reality and misleads its observers into thinking that that which they see is real, thus blurring the capacity to discern between fiction and truth.

Readings

i. Christopher Dawson, *Dynamics of History* … 170
ii. Luis Barragan, *Acceptance Speech* … 174
iii. Paul Johnson, *Rules and Ravages of Ideological Art* … 178
iv. Joseph Pieper, “Learning How to See Again” and “Thoughts on Music” from *Only the Lover Sings* … 190
v. Vaclav Havel, Excerpt from *Power of the Powerless* … 196

Questions

1. What is the relationship of culture and art to the way that a society thinks? How does art reflect a culture’s beliefs and values?

2. Can one objectively determine the universal value (beauty) of a given piece or tradition of art?

3. Why would political ideologies take an interest in the creation of art? What can be the effects of this relationship on art? What effect does this relationship have on man?

4. The authors in this section emphasize the need to maintain or regain our capacity to see reality as it truly is. Why would this be essential in art and under totalitarian regimes? Why do these authors worry that we are in danger of no longer being able to clearly perceive reality? What can we do to counter this?
Nothing is more difficult for the natural man than to understand a culture or social tradition different from his own, for it involves an almost superhuman detachment from inherited ways of thought and education and the unconscious influence of his social environment. Indeed the more highly educated he is in his own tradition the less will he be able to appreciate all that diverges from it. It is the old contrast between Hellene and Barbarian, Jew and Gentile which reappears today in the mutual incomprehension of American and European, or Latin and Teuton, or Occidental and Oriental. We cannot bridge the gulf by a purely scientific study of social facts, by the statistical and documentary methods that have been so much used by modern sociologists, for these can never grasp the essential difference of quality that makes a culture what it is. No amount of detailed and accurate external knowledge will compensate for the lack of that immediate vision which springs from the comprehension of a social tradition as a living unity, a vision which is the natural birth-right of those who share in the common experience of the society, but which members of other cultures can only obtain by an immense effort of sympathetic imagination.

It is here that Art comes to our help, for Art, in the widest sense of the word, is the great bridge which crosses the gulf of mutual incomprehension that separates cultures. To understand the art of a society is to understand the vital activity of that society in its most intimate and creative moments. We can learn more about mediaeval culture form a cathedral than from the most exhaustive study of constitutional law, and the churches of Ravenna are a better introduction to the Byzantine world than all the volumes of Gibbon. Hence an appreciation of art is of the first importance to the historian and the sociologist, and it is only by viewing social life itself as an artistic activity that we can understand its full meaning.

It is true that this point of view is not an obvious one for men of our age and civilization. In modern Europe, Art has become a highly specialized activity entirely divorced from the practical needs of ordinary life. We are accustomed to look for Art not in the workshop and the market place, but in the galleries and private collections where the artistic achievements of different ages and cultures are collected like the bones of extinct animals in a museum. The sightseer goes to gaze on a Madonna by Rafael or a Greek statue in the same spirit that he visits the lions at the Zoo. They are something outside our daily life and they owe their value to their strangeness. Modern artistic production has been almost entirely parasitic on wealth, and the little world of the artists, the collectors, the dealers and the critics lives its own life apart from the main current of our modern civilization.

It would be a mistake to suppose, however, that this state of affairs is normal: it is the peculiar product of an exceptional society. Throughout the greater part of history the art gallery, the critic, and the collector have been unknown, though artistic production has been continuous and universal. It is in fact one of the most fundamental of human activities. It is common to the savage and the civilized man. It goes back to paleolithic times, and it is from the artistic record of the human race that almost all that we know regarding the cultures of prehistoric times has been derived. It is indeed difficult to separate the beginnings of Art from the beginnings of human culture, for as I have said, social activity is of its very nature artistic; it is the shaping of the rough material of man’s environment by human skill and creativeness. Man has been defined as a tool-using animal, and the tool is from the beginning that of the artist no less than that of the laborer. Like other forms of life, man is subject to the control of geographical and climatic factors, but he differs from the lower animals in the independence and creativeness of his response to the stimulus of natural conditions. He is not limited to a single type of climate or vegetation; to a large extent he is even the creator of his environment.

We can scarcely imagine a more complete dependence on natural conditions than that which
governs, for example, the life of the Esquimaux. Man is here a parasite upon the Arctic fauna, the reindeer,
the seal and the whale. Everything he has - food, light, warmth, clothing, tents and means of transport -
comes from them. And yet his culture is not a necessary result of climatic and economic determinism. It is a
triump of human inventiveness and skill, a work of art not without its own perfection and beauty, the
result of an age-long process of social co-operation and creative endeavor.
If we study any actual community, whether it be an Esquimaux or an English village, we shall find
that every function of the social organism expresses itself in some significant material form. To every way
of life, there corresponds a whole cycle of the arts of life. In the case of a simple village economy there is
the craft of the mason and the carpenter, the blacksmith and the wheelwright, the potter and the weaver,
the thatcher and the hurdle, and many more; and each of them has its value and significance from the
artistic as well as the economic point of view. Even the village settlement as a whole with its church and
manor house, its outlying farms and its core of inn and cottages centering in the village green or street, has
the form and unity of a work of art. In the past this was all so much a part of men’s common experience
that it was not consciously realized. It is only now when the English countryside is being submerged by the
stereotyped uniformity of the modern house-manufacturer and when the local tradition of craftsmanship is
dying or dead, which we have come to recognize the inexhaustible richness and variety of the old rural
tradition. We see how every region of England produced its peculiar and characteristic types, so that the
stone houses of the Cotswolds, the timber work of Cheshire and the cot and thatch of Devonshire or the
Down lands are as intimate a part of the landscape in which they have grown up as the trees and the
crops.
But popular art does not only mirror the diversities of regional life, it also expresses the differences
of functional type. There is an art of the Peasant, and an art of the Hunter, an art of the Warrior and an art
of the Priest, so that it is possible to judge merely from the cursory examination of an artistic style what is
the dominant social or economic element in the civilization that produced it. Indeed the greatest authority
in prehistoric art, the late Professor Hoernes, used this criterion as the main basis of scientific classification
in dealing with primitive styles.
But is this also the case when we come to a more advanced stage of culture? Hitherto it has been
the tendency of writers on art to admit social control in the domain of primitive art and craftsmanship, but
to deny it in the case of the more advanced types of art. The Fine Arts, to use the aristocratic Renaissance
expression, are looked upon as something absolute, standing on a plane far removed from social and
economic categories. Artistic creation is essentially the work of an individual genius, who is independent of
the milieu in which he works. He is a kind of Melchizedech appearing out of the void, "without father,
without mother, without descent, having neither beginning of days nor end of life."
This view has been handed down from the days of the Renaissance, and it has its roots in the
individualism of fifteenth-century Italy, when the artist and the Humanist, like the successful tyrant,
transcended the bounds of the narrow world of the mediaeval city state. It is itself the product of an
exceptional and highly specialized type of society, which has few parallels in the history of the world. It
would never suggest itself to a critic who was familiar only with the art of India, or Persia or Byzantium.
But this idea has a special attraction in our modern industrial societies where Art is usually thought of
either as a refuge from life, or as the privilege of a cultural minority. Of late years, however, there has been
a marked reaction against this aristocratic individualism.
In reality a great art is always the expression of a great culture, whether it be manifested through
the work of an individual genius or embodied in a great impersonal tradition. For society rests not only on
the community of place, the community of work, and the community of race, it is also and before all a
community of thought. We see this in the case of language, which is fundamental to any kind of social life.
Here ages of thinking and acting in common have produced a terminology, a system of classification and
even a scale of values which in turn impose themselves on the minds of all who come under its influence, so as to justify the old saying that a new language is a new soul. There is also a common conception of reality, a view of life, which even in the most primitive societies expresses itself through magical practices and religious beliefs, and which in the higher cultures appears in a fuller and more conscious form in religion, science and philosophy. And this common view of life will also tend to embody itself in external forms and symbols, no less than do the more material and utilitarian activities of the society. As a matter of fact we know from the magnificent cave paintings of palaeolithic times that man already possessed a religious or magical art of no mean order long before he had learnt to build houses, to cultivate the ground or to domesticate animals.

Thus side by side with these simple arts of life which spring from man’s relation to his environment and the labour by which he lives the domain of craftsmanship—there also exists from the beginnings another type of art which is the direct expression of man’s psychic life, and of his relation to those hidden powers which he believes to control his destinies. It is in the religious life of primitive peoples that we must look for the origins of conscious artistic endeavour and indeed of human culture itself.

The social character of Art is of course most obvious in the case of a simple unified state of society, such as we find in modern Islam or our own Middle Ages, but it is essentially true of all Art. A great art is the expression of a great society, as much as of a great individual, or rather it is the expression of a great society through a great individual. It has been said that a committee has never painted a great picture, but it is surely undeniable that great works of art are often the expression of a corporate tradition. Take the Homeric poems, or the Gothic cathedrals. Of the latter, Professor Lethaby writes, “The work of a man, a man may understand; but these are the work of ages, of nations ... They are serene, masterly, like the non-personal life work of nature”; and the same may be said of the great achievements of religious art all over the world— in ancient India and Ceylon, in Buddhist China and Java, in the Byzantine churches and the early Syrian mosques—where the personal element is merged in an ancient and impersonal tradition.

Nor is it difficult to correlate, for example, the artistic outburst of the Gothic period with the other manifestations of mediaeval genius, whether in thought or action. The rise of Gothic architecture corresponds both in time and place with that of the communal movement in northwestern Europe, so that it is hardly an exaggeration to speak of it as the art of the French communes. So too with the development of mediaeval philosophy. This - like mediaeval architecture - falls naturally into two periods, the second of which, like Gothic, attains its full development in the middle of the thirteenth century and in the North of France. It is true that we cannot trace that anyone of these movements is the cause of the others. Each of them is autonomous and follows its own law of life. Yet each is but an aspect of a real unity - that common social effort which we call mediaeval civilization.

After the Renaissance when European civilization becomes increasingly complex, and art is dominated by individualism on the one hand and the rules of formal criticism on the other, its social character naturally becomes less obvious. Yet even the spirit of individualism itself is a characteristic social trait of the period, and the attempt to regulate life according to abstract rational canons obtains in politics and thought no less than in art. In this as in other things art is the faithful mirror of society.

Moreover, under the cosmopolitan veneer of this conformity to the canons of criticism, society continues to exercise a deep subconscious influence on the mind of the artist and the poet. The great individual artist, Leonardo da Vinci or Velasquez, is essentially the great Italian and the great Spaniard; each expresses that which is deepest and most characteristic in the mind of the people and the age from which he springs. When a man seems to escape from all such categories and to be a stranger in his age, it is usually because he is a stranger in literal fact - one who brings his social past with him into an alien environment; like Theotocopuli the Cretan who learned his craft from the great Venetians, and developed his individual genius in the theocratic and mystical atmosphere of Philip II’s Spain, yet remained to the last
essentially "El Greco," the Byzantine Greek. So too with the typical deracines of nineteenth-century literature (e.g. Heine, half German, half Parisian, but at bottom a Jew). These were in their time powerful influences of fermentation and change, just because they were able to see life with eyes alien to those of the society in which they lived, and thus fertilized the mind of one people by a perhaps unrealized contact with the soul of another. They talked the language of the people among whom they dwelt, but their deeper thoughts and instincts were those of the people from whom they had come.
Acceptance Speech
Luis Barragán

I welcome the opportunity to express my admiration for the United States of America, generous patron of the arts and sciences, which - as in so many instances - has transcended its geographical frontiers and purely national interests to confer this high distinction on a son of Mexico, thus recognizing the universality of cultural values and, in particular, those of my native country.

But as no one ever owes all to his own individual effort, it would be ungrateful not to remember all those who throughout my lifetime have contributed to my work with their talents, assistance and encouragement: fellow architects, photographers, writers, journalists, as well as personal friends who have honored me by taking an active interest in my work.

I take this occasion to present some impressions and recollections that, to some extent, sum up the ideology behind my work. In this regard, Mr. Jay Pritzker stated in an announcement to the press with excessive generosity what I consider essential to that ideology: that I had been chosen as the recipient of this prize for having devoted myself to architecture "as a sublime act of poetic imagination." Consequently, I am only a symbol for all those who have been touched by Beauty.

It is alarming that publications devoted to architecture have banished from their pages the words Beauty, Inspiration, Magic, Spellbound, Enchantment, as well as the concepts of Serenity, Silence, Intimacy and Amazement. All these have nestled in my soul, and though I am fully aware that I have not done them complete justice in my work, they have never ceased to be my guiding lights.

Religion and Myth. It is impossible to understand Art and the glory of its history without avowing religious spirituality and the mythical roots that lead us to the very reason of being of the artistic phenomenon. Without the one or the other there would be no Egyptian pyramids nor those of ancient Mexico. Would the Greek temples and Gothic cathedrals have existed? Would the amazing marvels of the Renaissance and the Baroque have come about?

And in another field, would the ritual dances of the so called primitive cultures have developed? Would we now be the heirs of the inexhaustible artistic treasure of worldwide popular sensitivity? Without the desire for God, our planet would be a sorry wasteland of ugliness. "The irrational logic harboured in the myths and in all true religious experience has been the fountainhead of the artistic process at all times and in all places." These are words of my good friend, Edmundo O’Gorman, and, with or without his permission, I have made them mine.

Beauty. The invincible difficulty that the philosophers have in defining the meaning of this word is unequivocal proof of its ineffable mystery. Beauty speaks like an oracle, and ever since man has heeded its message in an infinite number of ways: it may be in the use of tattoos, in the choice of a seashell necklace by which the bride enhances the promise of her surrender, or, again, in the apparently superfluous ornamentation of everyday tools and domestic utensils, not to speak of temples and palaces and even, in
our day, in the industrialized products of modern technology. Human life deprived of beauty is not worthy of being called so.

Silence. In the gardens and homes designed by me, I have always endeavored to allow for the interior placid murmur of silence, and in my fountains, silence sings.

Solitude. Only in intimate communion with solitude may man find himself. Solitude is good company and my architecture is not for those who fear or shun it.

Serenity. Serenity is the great and true antidote against anguish and fear, and today, more than ever, it is the architect’s duty to make of it a permanent guest in the home, no matter how sumptuous or how humble. Throughout my work I have always strived to achieve serenity, but one must be on guard not to destroy it by the use of an indiscriminate palette.

Joy. How can one forget joy? I believe that a work of art reaches perfection when it conveys silent joy and serenity.

Death. The certainty of death is the spring of action and therefore of life, and in the implicit religious element in the work of art, life triumphs over death.

Gardens. In the creation of a garden, the architect invites the partnership of the Kingdom of Nature. In a beautiful garden, the majesty of Nature is ever present, but Nature reduced to human proportions and thus transformed into the most efficient haven against the aggressiveness of contemporary life.

Ferdinand Bac taught us that "the soul of gardens shelters the greatest sum of serenity at man’s disposal," and it is to him that I am indebted for my longing to create a perfect garden. He said, speaking of his gardens at Les Colombiers, "in this small domain, I have done nothing else but joined the millenary solidarity to which we are all subject: the ambition of expressing materially a sentiment, common to many men in search of a link with nature, by creating a place of repose of peaceable pleasure." It will appear obvious, then, that a garden must combine the poetic and the mysterious with a feeling of serenity and joy. There is no fuller expression of vulgarity than a vulgar garden.

To the south of Mexico City lies a vast extension of volcanic rock, arid, overwhelmed by the beauty of this landscape, I decided to create a series of gardens to humanize, without destroying, its magic. While walking along the lava crevices, under the shadow of imposing ramparts of live rock, I suddenly discovered, to my astonishment, small secret green valleys, the shepherds call them "jewels" surrounded and enclosed by the most fantastic, capricious rock formations wrought on soft, melted rock by the onslaught of powerful prehistoric winds. The unexpected discovery of these "jewels" gave me a sensation similar to the one experienced when, having walked through a dark and narrow tunnel of the Alhambra, I suddenly emerged into the serene, silent and solitary "Patio of the Myrtles" hidden in the entrails of that ancient palace. Somehow I had the feeling that it enclosed what a perfect garden no matter its size should
enclose: nothing less than the entire Universe.

This memorable epiphany has always been with me, and it is not by mere chance that from the first garden for which I am responsible all those following are attempts to capture the echo of the immense lesson to be derived from the aesthetic wisdom of the Spanish Moors.

Fountains. A fountain brings us peace, joy and restful sensuality and reaches the epitome of its very essence when by its power to bewitch it will stir dreams of distant worlds.

While awake or when sleeping, the sweet memories of marvelous fountains have accompanied me throughout my life. I recall the fountains of my childhood; the drains for excess water of the dam; the dark ponds in the recess of abandoned orchards; the curbstone of shallow wells in the convent patios; the small country springs, quivering mirrors of ancient giant water-loving trees, and then, of course, the old aqueducts perennial reminders of Imperial Rome which from lost horizons hurry their liquid treasure to deliver it with the rainbow ribbons of a waterfall.

Architecture. My architecture is autobiographical, as Emilio Ambasz pointed out in his book on my work published by the Museum of Modern Art in New York. Underlying all that I have achieved such as it is are the memories of my father’s ranch where I spent my childhood and adolescence. In my work I have always strived to adapt to the needs of modern living the magic of those remote nostalgic years.

The lessons to be learned from the unassuming architecture of the village and provincial towns of my country have been a permanent source of inspiration. Such, for instance, the whitewashed walls; the peace to be found in patios and orchards; the colorful streets; the humble majesty of the village squares surrounded by shady open corridors. And as there is a deep historical link between these teachings and those of the North African and Moroccan Villages, they too have enriched my perception of beauty in architectural simplicity.

Being a Catholic, I have frequently visited with reverence the now empty monumental monastic buildings that we inherited from the powerful religious faith and architectural genius of our colonial ancestors, and I have always been deeply moved by the peace and wellbeing to be experienced in those uninhabited cloisters and solitary courts. How I have wished that these feelings may leave their mark on my work.

The Art of Seeing. It is essential to an architect to know how to see: I mean, to see in such a way that the vision is not overpowered by rational analysis. And in this respect I will take advantage of this opportunity to pay homage to a very dear friend who, through his infallible aesthetic taste, taught us the difficult art of seeing with innocence. I refer to the Mexican painter Jesus (Chucho) Reyes Ferreira, for whose wise teachings I publicly acknowledge my indebtedness.

And it may not be out of place to quote another great friend of mine and of the Arts, the poet Carlos Pellicer:
Through sight the good and the bad
We do perceive
Unseeing eyes
Souls deprived of hope.

Nostalgia. Nostalgia is the poetic awareness of our personal past, and since the artist's own past is the mainspring of his creative potential, the architect must listen and heed his nostalgic revelations.

My associate and friend, the young architect Raul Ferrera, as well as our small staff, share with me the ideology which I have tried to present. We have worked and hope to continue to work inspired by the faith that the aesthetic truth of those ideas will in some measure contribute toward dignifying human existence.
Ideology is not necessarily the enemy of art but it tends to become so when applied relentlessly and obsessively. If France invented fashion art, Germany invented modern ideological art. Nor was this, initially at least, the work of politicians. They merely followed clumsily in the mud-tracks of the pedagogues, theorists and intellectual exaltés who had pioneered the way. The chosen field for the great ideological experiment in art was architecture, and the key event took place in 1907 (the same year Picasso painted *Les Demoiselles d’Avignon*) when the Deutscherwerkbund was formed in Munich. Its aim was to bring together industrialists, artists and craftsmen to improve the quality of design in German products, and superficially it seemed no more than a formal organisation along the lines of the British Arts and Crafts movement. However, its leading spirit or dogmatist was the Berlin-born Walter Gropius (1883-1969). As Gropius emigrated to England in 1934 and, permanently, to America in 1939, he is often spoken of as an American. But the truth is that all his influential work had been done by 1930, and is thoroughly German in every respect. His father was an official architect and his uncle (whom he resembled) was Director of Art Education in Prussia.

Gropius was not an artist in the usual sense. Indeed, he suffered from a peculiar physical defect. He was unable to hold a pencil and so could not draw. An architectural drawing was beyond him. What he could and did do was teach, laying down principles. They were fivefold. First, architecture must respond to the needs of industry, which was taking over the world, by adopting its methods: efficiency, uniformity, rationality and cost-consciousness. Second, its forms should be functional—that is, directly related—and seen to be so, to the purpose for which the building was ordered. Third, it should be built, as a rule, of modern materials: steel and concrete. Fourth, it should avoid any decoration not needed for its functional end. And, finally, it should stress its conformity to the machine age by basing its designs on straight lines, rectangles, right angles and cubes. These principles were put into operation by ten leading industrial groups, including the giant electric firm AEG, which put up more than a score of large industrial buildings between 1907 and 1919, most of them designed by Peter Behrens; and Fagus, which built a large factory at Alfeld (1911-1913) designed for Gropius by Adolf Meyer. These constructs became emblematic of what was later called the 'Modern Movement'. This in turn (from 1932) spawned the International Style, both forming what another ideologue, Nikolaus Pevsner, its architectural historian, called, "the recognised accepted style of our age." The two together lasted over half a century, from 1910 to the end of the 1960s.

There were two things wrong with Gropius’s ideology. First, industrial architecture was over a century old by the time the Werkbund was formed. The first custom-built steam-powered factories were erected long before the end of the eighteenth century, in industrial Lancashire, often on a huge scale. They were cost-efficient, made of the latest materials, and strictly functional. But they were also austerely elegant and, in places, decorative so that where they have been turned into high-priced flats, duplexes and houses for the fortunate middle classes, a process begun in the 1980s and continuing today. If Gropius had studied the output of the first great industrial designer, Thomas Telford (1757-1834), who built roads, canals and bridges, often on an enormous scale, all over England, Wales and Scotland, he would have found that Telford always operated efficiently, functionally and rationally, so that seventy-five per cent of his vast output is still in daily use, two centuries after it was built. But Telford, by training a stonemason, always had a high regard for beauty as well as function, believing that the two usually coincided, since he accepted Keats’s maxim that truth, the moral expression of function, is also beauty. Virtually everything Telford designed and built is beautiful, if simple and economical, down to the road furniture like milestones, lock gates, bridge balustrades and workers’ houses. Moreover, he set an example followed by the early railway engineer-designers, the Stevensons and the Brunels, who always sought to combine
function and beauty, and who employed some of the best designers in Europe. This is one of many reasons why early railway architecture and machinery, from stations to viaducts, are so highly regarded today and, where it has survived, are so carefully conserved.

So Gropius was anachronistic in this respect. He was also out-of-date in another very significant way – a good example of how ideologists, when they strive most earnestly to be 'modern', often enslave themselves to the past. The Modern Movement, by placing the design stress on right angles, dismissed curves as outmoded. Its adherents were taught at school that modern industry reproduced in the practical world the theoretical basis of modern science, which itself was ultimately dependent on the straight lines of Newton’s physics, describing how the universe worked. The movement was therefore attempting to make architecture ‘scientific’ by forcing it to comply with the rules of physics. But what were the rules? In 1905, two years before the Werkbund was formed, the Swiss mathematician Albert Einstein, then twenty-six, had published a paper entitled ‘On the Electrodynamics of Moving Bodies’, which became known as the Special Theory of Relativity. This was an attempt to correct certain anomalies in Newtonian physics, hitherto unexplained, by showing that space-time did not operate in straight lines so much as in curves. In 1915, Einstein expanded his paper into the General Theory of Relativity, which was verified conclusively by astronomical observations as soon as the war was over. Hence, by a curious paradox, the curves of Art Nouveau, despised by Gropius and his colleagues, were closer to modern physics than the straight-line style they promoted as the Modern Movement.

In 1919, Gropius had been appointed head of a new art academy in Weimar, capital of the postwar German Republic, which he called the Staatliches Bauhaus. He found its accommodation old fashioned for a project which proclaimed itself a utopian scheme to found a ‘total art’, ‘which will embrace architecture and sculpture and painting in one unity, and which will arise one day towards heaven from the hands of a million workers’. The stress on ‘total’ is significant. The word that came from Wagner’s ‘total’ theatre at Bayreuth, was being taken up by politicians and was producing the concept of the ‘totalitarian state’, which ordered every aspect of society from a single ideological viewpoint. Also significant was the stress on ‘workers’, another compulsory word at the time. Middle-class intellectuals were anxious to identify themselves with the industrial proletariat, and though Gropius repeatedly stressed that his Bauhaus aimed to create craftsmen, and its very name suggested a medieval guild, the reference to the centrality of ‘workers’ was intended to suggest identification with socialism. The Bauhaus was, in effect, a modernistic design centre for mass-produced products of all kinds, from chromium-plated teapots to giant electric turbines, and for buildings which embodied Gropius’s principles of impersonality, geometrical shapes and severity.

When Gropius moved the Bauhaus to Dresden in 1925 he designed the new buildings himself. They were strictly rectilinear and functional, of concrete, metal and glass, the last element being used in vast hanging planes, a trick soon taken up by other architects. Indeed, the whole complex was specifically designed to be, and became, an exemplar for the Modern Movement. Gropius’s own office, from light fittings to carpets and wall decorations, including the specially designed furniture, contained not a single curve: all was linear, right angles, rectangles and squares. The only decoration in the entire building was the vertical sign BAUHAUS on the exterior, a genuflection to Gropius’s profound belief in the importance of advertising in the modern world. Indeed, if Gropius and the Bauhaus were good at one thing, it was self-publicity, a skill which, as we have already noted in the case of French fashion art, was of central importance in the twentieth century.

That was a skill also possessed, to an unusual degree, by Charles-Edouard Jeanneret (1887-1965), the Swiss architect who now joined Gropius as godfather of the Modern Movement. Indeed, he had it to a degree that no other artist in the twentieth century could rival, Picasso himself excepted. He was brought up in the traditional Swiss craft of watch-engraving, then trained as an architect under Gropius’s
master, Peter Behrens, in Berlin. He set up his own business in 1912, at the same time changing his
cynical name for the arresting trade logo Le Corbusier (the Crow-Man). As Le Corbusier was a prolific
and compelling writer on architectural matters, his practice immediately attracted immense attention. His
central object was to house, on an enormous scale, the new industrial proletariat. He brought to this
obsession an enthusiasm,
based on a misunderstanding for the theories of the American efficiency expert Frederick Winslow Taylor.

Taylor’s aim was to do scientifically what Henry Ford did instinctively: to raise productivity in the
process of maximising production. He was the first to make systematic use of time-and-motion studies, and
his goal was the perfectly sensible one of persuading capital and labour to abandon their old struggle of
who got most of the cake by working together to produce a bigger cake. That is what he called ‘scientific
management’. His notion was taken up by an American sociologist called Christine Frederick, whose book,
*The New Housekeeping: Efficiency Studies in Home Management*, was published in New York in 1913,
applying Taylor’s principles to cooking, cleaning and child-rearing. Corbusier got hold of the idea during
the war. He thought ‘Taylorism’ was ‘horrible’ but also ‘the ineluctable life of tomorrow’. He soon decided
that it was not horrible at all but exciting, offering the chance to ‘exploit scientific discoveries’ to improve
‘the business of living’.

This was the same emotional response to the war as Lenin’s, who had been impressed by Marshal
Ludendorff’s application of ‘war socialism’ to maximise arms production in Germany, 1916-18, and
produce a ‘total effort’. Lenin made it the basis of the ‘command economy’ he was imposing on Russia at
exactly the same time as Corbusier was applying Taylorism to architecture. Corbusier decided that, if
Frederick’s attempt to make the housewife as efficient as a well-trained factory worker was to succeed, her
‘environment’ – a neologism of Carlyle just coming into use – must be designed in an efficient way too.
That is the origin of his concept of a house as ‘a machine for living’. The principle of efficiency, he
argued, detonated an ‘immense revolution in architecture’ which ‘automatically overturned’ the old-style
‘aesthetic of construction’. What is so sinister about Corbusier is not only his replacement of aesthetics by
science and engineering, hitherto its servants, but his assumption that there was only one way of doing
things in architecture. His writings are heavy with compulsive terms like ‘must’. What must come, he said,
were ‘soldier architects’ who could ‘construct complete houses in three days’, which, transported by road,
would be ‘habitable three hours after being put on site’. Corbusier pounced upon a French law of 1922,
providing for low-cost housing, to try and persuade big car firms like Renault, Citroën and Creusot to join
with him in creating entire new cities of mass-housing estates, what he called *La ville radieuse*. The
workers’ blocks were to consist of ‘totally industrialised houses…. We extrapolated the house, so to
speak, from clay and quarry and mortar. We transported it to the industrialised factory, the Taylorisation
belt.’

Here again, as it happens, the scientific novelty was an old idea. When the new industrialized
towns were being built in Lancashire, Yorkshire, the Scottish Lowlands and Birmingham between 1780 and
1830, semi-industrialised houses of brick and slate were put up in enormous numbers, very cheaply, by
speculative builders who did not even employ an architect. Back-to-back, two-up- two-down, these houses
were highly popular among rustics moving into urban spaces to become mill-workers. Most were destroyed
by middle-class planners as part of ‘slum-clearance schemes’, 1945-60, the inhabitants being decanted
into tower-block flats of the type Corbusier advocated in 1922. But where such houses survive, they are
now, in the early twenty-first century, much sought-after and command high prices, precisely because they
are houses, as opposed to ‘dwellings units’, to use Corbusier’s term, and so can be personalised. What
Corbusier wanted can be seen from his 1925 publication, *plan voisin pour Paris* (the neighbourhood
scheme) which shows immense blocks fifty storeys high, each containing five hundred apartments, grouped
in half-dozens around squares and circles.
These were fantasy-schemes, satirised by Fritz Lang in his movie *Metropolis* (1926) and Charlie Chaplin in *Modern Times* (1936). Corbusier himself did not succeed in getting any of his big schemes carried out until after the Second World War, when Communist-controlled municipalities in France allowed him to build them, as for instance in the Marseilles-Michelet complex, 1945-52. These Unités d'Habitation, as he called them, were oblong concrete blocks squatting on thick inverted rhomboids, each containing hundreds of machine-homes. Corbusier was not the only architect who thought in these dehumanising terms. In 1924, Ludwig Karl Hilberseimer produced plans and drawings (Chicago) for what he called the *Hochhausstadt*, the high-rise city, consisting entirely of twenty-storey rectangular blocks, in groups of ten, linked by high-level pedestrian walkways.

Another mass-minded architect was Ludwig Mies van der Rohe (1886-1969), who specialised in running housing exhibitions and succeeded Gropius at the Bauhaus in 1930. Mies designed individual houses as well as high-rise blocks. He ran the famous 1927 Stuttgart housing fair at which were exhibited plans for modernistic houses for the wealthy, designed by Gropius, Corbusier, J.J.P. Oud (1890-1963) and himself. His Tugendhat House, at Brno in Czechoslovakia, 1930, was regarded as the ‘paradigmatic’ house of the Modern Movement, along with Frank Lloyd Wright’s own house, Fallingwater, at Bear Run in Pennsylvania (1936). Mies was even more of an ideological purist than Corbusier, and was the real godfather of building block housing estates. He justified eliminating all decoration by his dogma: ‘Less is more.’ His 1921 concept for gigantic skyscraper housing in Berlin remained a mere drawing (New York, MoMA) and he had to keep down the levels of his 1927 housing estates at Stuttgart. But in the post-Second World period he became the archetypal housing-block designer with such exercises in ‘pure’ functionalism as the Lafayette Park estate in Detroit, 1955-63. His designs were imitated all over the world for mass-produced high-rise work.

Even in the 1920s, German architects produced in German-speaking territories such daunting examples of ideological architecture. The largest and most dehumanised was the vast estate, the Berlin Siedlung, created 1925-31 by Bruno Taut and Martin Wagner, providing homes for 50,000 people in a series of tenement blocks and oblongs grouped round a central horseshoe. Ernst May’s elongated blocks in Frankfurt in 1930, were of the same kind and characteristic of hundreds built during the decade 1925-35. Most sensational of all was Karl Ehn’s 1928 Karl Marx Hof in Vienna, a vast modernistic structure built to house the workers in what was deliberately conceived as an ideological or communal dwelling.

While the architects were engaged in their own versions of totalitarian planning, the actual dictators were getting to work to change, among many other things, the way in which art was seen and created. We will look at Fascism first because this was closely linked to an artistic movement, Futurism, Italy’s contribution to Paris fashion art, launched in *Le Figaro* on 20 February 1909. Although pre-war, it adumbrated many of Corbusier’s post-war emotions about the senility of the past and the opportunities of the future. The actual manifesto of Futurist painters, written by Gino Severini (1883-1966), their leader, the *Manifeste dei pittori futuristi*, and published in 1910, announced:

> We want to fight ferociously against the fanatical, unconscious and snobbish religion of the past, which is nourished by the evil influence of museums. We rebel against the supreme admiration of old canvases, statues and objects and against the enthusiasm for all that is worm-eaten, dirty and corroded by time; we believe that the common contempt for everything young, new and palpitating with life is unjust and criminal.

This appeal to youth was popular at a time when the first youth movements were springing up all over Europe, and their leaders formed the most enthusiastic supporters of militarism, on both sides, when the First World War broke out.

Benito Mussolini, hitherto a fairly orthodox Marxist, much praised by Lenin, was a fervent supporter of Futurism, which coincided with his own ideas of turning ‘somnolent Italy’ into a machine of
progress, and he saw the war as an opportunity to do it. He thus broke with official Marxism, became a socialist nationalist and announced his intention to 'velocitare l'Italia' – speed up Italy – which defined exactly what Futurism was about in three words. Its images were trains, aircraft, machines, explosions, cinemas, bullets – anything made of metal which moved fast. Like Severini, Mussolini’s strongest personal characteristic was impatience. He also shared the violent instincts of the Futurists, many of whom joined his ‘Black Shirt Movement’, which by 1922 controlled Italy’s streets, and led to his assumption of power. On 29 October, waiting on Milan station to take the night-train to Rome to form his dictatorship, he was observed furiously consulting his watch as the train was late starting. His words were much quoted: 'I want the trains to leave exactly on time. From now on everything must function perfectly.'

With Mussolini in power, most of the Futurists settled down to a life as exemplars of the art establishment. Severini himself produced wall-decorations and mosaics for some of the regime’s prestige buildings, such as the Palazzo di Giustizia in Milan, the University of Padua and the big new post office in Alessandria (1936-37), though oddly enough his finest work was decorating the Sitwell family home in Italy, the Castello di Montegufoni. The destructive aspect of Futurism was abandoned both by its members and by the Fascist government: instead, both turned to ancient Rome as the exemplar of Italian greatness, the fasces themselves symbolising ‘the return to order’ after the ‘idiocies’ of pre-war fashion art in France, and the senseless barbarism of the Great War, Rome replacing Paris as the arbiter of taste and beauty. Naturally, the modelling on ancient Rome placed architecture at the centre of the state’s effort. Mussolini led the modern world in one respect. His state subsidised a vast amount of public buildings by those he regarded as the world’s leading architects and this was reinforced by the Two Per Cent law, under which two per cent of all expenditure on public works programmes had to be spent on visual works of art.

Italy was then a comparatively poor country, with Europe’s (and perhaps the world’s) highest birth-rate at that time, producing a desperate flow of emigrants to Argentina and elsewhere. But it actually spent more money on the arts, under Mussolini, than did France, traditionally the state with big money. This expenditure was enhanced by the creation of the Sindicato Fascisti degli Artisti, which looked after the material interests of the profession, by the Ufficio per l’Arte Contemporanea, which promoted creative activities, and by a notable series of art shows, including the Biennale in Venice, the Triennale in Milan, the Quadriennale in Rome, and special exhibitions such as the 1936 Rome Convegno di Arte. The last was attended not only by Marinetti and Severini but by the Cubist Maurice Denis and by Le Corbusier, now regarded in Italy as the most significant exponent of 'total' architecture. Art in Fascist Italy was state-directed, in accordance with Mussolini’s totalitarian doctrine: 'Everything for the state, nothing against the state, nothing outside the state', but it was inclusive rather than exclusive. Paris-style fashion art never got official approval because it could not be fitted into Mussolini’s increasing preference for Roman-style classicism, but it was tolerated. Indeed, in the decade 1925-35 every style of art flourished in Italy.

The chief impact of Mussolini’s support for architecture fell on the railways, as was natural. It can be argued that the greatest of all railway stations were built in Italy between the wars. The two outstanding examples were Milan Central Station, designed by Ulisse Stacchini (1871-1947) and finished in 1931, a monumental piece of inter-war classicism, shaking a columned and porticoed fist at what was going on in Gropius’s Germany, and the Santa Maria Novella Station in Florence, 1935, by Giovanni Michelucci (1891-1991), whom some would rate the finest modern Italian architect. Its magnificent glass-covered entrance hall, both ends of which are open, is a piano nobile built to serve the twentieth century, made of the highest-quality materials crafted by superb workmanship, though all of its hard-stone murals, except two, have been destroyed by war and vandalism. The Milan station was one of the centre points of a restructuring of the city on a scale not carried out on any European town since the big avenues were driven through Paris by Haussmann, 1852-78. As under Napoleon Ill’s dictatorship, Mussolini’s quasi-absolute power enabled the plan to be carried into effect ruthlessly, and the result was to create in Milan...
one of Europe’s handsomest cities, with the first modern peripheral road system, and what was for many years the best modern airport. But, as with every other aspect of his regime, Mussolini’s arts policy began to disintegrate once he came under the influence of Hitler and the Nazis from about 1934 on.

Fascism had been a broad-based movement in the early 1920s. It had included, for instance, many Jews in its upper ranks, and they had helped to keep it comparatively tolerant, especially in the arts. Once Mussolini embraced Nazi-style anti-Semitism, they and others drifted away from it. Mussolini became involved in extreme militarism, imperialism and the Pact of Steel with Hitler, and lost interest in the arts. The war finished him and Fascism, which had virtually ceased to exist as a coherent ideology by 1943. All the major arts projects had halted even earlier, and the last of them, Mussolini’s vainglorious vast and caesarian triumphal arch, near Tripoli, was never finished.

Why did Hitler’s Third Reich have such a corrosive impact on fascist arts policy, hitherto its most attractive feature? And why was Hitler’s own arts policy so unsuccessful? These questions need answering, for Hitler was more interested in the arts than was any other twentieth-century dictator. Indeed, next to anti-Semitism, art was his greatest passion and occupied a high proportion of his mental energies. Hitler had been an artist and in many ways thought like one. There are three reasons for this failure. First, Nazi arts policy was negative. In this respect it merely perpetuated a tradition which went back to the sixteenth century but had become predominantly German. Machiavelli had first coined the phrase ‘corrupt art’ in his Discorso. Bellori had applied it to Michelangelo. Corrupt art was anti-nomial or irregular. Nietzsche used it in this sense. It was joined to the word décadence, or Entartung, much used in France and Germany in the nineteenth century. The Kaiser, Wilhelm II, had denounced Impressionism as Gossenmalerei, the work of guttersnipes and was in the process of imposing art censorship when the 1914 war broke out. The Weimar Republic permitted more liberty of artistic and literary expression than any earlier German regime. But opposition on this point was growing long before its collapse, since Weimar had replaced Paris as the international centre of experimental profligacy. The first move towards censorship came in 1930 when the Minister for Education, Von Thüringen Frick, ordered the removal of seventy paintings from display at the Weimar Museum. His policy was, he said, ‘To oppose Negro culture and promote German traditions.’ One museum director was removed for patronizing artists like Otto Dix, Emil Nolde and Oscar Kokoschka. The particular target was German Expressionist artists but a declaration by Bettina Feistel-Rohmeder, head of the German Art Society, calling for the removal of certain museum directors for promoting ‘cosmopolitan and bolshevik’ tendencies was clearly aimed at Jews.

There was debate among the Nazis as to what constituted degenerate art. Joseph Goebbels, who was in charge of culture as well as propaganda, wanted to label Expressionism as ‘German’ and therefore acceptable; he was impressed by the use Mussolini had made of Futurism. But Alfred Rosenberg, the Nazi art ideologist, who had run the Campaign for German Culture since 1927, was emphatically opposed to Expressionism, and he won the battle for Hitler’s support. Hence, the big Nazi Entartete Kunst, or ‘Degenerate Art’ exhibition, which opened on 18 July 1937 in the Munich Archaeological Institute, was all-inclusive, showing 650 works by 112 artists drawn from 32 German collections. They included Corinth, Dix, Nolde, Grosz, Kandinsky, Chagall, Ensor, Munch, De Chirico, Gauguin and Matisse. Hitler always referred to degenerate art as ‘Cubism and Dadaism’, maintaining that it started in 1910, and the ‘Degenerate Art’ exhibition bore a curious resemblance to the big Dada shows of 1920-22, with a lot of writing on the walls and paintings hung without frames. As such, it was the most successful art exhibition ever held in Germany up to that date, with over 2 million visitors even before it left Munich to go on tour.

The success of the ‘Degenerate Art’ exhibition can be variously interpreted. What is indisputable is that the Nazis could never arouse the same enthusiasm for the ‘positive’ exhibitions they held, though they tried hard. Between 1933 and 1945, Germany had more state-organised art exhibitions than any other country in the world, including Italy. Hitler got his chief architect, Paul Ludwig Troost, to design a severely
classical Haus der Deutschen Kunst, 1933-37, to be the centre of the German art movement, and when Troost died, Albert Speer was charged with the same programme of promoting German art through classical buildings. But Hitler was often indecisive and confused on art issues, as on other aspects of policy. He could not decide, for instance, whether to make Munich or his own favourite city, Linz, the art capital of the Third Reich. He was good at promoting some designs. Sports stadia, led by Speer’s big one in Nuremberg, were excellent, and Hitler made brilliant use of, if he did not actually invent, son et lumière techniques for his rallies. He was responsible for the Volkswagen, or ‘people’s car’, a design which lasted half a century. The first expressways were built under Weimar, but it was Hitler who pushed the network to completion, one of his motives being to protect historic cities from destruction by traffic, something the British for instance were tragically slow to follow. Nazi sumptuary, especially uniforms, was first-class, one reason why it is so avidly collected.

On the big issues, however, Hitler does not seem to have known his own mind. Positive Nazi arts policy was based on the Biedermeier style of architecture of Schinkel and the Romantic School Friedrich, both of which were resurrected at this time. The ideologist of Nazi architecture was Paul Schultze-Naumburg, author of Art and Race (1928) and The Face of the German House (1929). This was violently opposed to the Modernist architecture of the 1920s, and indeed to urban styles of almost any kind. Equally, on paintings and culture generally, the key Nazi tract was Richard Darré’s The Peasantry as the Life Source of the Nordic Race (1928), which preached the doctrine of ‘blood and soil’. This was the foundation of the positive side of Nazi art policy, in so far as it had any.

In theory, then, Nazi effort should have concentrated on the countryside and developed a rural architectural style. But nothing was done. Rosenberg was a fool, and Goebbels, though clever and energetic, had been overruled and lost interest. Speer was obsessed by the city and spent his time working on plans to rebuild Berlin on white marble classical lines, culminating in a colossal domed building nearly 1,000 feet high. He discussed with Hitler the spectacular garden cities which were to be built in Eastern Europe, rid of Slavs and Jews, when they became German ‘living space’, but these were mere projects. In any case, Hitler soon put Speer in charge of war production which left him no time for architecture. Strictly speaking, Nazi architectural theory lay down that the only acceptable materials for buildings were stone in the cities, wood in the country and brick in the Baltic provinces. But Speer made brilliant use of ferroconcrete for his massive submarine pens which proved impervious to the heaviest Allied air assaults. Nazi policy was full of such contradictions.

There is a continuing mystery about the approved paintings and sculpture produced in the years 1933-45. The vast majority of such works has disappeared: destroyed by air-raids, looted by the Russians, confiscated by the Allies or simply suppressed. If the Nazis removed nearly 16,000 degenerate works from state institutions, the German Federal Republic has kept a much larger number in store, so it is impossible to say authoritatively what merit, if any, Nazi art possessed. What can be said is that the Nazi campaign against so-called degenerate art was the best that could possibly have happened, in the long term, to the Modern Movement. Since the Nazis, universally reviled by all governments and cultural establishments since 1945, tried to destroy and suppress such art completely, then its merits were self-evident morally, for the familiar if illogical reason that ‘my enemy’s enemy is my friend’. These factors, so potent in the second half of the twentieth century, will fade during the twenty-first, but they are still determinant today.

Careful analysis of fundamentals shows that Nazi Germany and Soviet Russia had far more in common than in antagonism, and certainly more than either cared to admit. It applied to arts policy and to the kind of art each produced. But this was not immediately apparent, and Hitler, who tended to get into time-warps, remained convinced that degenerate art was the fruit of Bolshevism, which he equated with ‘international Jewry’. This conclusion had an element of truth at the time but the days of modern art in the Soviet Union were already drawing to a close.
In the last phase of Tsarism, experimental art had flourished in Russia, the Ballets Russes, with their stress on design, costuming and décor, being part of the fun. Apart from Leon Bakst and Marc Chagall, Russia produced no major artists. But many worked in modern idioms and were exhibited alongside works from Paris in several spectacular shows, the 'Golden Fleece' exhibition of 1908, the 'Knave of Diamonds' show of 1910 and the 'Donkey's Tail' show in 1912, which exhibited Kandinsky among other Russians. The Russians produced three varieties of fashion art: Rayonism, Suprematism and Constructivism. Some important collections were built up by wealthy Russians, now mainly gathered at the Hermitage Museum.

When the Bolsheviks took over at the end of 1917, Lenin, who was not interested in art, allowed the show to go on. But individual artists, like Chaim Soutine (1893-1943), Alexander Archipenko (1887-1964) and Bakst, who could make a living in the West, refused to identify with the new Russia. An exception was Kandinsky, who held professorships in art, 1918-21, and founded the Russian Academy of Artistic Sciences in 1921. But the next year he sensed a chill wind of change and left to join the new Bauhaus. There was a strong element of collectivism, even in the early days of the regime. Artists operated in groups: the Cubo-Futurists, the World of Art group, the Union of Russian Artists, the Society of Easel Painters, the Circle of Artists, the Makovets group, the Four Arts Society and the Association of Artists of Revolutionary Russia were some of these sects. Some first-class work was done in poster art, book illustration and the theatre, and it is now highly prized by collectors. But after the death of Lenin, and the rise to dictatorial power of Joseph Stalin, who was effectively the autocrat by 1926, experimental art gradually ceased and by 1930 was extinct.

The best work of the period was done by pre-war architects, like Ivan Fomin and Aleksey Shchusev, working in a variety of classical styles. And here it is again worth drawing attention to the strong propensity of dictatorial regimes to prefer the classical mode, especially for public works. The pull of Caesarism was irresistible. It was too strong for Bonaparte, who never allowed himself to indulge in romanticism. It was the preferred style of Mussolini and Hitler and it proved the only form of architecture with which Stalin felt himself at ease. In the early days of the regime it was dubbed Proletarian Classicism, and found expression in the Moscow Dynamo Club Building, essentially a football stadium, the Moscow Polytechnic, the All-Soviet Building, the Lenin Tomb in Red Square (all 1927-32) and other structures, though some of them were categorized Neo-Renaissance, such as the Intourist Building in Moscow (1933) by Ivan Zholtovsky. In the 1930s, modernised classicism, in which pilasters usually took the place of pillars, cornices were suppressed or simplified, capitals were plain and bases omitted, became the International Totalitarian style, and in Russia it persisted into the 1980s, the Lenin Museum (1988) by Leonid Pavlov being an example.

It is ironic to reflect that, if Hitler had actually conquered Russia, his garden cities would have been built in this style. There was plenty of it in the West too, such as the Musée d’Art Moderne and the Palais de Chaillot, both Paris and both 1937; in Britain there was the London University Senate House (1933-36) and the City Hall, Swansea (1930-34). The same triumphalist tendencies can be seen in 1930s designs for electric power generation. The gigantic Hoover Dam, the TVA infrastructure and such British power stations as London’s Battersea are far better designed than their equivalents in Russia, such as the Volvograd Dam, but visibly spring from the same emotional form of classicism, the exaltation of brute strength. Russian design tended to lag half a generation or even a whole one behind the West: Art Nouveau motifs were still appearing in 1930s designs and Art Deco ones in the 1940s and even 1950s. Moscow’s underground stations of the 1930s, some on the most sumptuous scale, have interiors which were a mixture of French Second Empire and English Edwardian, with a touch of Art Deco added. Most extraordinary of all, as an obsolescent-original form, was the so-called Wedding Cake style of pseudo-skyscraper architecture, based on the Woolworth Building in New York and the Chicago Tribune Tower. It reached its apotheosis in the
vast, seven-towered Moscow State University in the Vorobyov Hills outside the city, designed by a team led by Led Rudnev. Such being the vagaries of human taste, these archaisms are likely to be proved the most cherished creations of the Soviet Union in a hundred years’ time (if still erect).

It is only right, at this point, to note that ideological culture was also highly destructive. In Russia, between 1917 and 1924, and leaving aside the ravages of the civil war, literally thousands of cathedrals, churches, chapels, monasteries, and other religious buildings were destroyed, damaged, converted, or brutalized for political reasons, and a detailed inventory of the loss has yet to be compiled: it is comparable to the destruction carried out under the French Revolution. In 1936-37, the Communist Party in Spain was likewise responsible for the destruction of hundreds of religious buildings, many of them medieval (though the Franco regime, which succeeded the Republic in 1939, was likewise responsible, 1945-70, for wholesale vandalism, conducted for corrupt commercial reasons; in Valladolid alone, for example, forty medieval buildings were demolished and replaced by cheap apartment houses). Ideological fanaticism was active in some of the Soviet satellites, especially in Romania, where large-scale destruction of ancient villages (some medieval) took place as late as the 1980s, while Wedding Cake public buildings, on a huge scale, were being constructed right up to the collapse of the regime in 1990s. The worst ideological destruction of the entire century occurred in Communist China during the Cultural Revolution, 1966-76, a disastrous decade for humanity when 20 million people perished and immense quantities of art, from buildings and gardens to calligraphic scrolls, paintings, porcelain, bronzes and furniture were systematically destroyed. Here again, no inventory of the losses has been even roughly compiled, and a detailed one may never be possible. But it is clear that this event was without precedent in the whole of human history, in the number of people killed and the quantity of art reduced to ashes.

The Leninist-Stalinist dictatorships, from which all these evils ultimately sprang, led to an authoritarian control of art expression which was just as absolute and vicious as Hitler’s Third Reich. In 1932 the Communist Party Central Committee passed a resolution, ‘On the Restructuring of Literary and Artistic Organisations’, which was the exact equivalent of Nazi legislation in 1933-34, itself almost certainly based on the Soviet example. Under this, all existing artistic organisations and groups were disbanded. Two years later, in 1934, Socialist Realism was declared to be ‘the fundamental style’, and for the next fifteen years was assiduously promoted by the regime’s cultural dictator, Andrei Zhdanov. A court painter was appointed, in the person of Aleksandr Gerasimov, whose double portrait, I. V. Stalin and Marshal K. Ye. Voroshilov in the Kremlin (1938, Moscow, Tretyakov), is indicative of the kind of painting favoured. The same year he painted it, Gerasimov told the Artists’ Union (which monopolised all patronage) that it had been necessary to eliminate ‘certain criminal artists’ since ‘enemies of the people, Trotskyist- Bukharinite guttersnipes, Fascist agents and others active in art, have been unmasked and exterminated by our security services’. This was the first art purge. A second in 1946, aimed mainly at Jewish artists under the heading ‘rootless cosmopolitanism’, led to the removal of hundreds of art-works from museums, and the death or imprisonment of many artists. A third was planned at the time of Stalin’s death in 1953. Art censorship of the most implacable kind continued till 1956 when Nikita Khrushchev’s Secret Session Speech introduced a limited relaxation, but official art policies remained nominally in force until 1989.

During these six decades the amount of worthwhile art produced in Russia remains conjectural because a good deal of it was produced privately and remains in private hands. As in Germany, 1933-45, there is a black hole into which work has disappeared and may never re-emerge. But it is not true to say that Socialist Realism produced nothing of merit. First, there was a revival of history-painting in the manner of Surikov. It was propaganda (as of course is most history-painting), but often has a gruesome fascination in providing imaginative reconstructions of events unrecorded by the camera. In this category falls Grigori Shegal’s powerful Kerenski’s Flight (1937, Tretyakov), showing Russia’s first democratic prime minister
dressed as a Red Cross nurse to avoid capture by the Bolsheviks, and the mesmeric *The End, or Hitler’s Last Days in the Bunker* (1948, Tretyakov), apparently painted by a three-man team known as Kakruniksy. An attack on pre-1917 capitalism, Boris Loganson’s *In an Old Factory in the Urals* (1937, Tretyakov), is a superb realist painting by any standards. Second, there was a good deal of first-class landscape painting produced, of which Nikolai A. Abramov’s *April in the Motherland* (1969, private) is an example. Some were produced by Gerasimov himself, who despite his sycophancy – reminiscent of David’s under Bonaparte – knew how to paint, as is shown by his *An Orchard* (1935, private). There was also some moving genre painting, especially by Yuri P. Kugach, whose family-and-child pictures, such as *On Saturday, or Little Girl Having her Hair Done* (1964, Tver, Regional Picture Gallery) and *In the Family; First Steps* (1965, Nizhni-Novgorod, Art Museum) are as good as anything produced anywhere in that unfortunate decade.

Then, there is the work in the Surovyi Stil, or Severe Style, produced between about 1950 and the end of the regime, especially by Gely Korzhev, the one major painter to emerge during the entire Soviet period. Surovy means unbleached brown, and refers to the dark side of Communist existence. Korzhev was by position a conformist who held high office in the Soviet art system, like Gerasimov, and it is not clear why he was allowed to paint heretical pictures which showed life in the workers’ paradise to be hard, ugly, dirty, painful and ultimately hopeless. In a succession of immensely powerful pictures, *Lovers* (1959), *Wounded* (1964), *A Mother, Old Wounds* (1967; all in St Petersburg, Hermitage, or the Russian Ministry of Culture), he painted a view of Soviet life which was uncompromisingly honest, terrifying, and at the same time moving. His 1962 work *On the Road*, showing a woman with her baby framed against a lorry (Samara, City Art Museum), is a masterpiece of savage realism of a kind which has not been produced in Europe for more than a half century. Russian painters who detested and criticised the regime were attacked for their failure to ‘move on’ from Repin, and it is true that one of the best of them, Sergei Grigorev, consciously echoed the old master in *He’s Come Back* (1954, Tretyakov), where a miscreant husband has returned to his skeptical wife and puzzled children – a fine piece of work. But such strictures of plagiarism do not apply to Korzhev, the awkward Courbet of twentieth-century Russia.

The year 1932, in which Stalin’s art dictatorship was first fully imposed, was also the year in which the Modern Movement graduated to the International Style, marked by a decisive exhibition of architectural designs at New York’s Museum of Modern Art. There were connections as well as chronological coincidences. If ever a society set out to implement the kind of Taylorian mechanisation of life through mass-produced architecture which Corbusier wanted, it was Stalin’s Russia. Styles and detailed plans were laid down centrally. Component parts of housing units were turned out in factories. Yet the results were almost universally deplorable, not just in quality, which is not surprising, but in quantity, which is. It remains one of the great cultural mysteries of the twentieth century that Russia, where there is no shortage of building land anywhere, which had a rapidly falling birth-rate throughout the Soviet period, and which at least could produce steel and concrete in vast quantities, contrived to have an acute housing shortage during the entire three-quarters of a century of Communist rule. Like the missing wash-basin plugs, there is no explanation. The Soviet Union even contrived to export its housing shortage to its docile satellite in Germany, a country with a long record of efficient housing construction not least under the Nazis. Shortage was accompanied by designs which repeated all the worst excesses of the Modern Movement and the International Style, but added an extra twist of collective ugliness. Among the most repulsive monuments of the entire twentieth century is the seemingly endless panorama of shops and flats built in 1951-57 in East Berlin, officially known as the Karl Marx Alley, usually called Stalin Alley. This was not a specially depraved Soviet style but a Communist version of countless International Style buildings put up immediately after the war, as in (for example) the 1945-54 reconstruction of Le Havre in France, tower-block flats designed by Auguste Perret.
The three decades 1940-70, when the International Style ruled triumphant, appear from the perspective of the early twenty-first century as the most lamentable time in the history of architecture, from the early medieval period onwards. The style was truly international in that its dread manifestations appeared everywhere, not least in Asia and Latin America. A conspicuous example was Brasilia, the proposed federal capital (1956-86) of what was then regarded as 'the country of the future'. Federal capitals were not new. The concept of Washington, D.C., went back to 1786 and an early-twentieth century experiment was carried out in Canberra, the new federal capital of Australia, from 1912, according to an urban design by the American architect Walter Burley Griffin (1876-1937). This was a pre-World War I concept when the garden-city type of suburban planning was still paramount. Though the city really only began to take shape after the lake, integral to Griffin’s plan, was created in 1964, and though some of its most prominent buildings were in International Modern Style, the concept was still humanist and the results bearable, if tame. Canberra still bears the comfortable imprint of Arts and Crafts.

The Brasilia plan, however, was based on quite a different concept going back to 1933, just after the International Style took hold. That year, the Congrès Internationaux de l’Architecture Moderne (CIAM) held its Athens conference, which approved a charter outlining the new dogmas behind the ‘social principles’ of modern town planning. (Gropius was one of CIAM’s presidents.) The dogmas included functional zoning and the creation of single-function buildings in isolated sites, linked by ultra-modern road systems. These dogmas were enunciated at the time when the Germans were planning the first car-only roads, or Autobahns, and the CIAM’s model city was essentially one built for the automobile rather than the pedestrian.

The master-plan of Brasilia by Lúcia Costa specifically acceded to the demand by the then Brazilian president, Juscelino Kubitschek, that the city should be ‘built for the motor car’. It thus spread over a huge area. The chief architect was Oscar Niemeyer, born in 1907, an associate of Costa, who had helped Corbusier create the Education Ministry at Rio de Janeiro, 1935-45, an outstanding example of the International Style at its most uncompromising. Brasilia, then, was the largest exercise in Modernism ever undertaken, and most of the central buildings had been completed by 1960. But nothing much was done for the workers, who either were living in homemade slums and favelas near the site or had to bus in daily from long distances. As late as 1985, only twenty-five per cent of the federal capital’s population lived within the planned area, huge though it was, and the accommodation problem was by no means resolved at the beginning of the twenty-first century, nearly sixty years after the project got going. Many of Brazil’s leading politicians, who dislike living in a subtropical bush-jungle with few or no servants, the transport problem rendering domestic labour scarce and expensive, prefer to commute to Brasilia from Rio, the old capital, where much of the business of government is still done. It is significant that no other city has been built on CIAM principles.

By contrast, the major buildings designed according to International Style principles, and built in the 1940s, 1950s, 1960s and even the 1970s certainly exceed in number and financial cost the products of any other architectural style in history. They are to be found all over the world, though some have already been replaced and more will be in the near future. They range from Corbusier’s own works, such as the curiously named Unité d’Habitation de Grandeur Conforme, built in Marseilles, 1948-54, and his daunting Chandigarh Secretariat, India, 1958, to countless mass-produced designs by lesser figures, built to supply the building infrastructure of the welfare states which sprang up in the post-war period throughout the world. They include vast numbers of hospitals and schools and countless housing units in uniform blocks, many of them high-rise or, in the English idiom, tower blocks. In one British exercise, for example, more than a hundred identical schools were built from a single plan. This of course is what Corbusier asked for, and in the post-World War II world, it is what the public got. They did not like it.
To pour salt into the wounds, Corbusier himself was responsible for the labelling of much of this architecture ‘Brutalism’. He had written, in English translation, ‘Architecture is the establishment of emotional relationships with raw materials.’ In the original French it reads, ‘L’architecture, c’est avec des matières brutes établir des rapports émouvants.’ This unfortunate phrase was linked with the art of Jean Dubuffet, who said he preferred graffiti or the scralls and sploges of untrained people, even psychotics, to the work of professional artists. He called this art brut, raw art. In architectural terms it came to mean not merely absence of decorative feature but stress on the untreated concrete of which buildings were increasingly composed. The term also suited much of the work of Mies van der Rohe and his followers, and it was in polemical circulation from the 1950s onwards, New Brutalism being an alternative.

What exactly constitutes a Brutalist or New Brutalist work is open to argument and few architects have admitted to designing such buildings deliberately, an exception being the Italian Vittoriano Viganò. An extreme example of Brutalism is the Buenos Aires headquarters of the Bank of London and South America, built in the 1960s. Whatever its merits, if it had any, the debilitating moral weakness of Brutalism was that it lent itself to ferocious cost-cutting, so that thousands of buildings, especially in the 1950s and 1960s, the worst period of the post-war ‘mixed economy building boom’, as it has been termed, were indeed raw, as well as brutal. Brutalism, being cheap, enabled architects to endear themselves to politicians, who awarded them big commissions. That is the only explanation for the extent to which they were allowed, to do as they wished during the best part of a quarter-century.

Architects had never been popular since slum-clearance schemes began in the nineteenth century. From 1866 onwards, Joseph Poelaert (1817-1879) created his massive Palais de Justice in Brussels in roughly the same style as Garnier’s Paris Opéra, but in a much coarser and heavier idiom and on a vastly larger scale. At the time of its completion, in fact, it was the largest single building in Europe, and to erect it a huge area of working-class housing was cleared, no adequate provision being made to re-house its dispossessed inhabitants. This scandal led to the term architecte becoming one of common abuse in Belgium, which it still is, one court even ruling (1952) that it ‘justified some, though not excessive, violence.’ Post-1945, architecture was widely seen as so ugly, and proved by experience to be so ill-designed for use and so inefficient in many cases, as well as being liable to deteriorate rapidly, that members of the profession became even more unpopular, in many cases, than lawyers. One English social critic, Auberon Waugh, even wrote: ‘All architects should be executed, on principle.’ Brutalism put the cap on this monument of hatred. It was one thing for it to produce public buildings that were eyesores, like those curiously complementary sixties products, the FBI building in Washington, D.C., and the new Home Office in London. It was a different manner when people were asked to live in Brutalist blocks; or rather, not asked but forced to do so. Architecture is the most important of the arts in that it is visually inescapable. By the end of the 1960s everyone was tired of the Modern Movement, or whatever it was now called, and a new era was inevitable.
MAN'S ABILITY TO see is in decline. Those who nowadays concern themselves with culture and education will experience this fact again and again. We do not mean here, of course, the physiological sensitivity of the human eye. We mean the spiritual capacity to perceive the visible reality as it truly is.

To be sure, no human being has ever really seen everything that lies visibly in front of his eyes. The world, including its tangible side, is unfathomable. Who would ever have perfectly perceived the countless shapes and shades of just one wave swelling and ebbing in the ocean! And yet, there are degrees of perception. Going below a certain bottom line quite obviously will endanger the integrity of man as a spiritual being. It seems that nowadays we have arrived at this bottom line.

I am writing this on my return from Canada, aboard a ship sailing from New York to Rotterdam. Most of the other passengers have spent quite some time in the United States, many for one reason only: to visit and see the New World with their own eyes. With their own eyes: in this lies the difficulty.

During the various conversations on deck and at the dinner table I am always amazed at hearing almost without exception rather generalized statements and pronouncements that are plainly the common fare of travel guides. It turns out that hardly anybody has noticed those frequent small signs in the streets of New York that indicate public fallout shelters. And visiting New York University, who would have noticed those stone hewn chess tables in front of it, placed in Washington Square by a caring city administration for the Italian chess enthusiasts of that area?!

Or again, at table I had mentioned those magnificent fluorescent sea creatures whirled up to the surface by the hundreds in our ship's bow wake. The next day it was casually mentioned that "last night there was nothing to be seen". Indeed, for nobody had the patience to let the eyes adapt to the darkness. To repeat, then: man's ability to see is in decline.

Searching for the reasons, we could point to various things: modern man's restlessness and stress, quite sufficiently denounced by now, or his total absorption and enslavement by practical goals and purposes. Yet one reason must not be overlooked either: the average person of our time loses the ability to see because there is too much to see!

There does exist something like "visual noise", which just like the acoustical counterpart, makes clear perception impossible. One might perhaps presume that TV watchers, tabloid readers, and movie goers exercise and sharpen their eyes. But the opposite is true. The ancient sages knew exactly why they called the "concupiscence of the eyes" a "destroyer". The restoration of man's inner eyes can hardly be expected in this day and age—unless, first of all, one were willing and determined simply to exclude from one's realm of life all those inane and contrived but titillating illusions incessantly generated by the entertainment industry.

You may argue, perhaps: true, our capacity to see has diminished, but such loss is merely the price all higher cultures have to pay. We have lost, no doubt, the American Indian's keen sense of smell, but we also no longer need it since we have binoculars, compass, and radar. Let me repeat: in this obviously continuing process there exists a limit below which human nature itself is threatened, and the very integrity of human existence is directly endangered. Therefore, such ultimate
danger can no longer be averted with technology alone. At stake here is this: How can man be saved from becoming a totally passive consumer of mass-produced goods and a subservient follower beholden to every slogan the managers may proclaim? The question really is: How can man preserve and safeguard the foundation of his spiritual dimension and an uncorrupted relationship to reality?

The capacity to perceive the visible world "with our own eyes" is indeed an essential constituent of human nature. We are talking here about man's essential inner richness—or, should the threat prevail, man's most abject inner poverty. And why so? To see things is the first step toward that primordial and basic mental grasping of reality, which constitutes the essence of man as a spiritual being.

I am well aware that there are realities we can come to know through "hearing" alone. All the same, it remains a fact that only through seeing, indeed through seeing with our own eyes, is our inner autonomy established. Those no longer able to see reality with their own eyes are equally unable to hear correctly. It is specifically the man thus impoverished who inevitably falls prey to the demagogical spells of any powers that be. "Inevitably", because such a person is utterly deprived even of the potential to keep a critical distance (and here we recognize the direct political relevance of our topic).

The diagnosis is indispensable yet only a first step. What, then, may be proposed; what can be done?

We already mentioned simple abstention, a regimen of fasting and abstinence, by which we would try to keep the visual noise of daily inanities at a distance. Such an approach seems to me indeed an indispensable first step but, all the same, no more than the removal, say, of a roadblock.

A better and more immediately effective remedy is this: to be active oneself in artistic creation, producing shapes and forms for the eye to see.

Nobody has to observe and study the visible mystery of a human face more that the one who sets out to sculpt it in a tangible medium. And this holds true not only for a manually formed image. The verbal "image" as well can thrive only when it springs from a higher level of visual perception. We sense the intensity of observation required simply to say, "The girl's eyes were gleaming like wet currants" (Tolstoy).

Before you can express anything in tangible form, you first need eyes to see. The mere attempt, therefore, to create an artistic form compels the artist to take a fresh look at the visible reality; it requires authentic and personal observation. Long before a creation is completed, the artist has gained for himself another and more intimate achievement: a deeper and more receptive vision, a more intense awareness, a sharper and more discerning understanding, a more patient openness for all things quiet and inconspicuous, an eye for things previously overlooked. In short: the artist will be able to perceive with new eyes the abundant wealth of all visible reality, and, thus challenged, additionally acquires the inner capacity to absorb into his mind such an exceedingly rich harvest. The capacity to see increases.

**Thoughts About Music**

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PHILOSOPHERS, ESPECIALLY THOSE interested also in the practical things of culture and education, like to reflect on the essence of music, and not only because of some rather accidental
and personal propensity for it. No, this special interest parallels a great tradition harking back almost to primeval times, certainly to Pythagoras, Plato, and the sages of the Far East. Not only is music one of the most amazing and mysterious phenomena of all the world’s miranda, the things that make us wonder (and, therefore, the formal subject matter of any philosopher, as Aristotle and St. Thomas declare). Not only has it even been said, and rightly so, that music may be nothing but a secret philosophizing of the soul, an *Exercitium Metaphysice Occultum*. Yet, with the soul entirely oblivious, that philosophy, in fact, is happening here according to Schopenhauer in his profound discourse on the metaphysics of music. Beyond that, and above all, music prompts the philosopher’s continued interest because it is by its nature so close to the fundamentals of human existence. It is this very reason that compels all those concerned with culture and education to pay special attention to the art and the performance of music.

The one question particularly intriguing to the searching mind of the philosopher when he reflects on the phenomenon of music is this: *What* indeed do we perceive when we listen to music? We obviously perceive more and something other than the specific sounds produced by the bow on the strings of a violin, by the air blown into a flute, or by the finger hitting the keys of a piano. All these sounds, of course, also reach the ears of those who cannot relate to music at all (should such a species exist). These sounds alone, no doubt, do not yet constitute music as such! What, then, do we essentially perceive when we listen to music in the proper manner?

Other forms of art provide much easier answers, even though it would also be rather difficult to answer the question, "What do we really perceive when we look at, say, Dürer’s 'Detail of a Meadow'?") It is obviously not the blades of grass, which we can observe, even more realistically, also in nature or in a photograph. It is not the blades of grass, not "this particular object" at all, which in truth we see whenever we look at a painting in the proper manner. Or again: *What* indeed do we perceive when we listen to a poem, when we become aware of the poetic energy pulsating in a poem? We obviously perceive more and something other than the factual, literal meaning of its words (this direct meaning has even been called the impurity of all poetry—an *indispensable* impurity, though). Such questions, we realize, are equally difficult to answer.

But back to our initial question: *What* do we perceive when we listen to music with the "right ears"? We certainly cannot speak of any particular "object" as is found in the fine arts or poetry where perforce *something* is represented, *something* is expressed (some objective reality, for instance). Music cannot claim an object of this kind, in spite of occasional contrary opinions even on the part of great musicians. It is indeed *not* the "Idyll at the Brook", or the "Thunderstorm", or the "Happy Gathering of Countryfolk" we *really* perceive when listening to Beethoven’s Sixth Symphony. *But* what about "songs"? Is it not, in this case at least, the meaning of the words that constitutes what we "really" perceive when an aria or song recital is offered? Of course we hear the words! And yet, provided we witness authentic and significant music and provided we listen in the proper manner, we invariably perceive an *additional*, most intimate, meaning that would be absent from the words *alone*. This “most intimate” meaning is not expressed by the words alone, whether written or spoken! *What*, then, do we perceive in music?

Music "does not speak of things but tells of weal and woe". This formulation by Schopenhauer somehow sums up the sentiments, variously stated, of many thinkers throughout the centuries. It would not be entirely correct to consider that this statement expresses the fullness of the conception found in classic Western philosophy; it at least opens an access to the main idea as it leads us in the right direction. "Weal and woe"—these are concepts related to the will; they point to the *bonum*, the good, seen as the intrinsic moving force of the will. The will is always directed toward the good.
At this point, a word of caution is in order against moralistic misconceptions. This is what we mean: man’s being is always dynamic (geschehendes Sein); man is never just “there”. Man “is” insofar as he “becomes” —not only in his physical reality, in growing, maturing, and eventually diminishing toward the end. In his spiritual reality, too, man is constantly moving on—he is existentially “becoming”; he is “on the way”. For man, to “be” means to “be on the way” — he cannot be in any other form: man is intrinsically a pilgrim “not yet arrived”, regardless of whether he is aware of this or not, whether he accepts it or not. The object of this dynamism the destination of this journey, the aim, therefore, of this becoming and the moving force underlying it all, is the good. Even when man pursues evil, he intends a perceived good. We may even say (and the great teachers in the tradition of Western wisdom did say it) that this unquenchable inner dynamism, this persistent restlessness at the core of the unfolding human existence, this yearning has only one objective: perfect happiness, the state of bliss (Glückseligkeit). Subconsciously, and apart from any specific act of the will but also in the innermost core of all our conscious exercise of the will, we yearn for perfect happiness. In this lies man’s fulfillment, man’s good, the beckoning aim and destiny of his unfolding existence!

The ultimate object of the human will and the process itself of becoming, by which we approach yet never quite reach this goal with the infinitely variable steps in countless apparent or true detours of our personal time frame: neither this object nor this process can ever be adequately described in words, neither the destination nor the journey. St. Augustine declares: "The Good—you hear this word and you take a deep breath; you hear it and you utter a sigh." And he adds that man is unable to put into words the central and full meaning of the concept of the good, its complete realization "We cannot say, and yet cannot be silent either. ... What are we to do, employing neither speech nor silence? We ought to rejoice! Jubilate! Shout out your heart’s delight in wordless jubilation!" Such "wordless jubilation" (at least one of its manifestations) is known as music!

Of course, it is not always jubilation. Since the good, the goal, is not easily achieved, and since the journey can be arduous, even headed in the wrong direction, there can also be a wordless expression of sadness, of confident hope, yearning, grief, or despair. To articulate such intimate realities, the dynamism of human existence itself, the spoken word, proves utterly inadequate. Such realities, by their very nature (and also because of the spirit’s nature), exist before as well as beyond all speech. "And so we see", says Kierkegaard, "that music in relation to the spoken word is both the leader and the follower, coming both first and last." Music opens a path into the realm of silence. Music reveals the human soul in stark "nakedness", as it were, without the customary linguistic draperies, which usually get entangled in ever present thorns" (Paul Claudel).

To repeat: thus has the nature of music variously been understood in the Western philosophical tradition—as nonverbal articulation of weal and woe; as wordless expression of man’s intrinsic dynamism of self-realization, a process understood as man’s journey toward ethical personhood, as the manifestation of man’s will in all its aspects, as love. This, for instance, is the meaning of Plato’s statement that music "imitates the impulses of the soul", or as Aristotle puts it: music is similar to ethics and related to it. The same tradition continues in remarks by Kierkegaard, Schopenhauer, and Nietzsche when they say that music "invariably is the direct expression of an immediacy as no interfering medium is involved"; or (Schopenhauer) that of all the arts it is music that represents the will itself; or (Nietzsche in his interpretation of Wagner) that music lets us hear "nature transformed into love".

What is stated here in so many words simply amounts to this: music articulates the inner dynamism of man’s existential self, which is music’s "prime matter" (so to speak), and both share a
particular characteristic—both move in time.

But "music" is never some impersonal, abstract energy; it is "performed" by musicians with all their distinctive individualities. Consequently, a thousand different musical expressions of that inner dynamism can appear. And since the inner growth into ethical personhood is not determined by any unchangeable law of nature but is a process shaped and threatened by countless dangers and interferences, a thousand different expressions of pretense, error, and confusion can also appear.

Thus the musical articulation may include a shallow contentment with the facile availability of the cheapest "goods", the rejection of any ordered structure, the despairing denial that man's existential becoming has a goal at all or that such a goal could be reached. There can also be, as in Thomas Mann's Doctor Faustus, the music of nihilism, which lives on parody and comes about through the "devil's help and hellish fire under the cauldron".

This distinct possibility of corruption, this danger ever present where music is made, was clearly seen by the sages of old, especially Plato and Aristotle, and they tried to counteract it.

For it does not mean at all that closeness to human existence, music's proper characteristic, would find expression only in this one respect: the fundamental impulses of human existence, genuine or spurious, sincere or corrupt, would find expression in the composer's relationship to his work alone, in music alone. It does not at all mean that there would be only the realm of music itself—be it great and authentic or shallow and unconvincing music—and that on the "other side", in the realm of listening, there would prevail a neutral relationship of attention or inattention, of applause, of acceptance or rejection. No, that closeness to human existence implies much more. Since music articulates the immediacy of man's basic existential dynamism in an immediate way, the listener as well is addressed and challenged on that profound level where man's self-realization takes place. In this existential depth of the listener, far below the level of expressible judgments, there echoes—in identical immediacy—the same vibration articulated in the audible music.

We now realize why and to what extent music plays a role in man's formation and perfection: as contribution or hindrance, and both, once again, beyond any conscious efforts toward formation, teaching, or education. We also realize here how indispensable it is to reflect on these very direct forces and influences. Plato and Aristotle, for example, engaged in this reflection, while we ourselves find it difficult to understand why these two great Greek thinkers, in their ethical and even political writings, have discussed music with such seriousness and detail. Music, according to Plato, is not only a "tool to form man's character", but also an instrument "for the right ordering of society's legal structure". In the Dialogue The Republic we read, "They really look on music as if it were a mere amusement and think no harm can come from it." And to believe that the only thing that matters about music is the enjoyment of the listener, regardless of whether he be "ethically worthy or not", that is, whether his inner life follows the right order or not—this opinion is most emphatically called a "lie" in Plato's late work, the Laws. Music is not altered without affecting society's most important rules—this, so declares Plato, had already been taught by a renowned Greek theoretician of music (Damon), and he, Plato, is convinced this is true. Of course, the "legal" aspect of a society's organization is not meant here, rather the inner order as related to the achievement of the common good. Thus we find there quite serious and detailed reflections on what forms of music, or even what kinds of musical instruments, should be banned in any properly structured society. The Middle Ages as well, up to the time of Johann Sebastian Bach, used the notion of "dishonest" instruments. What matters in all this is not the specifics; much of it, of course, is simply "conditioned" by its time and place. What does matter, however, is to recognize at all (and to put in the right order!) the intimate relationship between the music made and listened to in a society on the one hand, and the inner existential condition of such a society on the other—no different today than in Plato's time!
We ourselves, however, are probably to be counted among those who, in Plato's words, see the entire realm of music as "mere amusement" while in truth that intimate relationship between music, offered or received, and inner existential ethos all the more ominously degenerates the less a proper order is attempted. The situation commonly encountered shows that not even the awareness of the possibility of such an order is present, much less a concrete notion of such an order as the ideal.

If we now look at our society, what facts do we observe, facts that should make us think? We observe how much the most trivial and "light" music, the "happy sound", has become the most common and pervasive phenomenon. By its sheer banality, this music expresses quite accurately the cheap self-deception that on the inner existential level all is fine, there is "nothing to worry about", everything is in good order, really. We observe how much attention is demanded by—and willingly given to—the rhythmic beat of a certain crude and orgiastic music, a music "for slaves" (as Aristotle puts it). Both kinds of music, the "happy sound" as well as the numbing beat, claim legitimacy as "entertainment", as means, that is, of satisfying, without success, the boredom and existential void that are caused and increased by each other and that equally have become a common and pervasive phenomenon. We further observe how music, perhaps on a formally much higher level, is frequently selected and consumed as a means of personal enchantment, of escapism, of a certain pseudo-deliverance, and as a means to achieve delight that remains merely "skin-deep" (*von aussen her*, as Rilke said). And we observe that there is music, including great music, whose character fosters all this. We finally observe that nihilistic music, a despairing parody of creation, is not only played by great artists in novels such as *Doctor Faustus* but is real, which incidentally prompted the disturbing observation equating the history of Western music with the "history of a soul's degeneration". We observe all this with great alarm, aware that music lays bare man's inner existential condition, removing veil and facade (and it *cannot* be otherwise), while this same inner condition receives from music the most direct impulses, for better or worse. We observe and ponder all this and then are moved to rejoice as we become aware again and acknowledge anew that among all the various kinds of music today there still exists, also and especially, the music of Johann Sebastian Bach!

Obviously, this implies a challenge to ourselves, a challenge not easily nor "automatically" satisfied. That we are willing to listen attentively to the essential message of this music and that we let this message find an echo, as if on reverberating strings, within the immediacy of our soul is decisive. This will lead to new and rekindled clarity, authenticity, and vigor of our inward existence; to dissatisfaction with entertaining but hollow achievements; and to a sober and perceptive alertness that is not distracted from the realities of actual life by the promise of easy pleasure proffered in superficial harmonies. Above all, this will guide us to turn with resolve, constancy, courage, and hope toward the one and only *Good* by whose grace our inner existential yearning finds fulfillment; the one *Good* praised and exalted particularly in Bach's music with such ever-present "wordless jubilation".
A spectre is haunting eastern Europe: the spectre of what in the West is called 'dissent'. This spectre has not appeared out of thin air. It is a natural and inevitable consequence of the present historical phase of the system it is haunting. It was born at a time when this system, for a thousand reasons, can no longer base itself on the unadulterated, brutal, and arbitrary application of power, eliminating all expressions of nonconformity. What is more, the system has become so ossified politically that there is practically no way for such nonconformity to be implemented within its official structures.

Who are these so-called 'dissidents'? Where does their point of view come from, and what importance does it have? What is the significance of the 'independent initiatives' in which 'dissidents' collaborate, and what real chances do such initiatives have of success? Is it appropriate to refer to 'dissidents' as an opposition? If so, what exactly is such an opposition within the framework of this system? What does it do? What role does it play in society? What are its hopes and on what are they based? Is it within the power of the 'dissidents' - as a category of subcitizen outside the power establishment - to have any influence at all on society and the social system? Can they actually change anything?

I think that an examination of these questions - an examination of the potential of the 'powerless' - can only begin with an examination of the nature of power in the circumstances in which these powerless people operate.

Our system is most frequently characterized as a dictatorship or, more precisely, as the dictatorship of a political bureaucracy over a society which has undergone economic and social levelling. I am afraid that the term 'dictatorship', regardless of how intelligible it may otherwise be, tends to obscure rather than clarify the real nature of power in this system. We usually associate the term with the notion of a small group of people who take over the government of a given country by force; their power is wielded openly, using the direct instruments of power at their disposal, and they are easily distinguished socially from the majority over whom they rule. One of the essential aspects of this traditional or classical notion of dictatorship is the assumption that it is temporary, ephemeral, lacking historical roots. Its existence seems to be bound up with the lives of those who established it. It is usually local in extent and significance, and regardless of the ideology it utilizes to grant itself legitimacy, its power derives ultimately from the numbers and the armed might of its soldiers and police. The principal threat to its existence is felt to be the possibility that someone better equipped in this sense might appear and overthrow it.

Even this very superficial overview should make it clear that the system in which we live has very little in common with a classical dictatorship. In the first place, our system is not limited in a local, geographical sense; rather it holds sway over a huge power bloc controlled by one of the two superpowers. And although it quite naturally exhibits a number of local and historical variations, the range of these variations is fundamentally circumscribed by a single, unifying framework throughout the power bloc. Not only is the
dictatorship everywhere based on the same principles and structured in the same way (that is, in the way evolved by the ruling superpower), but each country has been completely penetrated by a network of manipulatory instruments controlled by the superpower centre and totally subordinated to its interests. In the stalemated world of nuclear parity, of course, that circumstance endows the system with an unprecedented degree of external stability compared with classical dictatorships. Many local crises which, in an isolated state, would lead to a change in the system, can be resolved through direct intervention by the armed forces of the rest of the bloc.

In the second place, if a feature of classical dictatorships is their lack of historical roots (frequently they appear to be no more than historical freaks, the fortuitous consequence of fortuitous social processes or of human and mob tendencies), the same cannot be said so facilely about our system. For even though our dictatorship has long since alienated itself completely from the social movements that gave birth to it, the authenticity of these movements (and I am thinking of the proletarian and socialist movements of the nineteenth century) give it undeniable historicity. These origins provided a solid foundation of sorts on which it could build until it became the utterly new social and political reality it is today, which has become so inextricably a part of the structure of the modern world. A feature of those historical origins was the 'correct understanding' of social conflicts in the period from which those original movements emerged. The fact that at the very core of this 'correct understanding' there was a genetic disposition toward the monstrous alienation characteristic of its subsequent development is not essential here. And in any case, this element also grew organically from the climate of that time and therefore can be said to have its origin there as well.

One legacy of that original 'correct understanding' is a third peculiarity that makes our system different from other modern dictatorships: it commands an incomparably more precise, logically structured, generally comprehensible and, in essence, extremely flexible ideology that, in its elaborateness and completeness, is almost a secularized religion. It offers a ready answer to any question whatsoever; it can scarcely be accepted only in part, and accepting it has profound implications for human life. In an era when metaphysical and existential certainties are in a state of crisis, when people are being uprooted and alienated and are losing their sense of what this world means, this ideology inevitably has a certain hypnotic charm. To wandering humankind it offers an immediately available home: all one has to do is accept it, and suddenly everything becomes clear once more, life takes on new meaning, and all mysteries, unanswered questions, anxiety, and loneliness vanish. Of course, one pays dearly for this low-rent home: the price is abdication of one's own reason, conscience, and responsibility, for an essential aspect of this ideology is the consignment of reason and conscience to a higher authority. The principle involved here is that the centre of power is identical with the centre of truth. (In our case, the connection with Byzantine theocracy is direct: the highest secular authority is identical with the highest spiritual authority.) It is true of course that, all this aside, ideology no longer has any great influence on people, at least within our bloc (with the possible exception of Russia, where the serf mentality, with its blind, fatalistic respect for rulers and its automatic acceptance of all their claims, is still dominant and combined with a superpower patriotism which traditionally places the interests of empire higher than the interests of humanity), But this is not important, because ideology plays its role in our system very well (an issue to which I will return) precisely because it is what it is.

Fourth, the technique of exercising power in traditional dictatorships contains a necessary element of improvisation. The mechanisms for wielding power are for the most part not established firmly, and there is considerable room for accident and for the arbitrary and unregulated application of power. Socially,
psychologically, and physically conditions still exist for the expression of some form of opposition. In short, there are many seams on the surface which can split apart before the entire power structure has managed to stabilize. Our system, on the other hand, has been developing in the Soviet Union for over sixty years, and for approximately thirty years in eastern Europe; moreover, several of its long established structural features are derived from Czarist absolutism. In terms of the physical aspects of power, this has led to the creation of such intricate and well-developed mechanisms for the direct and indirect manipulation of the entire population that, as a physical power base, it represents something radically new. At the same time, let us not forget that the system is made significantly more effective by state ownership and central direction of all the means of production. This gives the power structure an unprecedented and uncontrollable capacity to invest in itself (in the areas of the bureaucracy and the police, for example) and makes it easier for that structure, as the sole employer, to manipulate the day-to-day existence of all citizens.

Finally, if an atmosphere of revolutionary excitement, heroism, dedication, and boisterous violence on all sides characterizes classical dictatorships, then the last traces of such an atmosphere have vanished from the Soviet bloc. For some time now this bloc has ceased to be a kind of enclave, isolated from the rest of the developed world and immune to processes occurring in it. To the contrary, the Soviet bloc is an integral part of that larger world, and it shares and shapes the world’s destiny. This means in concrete terms that the hierarchy of values existing in the developed countries of the West has, in essence, appeared in our society (the long period of coexistence with the West has only hastened this process). In other words, what we have here is simply another form of the consumer and industrial society, with all its concomitant social, intellectual, and psychological consequences. It is impossible to understand the nature of power in our system properly without taking this into account.

The profound difference between our system - in terms of the nature of power - and what we traditionally understand by dictatorship, a difference I hope is clear even from this quite superficial comparison, has caused me to search for some term appropriate for our system, purely for the purposes of this essay. If I refer to it henceforth as a post-totalitarian system, I am fully aware that this is perhaps not the most precise term, but I am unable to think of a better one. I do not wish to imply by the prefix ‘post-’ that the system is no longer totalitarian; on the contrary, I mean that it is totalitarian in a way fundamentally different from classical dictatorships, different from totalitarianism as we usually understand it.

The circumstances I have mentioned, however, form only a circle of conditional factors and a kind of phenomenal framework for the actual composition of power in the post-totalitarian system, several aspects of which I shall now attempt to identify.

III

The manager of a fruit and vegetable shop places in his window, among the onions and carrots, the slogan: ‘Workers of the World, Unite!’ Why does he do it? What is he trying to communicate to the world? Is he genuinely enthusiastic about the idea of unity among the workers of the world? Is his enthusiasm so great that he feels an irreplaceable impulse to acquaint the public with his ideals? Has he really given more than a moment’s thought to how such a unification might occur and what it would mean?

I think it can safely be assumed that the overwhelming majority of shopkeepers never think about the slogans they put in their windows, nor do they use them to express their real opinions. That poster was
delivered to our greengrocer from the enterprise headquarters along with the onions and carrots. He put them all into the window simply because it has been done that way for years, because everyone does it, and because that is the way it has to be. If he were to refuse, there could be trouble. He could be reproached for not having the proper 'decoration' in his window; someone might even accuse him of disloyalty. He does it because these things must be done if one is to get along in life. It is one of the thousands of details that guarantee him a relatively tranquil life 'in harmony with society', as they say.

Obviously the greengrocer is indifferent to the semantic content of the slogan on exhibit; he does not put the slogan in his window from any personal desire to acquaint the public with the ideal it expresses. This, of course, does not mean that his action has no motive or significance at all, or that the slogan communicates nothing to anyone. The slogan is really a sign, and as such it contains a subliminal but very definite message. Verbally, it might be expressed this way: 'I, the greengrocer XY, live here and I know what I must do. I behave in the manner expected of me. I can be depended upon and am beyond reproach. I am obedient and therefore I have the right to be left in peace.' This message, of course, has an addressee: it is directed above, to the greengrocer's superior, and at the same time it is a shield that protects the greengrocer from potential informers. The slogan's real meaning, therefore, is rooted firmly in the greengrocer's existence. It reflects his vital interests. But what are those vital interests?

Let us take note: if the greengrocer had been instructed to display the slogan, 'I am afraid and therefore unquestioningly obedient', he would not be nearly as indifferent to its semantics, even though the statement would reflect the truth. The greengrocer would be embarrassed and ashamed to put such an unequivocal statement of his own degradation in the shop window, and quite naturally so, for he is a human being and thus has a sense of his own dignity. To overcome this complication, his expression of loyalty must take the form of a sign which, at least on its textual surface, indicates a level of disinterested conviction. It must allow the greengrocer to say, 'What's wrong with the workers of the world uniting?' Thus the sign helps the greengrocer to conceal from himself the low foundations of his obedience, at the same time concealing the low foundations of power. It hides them behind the façade of something high. And that something is ideology.

Ideology is a specious way of relating to the world. It offers human beings the illusion of an identity, of dignity, and of morality while making it easier for them to part with them. As the repository of something 'supra-personal' and objective, it enables people to deceive their conscience and conceal their true position and their inglorious modus vivendi, both from the world and from themselves. It is a very pragmatic, but at the same time an apparently dignified, way of legitimizing what is above, below, and on either side. It is directed towards people and towards God. It is a veil behind which human beings can hide their own 'fallen existence', their trivialization, and their adaptation to the status quo. It is an excuse that everyone can use, from the greengrocer, who conceals his fear of losing his job behind an alleged interest in the unification of the workers of the world, to the highest functionary, whose interest in staying in power can be cloaked in phrases about service to the working class. The primary excusatory function of ideology, therefore, is to provide people, both as victims and pillars of the post-totalitarian system, with the illusion that the system is in harmony with the human order and the order of the universe.

The smaller a dictatorship and the less stratified by modernization the society under it, the more directly the will of the dictator can be exercised. In other words, the dictator can employ more or less naked discipline, avoiding the complex processes of relating to the world and of self-justification which ideology involves. But the more complex the mechanisms of power become, the larger and more stratified the
society they embrace, and the longer they have operated historically, the more individuals must be connected to them from outside, and the greater the importance attached to the ideological excuse. It acts as a kind of bridge between the regime and the people, across which the regime approaches the people and the people approach the regime. This explains why ideology plays such an important role in the post-totalitarian system: that complex machinery of units, hierarchies, transmission belts, and indirect instruments of manipulation which insure in countless ways the integrity of the regime, leaving nothing to chance, would be quite simply unthinkable without ideology acting as its all-embracing excuse and as the excuse for each of its parts.

IV

Between the aims of the post-totalitarian system and the aims of life there is a yawning abyss: while life, in its essence, moves towards plurality, diversity, independent self-constitution and self-organization, in short, towards the fulfillment of its own freedom, the post-totalitarian system demands conformity, uniformity, and discipline. While life ever strives to create new and 'improbable' structures, the post-totalitarian system contrives to force life into its most probable states. The aims of the system reveal its most essential characteristic to be introversion, a movement towards being ever more completely and unreservedly itself, which means that the radius of its influence is continually widening as well. This system serves people only to the extent necessary to ensure that people will serve it. Anything beyond this, that is to say, anything which leads people to overstep their predetermined roles is regarded by the system as an attack upon itself. And in this respect it is correct: every instance of such transgression is a genuine denial of the system. It can be said, therefore, that the inner aim of the post-totalitarian system is not mere preservation of power in the hands of a ruling clique as appears to be the case at first sight. Rather, the social phenomenon of self-preservation is subordinated to something higher, to a kind of blind automatism which drives the system. No matter what position individuals hold in the hierarchy of power, they are not considered by the system to be worth anything in themselves, but only as things intended to fuel and serve this automatism. For this reason, an individual's desire for power is admissible only in so far as its direction coincides with the direction of the automatism of the system.

Ideology, in creating a bridge of excuses between the system and the individual, spans the abyss between the aims of the system and the aims of life. It pretends that the requirements of the system derive from the requirements of life. It is a world of appearances trying to pass for reality.

The post-totalitarian system touches people at every step, but it does so with its ideological gloves on. This is why life in the system is so thoroughly permeated with hypocrisy and lies: government by bureaucracy is called popular government; the working class is enslaved in the name of the working class; the complete degradation of the individual is presented as his or her ultimate liberation; depriving people of information is called making it available; the use of power to manipulate is called the public control of power, and the arbitrary abuse of power is called observing the legal code; the repression of culture is called its development; the expansion of imperial influence is presented as support for the oppressed; the lack of free expression becomes the highest form of freedom; farcical elections become the highest form of democracy; banning independent thought becomes the most scientific of world views; military occupation becomes fraternal assistance. Because the regime is captive to its own lies, it must falsify everything. It falsifies the past. It falsifies the present, and it falsifies the future. It falsifies statistics. It pretends not to possess an omnipotent and unprincipled police apparatus. It pretends to respect human rights. It pretends
to persecute no one. It pretends to fear nothing. It pretends to pretend nothing.

Individuals need not believe all these mystifications, but they must behave as though they did, or they must at least tolerate them in silence, or get along well with those who work with them. For this reason, however, they must live within a lie. They need not accept the lie. It is enough for them to have accepted their life with it and in it. For by this very fact, individuals confirm the system, fulfill the system, make the system, are the system.

V

We have seen that the real meaning of the greengrocer’s slogan has nothing to do with what the text of the slogan actually says. Even so, this real meaning is quite clear and generally comprehensible because the code is so familiar: the greengrocer declares his loyalty (and he can do no other if his declaration is to be accepted) in the only way the regime is capable of hearing; that is, by accepting the prescribed ritual, by accepting appearances as reality, by accepting the given rules of the game. In doing so, however, he has himself become a player in the game, thus making it possible for the game to go on, for it to exist in the first place.

If ideology was originally a bridge between the system and the individual as an individual, then the moment he or she steps on to this bridge it becomes at the same time a bridge between the system and the individual as a component of the system. That is, if ideology originally facilitated (by acting outwardly) the constitution of power by serving as a psychological excuse, then from the moment that excuse is accepted, it constitutes power inwardly becoming an active component of that power. It begins to function as the principal instrument of ritual communication within the system of power.

The whole power structure (and we have already discussed its physical articulation) could not exist at all if there were not a certain ‘metaphysical’ order binding all its components together, interconnecting them and subordinating them to a uniform method of accountability, supplying the combined operation of all these components with rules of the game, that is, with certain regulations, limitations, and legalities. This metaphysical order is fundamental to, and standard throughout, the entire power structure; it integrates its communication system and makes possible the internal exchange and transfer of information and instructions. It is rather like a collection of traffic signals and directional signs, giving the process shape and structure. This metaphysical order guarantees the inner coherence of the totalitarian power structure. It is the glue holding it together, its binding principle, the instrument of its discipline. Without this glue the structure as a totalitarian structure would vanish; it would disintegrate into individual atoms chaotically colliding with one another in their unregulated particular interests and inclinations. The entire pyramid of totalitarian power, deprived of the element that binds it together, would collapse in upon itself, as it were, in a kind of material implosion.

As the interpretation of reality by the power structure, ideology is always subordinated ultimately to the interests of the structure. Therefore, it has a natural tendency to disengage itself from reality, to create a world of appearances, to become ritual. In societies where there is public competition for power and therefore public control of that power, there also exists quite naturally public control of the way that power legitimates itself ideologically. Consequently, in such conditions there are always certain correctives that effectively prevent ideology from abandoning reality altogether. Under totalitarianism, however, these
correctives disappear, and thus there is nothing to prevent ideology from becoming more and more removed from reality, gradually turning into what it has already become in the post-totalitarian system: a world of appearances, a mere ritual, a formalized language deprived of semantic contact with reality and transformed into a system of ritual signs that replace reality with pseudo-reality.

Yet, as we have seen, ideology becomes at the same time an increasingly important component of power, a pillar providing it with both excusatory legitimacy and an inner coherence. As this aspect grows in importance, and as it gradually loses touch with reality, it acquires a peculiar but very real strength. It becomes reality itself, albeit a reality altogether self-contained, one that on certain levels (chiefly inside the power structure) may have even greater weight than reality as such. Increasingly, the virtuosity of the ritual becomes more important than the reality hidden behind it. The significance of phenomena no longer derives from the phenomena themselves, but from their locus as concepts in the ideological context. Reality does not shape theory, but rather the reverse. Thus power gradually draws closer to ideology than it does to reality; it draws its strength from theory and becomes entirely dependent on it. This inevitably leads, of course, to a paradoxical result: rather than theory, or rather ideology, serving power, power begins to serve ideology. It is as though ideology had appropriated power from power as though it had become dictator itself. It then appears that theory itself, ritual itself, ideology itself, makes decisions that affect people, and, not the other way around.

If ideology is the principal guarantee of the inner consistency of power, it becomes at the same time an increasingly important guarantee of its continuity. Whereas succession to power in classical dictatorships is always a rather complicated affair (the pretenders having nothing to give their claims reasonable legitimacy, thereby forcing them always to resort to confrontations of naked power), in the post-totalitarian system power is passed on from person to person, from clique to clique, and from generation to generation in an essentially more regular fashion. In the selection of pretenders, a new 'king-maker' takes part: it is ritual legitimation, the ability to rely on ritual, to fulfil it and use it, to allow oneself, as it were, to be borne aloft by it. Naturally, power struggles exist in the post-totalitarian system as well, and most of them are far more brutal than in an open society, for the struggle is not open, regulated by democratic rules, and subject to public control, but hidden behind the scenes. (It is difficult to recall a single instance in which the First Secretary of a ruling Communist Party has been replaced without the various military and security forces being placed at least on alert.) This struggle, however, can never (as it can in classical dictatorships) threaten the very essence of the system and its continuity. At most it will shake up the power structure, which will recover quickly, precisely because the binding substance - ideology remains undisturbed. No matter who is replaced by whom, succession is only possible against the backdrop and within the framework of a common ritual. It can never take place by denying that ritual.

Because of this dictatorship of the ritual, however, power becomes clearly anonymous. Individuals are almost dissolved in the ritual. They allow themselves to be swept along by it and frequently it seems as though ritual alone carries people from obscurity into the light of power. Is it not characteristic of the post-totalitarian system that, on all levels of the power hierarchy, individuals are increasingly being pushed aside by faceless people, puppets, those uniformed flunkies of the rituals and routines of power?

The automatic operation of a power structure thus dehumanized and made anonymous is a feature of the fundamental automatism of this system. It would seem that it is precisely the diktats of this automatism which select people lacking individual will for the power structure, that it is precisely the diktat of the empty phrase which summons to power people who use empty phrases as the best guarantee that the
automatism of the post-totalitarian system will continue.

Western Sovietologists often exaggerate the role of individuals in the post-totalitarian system and overlook the fact that the ruling figures, despite the immense power they possess through the centralized structure of power, are often no more than blind executors of the system’s own internal laws - laws they themselves never can, and never do, reflect upon. In any case, experience has taught us again and again that this automatism is far more powerful than the will of any individual; and should someone possess a more independent will, he or she must conceal it behind a ritually anonymous mask in order to have an opportunity to enter the power hierarchy at all. And when the individual finally gains a place there and tries to make his or her will felt within it, that automatism, with its enormous inertia, will triumph sooner or later, and either the individual will be ejected by the power structure like a foreign organism, or he or she will be compelled to resign his or her individuality gradually, once again blending with the automatism and becoming its servant, almost indistinguishable from those who preceded him or her and those who will follow. (Let us recall, for instance, the development of Husák or Gomulka.) The necessity of continually hiding behind and relating to ritual means that even the more enlightened members of the power structure are often obsessed with ideology. They are never able to plunge straight to the bottom of naked reality, and they always confuse it, in the final analysis, with ideological pseudo-reality. (In my opinion, one of the reasons the Dubček leadership lost control of the situation in 1968 was precisely because, in extreme situations and in final questions, its members were never capable of extricating themselves completely from the world of appearances.)

It can be said, therefore, that ideology, as that instrument of internal communication which assures the power structure of inner cohesion is in the post-totalitarian system, something that transcends the physical aspects of power, something that dominates it to a considerable degree and, therefore, tends to assure its continuity as well. It is one of the pillars of the system’s external stability. This pillar, however, is built on a very unstable foundation. It is built on lies. It works only as long as people are willing to live within the lie.

VI

Why in fact did our greengrocer have to put his loyalty on display in the shop window? Had he not already displayed it sufficiently in various internal or semi-public ways? At trade-union meetings, after all, he had always voted as he should. He had always taken part in various competitions. He voted in elections like a good citizen. He had even signed the 'anti-Charter'. Why, on top of all that, should he have to declare his loyalty publicly? After all, the people who walk past his window will certainly not stop to read that, in the greengrocer’s opinion, the workers of the world ought to unite. The fact of the matter is, they don’t read the slogan at all, and it can be fairly assumed they don’t even see it. If you were to ask a woman who had stopped in front of his shop what she saw in the window, she could certainly tell you whether or not they had tomatoes today, but it is highly unlikely that she noticed the slogan at all, let alone what it said.

It seems senseless to require the greengrocer to declare his loyalty publicly. But it makes sense nevertheless. People ignore his slogan, but they do so because such slogans are also found in other shop windows, on lamp posts, bulletin boards, in apartment windows, and on buildings; they are everywhere, in fact. They form part of the panorama of everyday life. Of course, while they ignore the details, people are very aware of that panorama as a whole. And what else is the greengrocer’s slogan but a small component in that huge backdrop to daily life?
The greengrocer had to put the slogan in his window, therefore, not in the hope that someone might read it or be persuaded by it, but to contribute, along with thousands of other slogans, to the panorama that everyone is very much aware of. This panorama, of course, has a subliminal meaning as well: it reminds people where they are living and what is expected of them. It tells them what everyone else is doing, and indicates to them what they must do as well, if they don’t want to be excluded, to fall into isolation, alienate themselves from society, break the rules of the game, and risk the loss of their peace and tranquility and security.

The woman who ignored the greengrocer’s slogan may well have hung a similar slogan just an hour before in the corridor of the office where she works. She did it more or less without thinking, just as our greengrocer did, and she could do so precisely because she was doing it against the background of the general panorama and with some awareness of it, that is, against the background of the panorama of which the greengrocer’s shop window forms a part. When the greengrocer visits her office, he will not notice her slogan either, just as she failed to notice his. Nevertheless their slogans are mutually dependent: both were displayed with some awareness of the general panorama and, we might say, under its diktat. Both, however, assist in the creation of that panorama, and therefore they assist in the creation of that diktat as well. The greengrocer and the office worker have both adapted to the conditions in which they live, but in doing so, they help to create those conditions. They do what is done, what is to be done, what must be done, but at the same time - by that very token - they confirm that it must be done in fact. They conform to a particular requirement and in so doing they themselves perpetuate that requirement. Metaphorically speaking, without the greengrocer’s slogan the office worker’s slogan could not exist, and vice versa. Each proposes to the other that something be repeated and each accepts the other’s proposal. Their mutual indifference to each other’s slogans is only an illusion: in reality, by exhibiting their slogans, each compels the other to accept the rules of the game and to confirm thereby the power that requires the slogans in the first place. Quite simply, each helps the other to be obedient. Both are objects in a system of control, but at the same time they are its subjects as well. They are both victims of the system and its instruments.

If an entire district town is plastered with slogans that no one reads, it is on the one hand a message from the district secretary to the regional secretary, but it is also something more: a small example of the principle of social auto-totality at work. Part of the essence of the post-totalitarian system is that it draws everyone into its sphere of power, not so they may realize themselves as human beings, but so they may surrender their human identity in favour of the identity of the system, that is, so they may become agents of the system’s general automatism and servants of its self-determined goals, so they may participate in the common responsibility for it, so they may be pulled into and ensnared by it, like Faust with Mephisto- pheles. More than this: so they may create through their involvement a general norm and, thus, bring pressure to bear on their fellow citizens. And further: so they may learn to be comfortable with their involvement, to identify with it as though it were something natural and inevitable and, ultimately, so they may - with no external urging - come to treat any non-involvement as an abnormality, as arrogance, as an attack on themselves, as a form of dropping out of society. By pulling everyone into its power structure, the post-totalitarian system makes everyone instruments of a mutual totality, the auto-totality of society.

Everyone, however, is in fact involved and enslaved, not only the greengrocers but also the prime ministers. Differing positions in the hierarchy merely establish differing degrees of involvement: the greengrocer is involved only to a minor extent, but he also has very little power. The prime minister, naturally, has greater power, but in return he is far more deeply involved. Both, however, are unfree, each merely in a somewhat
different way. The real accomplice in this involvement, therefore, is not another person, but the system itself. Position in the power hierarchy determines the degree of responsibility and guilt, but it gives no one unlimited responsibility and guilt, nor does it completely absolve anyone. Thus the conflict between the aims of life and the aims of the system is not a conflict between two socially defined and separate communities; and only a very generalized view (and even that only approximative) permits us to divide society into the rulers and the ruled. Here, by the way, is one of the most important differences between the post-totalitarian system and classical dictatorships, in which this line of conflict can still be drawn according to social class. In the post-totalitarian system, this line runs de facto through each person, for everyone in his or her own way is both a victim and a supporter of the system. What we understand by the system is not, therefore, a social order imposed by one group upon another, but rather something which permeates the entire society and is a factor in shaping it, something which may seem impossible to grasp or define (for it is in the nature of a mere principle), but which is expressed by the entire society as an important feature of its life.

The fact that human beings have created, and daily create, this self-directed system through which they divest themselves of their innermost identity, is not therefore the result of some incomprehensible misunderstanding of history, nor is it history somehow gone off its rails. Neither is it the product of some diabolical higher will, which has decided, for reasons unknown, to torment a portion of humanity in this way. It can happen and did happen only because there is obviously in modern humanity a certain tendency towards the creation, or at least the toleration, of such a system. There is obviously something in human beings which responds to this system, something they reflect and accommodate, something within them which paralyses every effort of their better selves to revolt. Human beings are compelled to live within a lie, but they can be compelled to do so only because they are in fact capable of living in this way. Therefore not only does the system alienate humanity, but at the same time alienated humanity supports this system as its own involuntary masterplan, as a degenerate image of its own degeneration, as a record of people's own failure as individuals.

The essential aims of life are present naturally in every person. In everyone there is some longing for humanity's rightful dignity, for moral integrity, for free expression of being and a sense of transcendence over the world of existences. Yet, at the same time, each person is capable, to a greater or lesser degree, of coming to terms with living within the lie. Each person somehow succumbs to a profane trivialization of his or her inherent humanity, and to utilitarianism. In everyone there is some willingness to merge with the anonymous crowd and to flow comfortably along with it down the river of pseudo-life. This is much more than a simple conflict between two identities. It is something far worse: it is a challenge to the very notion of identity itself.

In highly simplified terms, it could be said that the post-totalitarian system has been built on foundations laid by the historical encounter between dictatorship and the consumer society. Is it not true that the far-reaching adaptability to living a lie and the effortless spread of social auto-totality have some connection with the general unwillingness of consumption-oriented people to sacrifice some material certainties for the sake of their own spiritual and moral integrity? With their willingness to surrender higher values when faced with the trivializing temptations of modern civilization? With their vulnerability to the attractions of mass indifference? And in the end, is not the gryness and the emptiness of life in the post-totalitarian system only an inflated caricature of modern life in general? And do we not in fact stand (although in the external measures of civilization, we are far behind) as a kind of warning to the West, revealing to it its own latent tendencies?
Let us now imagine that one day something in our greengrocer snaps and he stops putting up the slogans merely to ingratiate himself. He stops voting in elections he knows are a farce. He begins to say what he really thinks at political meetings. And he even finds the strength in himself to express solidarity with those whom his conscience commands him to support. In this revolt the greengrocer steps out of living within the lie. He rejects the ritual and breaks the rules of the game. He discovers once more his suppressed identity and dignity. He gives his freedom a concrete significance. His revolt is an attempt to live within the truth.

The bill is not long in coming. He will be relieved of his post as manager of the shop and transferred to the warehouse. His pay will be reduced. His hopes for a holiday in Bulgaria will evaporate. His children’s access to higher education will be threatened. His superiors will harass him and his fellow workers will wonder about him. Most of those who apply these sanctions, however, will not do so from any authentic inner conviction but simply under pressure from conditions, the same conditions that once pressured the greengrocer to display the official slogans. They will persecute the greengrocer either because it is expected of them, or to demonstrate their loyalty, or simply as part of the general panorama, to which belongs an awareness that this is how situations of this sort are dealt with, that this, in fact, is how things are always done, particularly if one is not to become suspect oneself. The executors, therefore, behave essentially like everyone else, to a greater or lesser degree: as components of the post-totalitarian system, as agents of its automatism, as petty instruments of the social auto-totality.

Thus the power structure, through the agency of those who carry out the sanctions, those anonymous components of the system, will spew the greengrocer from its mouth. The system, through its alienating presence in people, will punish him for his rebellion. It must do so because the logic of its automatism and self-defence dictate it. The greengrocer has not committed a simple, individual offence, isolated in its own uniqueness, but something incomparably more serious. By breaking the rules of the game, he has disrupted the game as such. He has exposed it as a mere game. He has shattered the world of appearances, the fundamental pillar of the system. He has upset the power structure by tearing apart what holds it together. He has demonstrated that living a lie is living a lie. He has broken through the exalted façade of the system and exposed the real, base foundations of power. He has said that the emperor is naked. And because the emperor is in fact naked, something extremely dangerous has happened: by his action, the greengrocer has addressed the world. He has enabled everyone to peer behind the curtain. He has shown everyone that it is possible to live within the truth. Living within the lie can constitute the system only if it is universal. The principle must embrace and permeate everything. There are no terms whatsoever on which it can coexist with living within the truth, and therefore everyone who steps out of line denies it in principle and threatens it in its entirety.

This is understandable: as long as appearance is not confronted with reality, it does not seem to be appearance. As long as living a lie is not confronted with living the truth, the perspective needed to expose its mendacity is lacking. As soon as the alternative appears, however, it threatens the very existence of appearance and living a lie in terms of what they are, both their essence and their all-inclusiveness. And at the same time, it is utterly unimportant how large a space this alternative occupies: its power does not consist in its physical attributes but in the light it casts on those pillars of the system and on its unstable foundations. After all, the greengrocer was a threat to the system not because of any physical or actual power he had, but because his action went beyond itself, because it illuminated its surroundings and, of
course, because of the incalculable consequences of that illumination. In the post-totalitarian system, therefore, living within the truth has more than a mere existential dimension (returning humanity to its inherent nature), or a noetic dimension (revealing reality as it is), or a moral dimension (setting an example for others). It also has an unambiguous political dimension. If the main pillar of the system is living a lie, then it is not surprising that the fundamental threat to it is living the truth. This is why it must be suppressed more severely than anything else.

In the post-totalitarian system, truth in the widest sense of the word has a very special import, one unknown in other contexts. In this system, truth plays a far greater (and above all, a far different) role as a factor of power, or as an outright political force. How does the power of truth operate? How does truth as a factor of power work? How can its power — as power — be realized?

VIII

Individuals can be alienated from themselves only because there is something in them to alienate. The terrain of this violation is their authentic existence. Living the truth is thus woven directly into the texture of living a lie. It is the repressed alternative, the authentic aim to which living a lie is an inauthentic response. Only against this background does living a lie make any sense: it exists because of that background. In its excusatory, chimerical rootedness in the human order, it is a response to nothing other than the human predisposition to truth. Under the orderly surface of the life of lies, therefore, there slumbers the hidden sphere of life in its real aims, of its hidden openness to truth.

The singular, explosive, incalculable political power of living within the truth resides in the fact that living openly within the truth has an ally, invisible to be sure, but omnipresent: this hidden sphere. It is from this sphere that life lived openly in the truth grows; it is to this sphere that it speaks, and in it that it finds understanding. This is where the potential for communication exists. But this place is hidden and therefore, from the perspective of power, very dangerous. The complex ferment that takes place within it goes on in semi-darkness, and by the time it finally surfaces into the light of day as an assortment of shocking surprises to the system, it is usually too late to cover them up in the usual fashion. Thus they create a situation in which the regime is confounded, invariably causing panic and driving it to react in inappropriate ways.

It seems that the primary breeding ground for what might, in the widest possible sense of the word, be understood as an opposition in the post-totalitarian system is living within the truth. The confrontation between these opposition forces and the powers that be, of course, will obviously take a form essentially different from that typical of an open society or a classical dictatorship. Initially, this confrontation does not take place on the level of real, institutionalized, quantifiable power which relies on the various instruments of power, but on a different level altogether: the level of human consciousness and conscience, the existential level. The effective range of this special power cannot be measured in terms of disciples, voters, or soldiers, because it lies spread out in the fifth column of social consciousness, in the hidden aims of life, in human beings’ repressed longing for dignity and fundamental rights, for the realization of their real social and political interests. Its power, therefore, does not reside in the strength of definable political or social groups, but chiefly in the strength of a potential, which is hidden throughout the whole of society, including the official power structures of that society. Therefore this power does not rely on soldiers of its own, but on the soldiers of the enemy as it were - that is to say, on everyone who is living within the lie and who may be struck at any moment (in theory, at least) by the force of truth (or who, out of an
instinctive desire to protect their position, may at least adapt to that force). It is a bacteriological weapon, so to speak, utilized when conditions are ripe by a single civilian to disarm an entire division. This power does not participate in any direct struggle for power; rather it makes its influence felt in the obscure arena of being itself. The hidden movements it gives rise to there, however, can issue forth (when, where, under what circumstances, and to what extent are difficult to predict) in something visible: a real political act or event, a social movement, a sudden explosion of civil unrest, a sharp conflict inside an apparently monolithic power structure, or simply an irrepressible transformation in the social and intellectual climate. And since all genuine problems and matters of critical importance are hidden beneath a thick crust of lies, it is never quite clear when the proverbial last straw will fall, or what that straw will be. This, too, is why the regime prosecutes, almost as a reflex action preventively, even the most modest attempts to live within the truth.

Why was Solzhenitsyn driven out of his own country? Certainly not because he represented a unit of real power, that is, not because any of the regime’s representatives felt he might unseat them and take their place in government. Solzhenitsyn’s expulsion was something else: a desperate attempt to plug up the dreadful wellspring of truth, a truth which might cause incalculable transformations in social consciousness, which in turn might one day produce political debacles unpredictable in their consequences. And so the post-totalitarian system behaved in a characteristic way: it defended the integrity of the world of appearances in order to defend itself. For the crust presented by the life of lies is made of strange stuff. As long as it seals off hermetically the entire society, it appears to be made of stone. But the moment someone breaks through in one place, when one person cries out, ‘The emperor is naked!’ - when a single person breaks the rules of the game, thus exposing it as a game everything suddenly appears in another light and the whole crust seems then to be made of a tissue on the point of tearing and disintegrating uncontrollably.

When I speak of living within the truth, I naturally do not have in mind only products of conceptual thought, such as a protest or a letter written by a group of intellectuals. It can be any means by which a person or a group revolts against manipulation: anything from a letter by intellectuals to a workers’ strike, from a rock concert to a student demonstration, from refusing to vote in the farcical elections, to making an open speech at some official congress, or even a hunger strike, for instance. If the suppression of the aims of life is a complex process, and if it is based on the multifaceted manipulation of all expressions of life then, by the same token, every free expression of life indirectly threatens the post-totalitarian system politically, including forms of expression to which, in other social systems, no one would attribute any potential political significance, not to mention explosive power.

The Prague Spring is usually understood as a clash between two groups on the level of real power: those who wanted to maintain the system as it was and those who wanted to reform it. It is frequently forgotten, however, that this encounter was merely the final act and the inevitable consequence of a long drama originally played out chiefly in the theatre of the spirit and the conscience of society. And that somewhere at the beginning of this drama, there were individuals who were willing to live within the truth, even when things were at their worst. These people had no access to real power, nor did they aspire to it. The sphere in which they were living the truth was not necessarily even that of political thought. They could equally have been poets, painters, musicians, or simply ordinary citizens who were able to maintain their human dignity. Today it is naturally difficult to pinpoint when and through which hidden, winding channel a certain action or attitude influenced a given milieu, and to trace the virus of truth as it slowly spread through the tissue of the life of lies, gradually causing it to disintegrate. One thing, however, seems clear:
the attempt at political reform was not the cause of society's reawakening, but rather the final outcome of that reawakening.

I think the present also can be better understood in the light of this experience. The confrontation between 1000 Chartists and the post-totalitarian system would appear to be politically hopeless. This is true, of course, if we look at it through the traditional lens of the open political system, in which, quite naturally, every political force is measured chiefly in terms of the positions it holds on the level of real power. Given that perspective, a mini-party like the Charter would certainly not stand a chance. If, however, this confrontation is seen against the background of what we know about power in the post-totalitarian system, it appears in a fundamentally different light. For the time being, it is impossible to say with any precision what impact the appearance of Charter 77, its existence, and its work has had in the hidden sphere, and how the Charter's attempt to rekindle civic self-awareness and confidence is regarded there. Whether, when, and how this investment will eventually produce dividends in the form of specific political changes is even less possible to predict. But that, of course, is all part of living within the truth. As an existential solution, it takes individuals back to the solid ground of their own identity; as politics it throws them into a game of chance where the stakes are all or nothing. For this reason it is undertaken only by those for whom the former is worth risking the latter, or who have come to the conclusion that there is no other way to conduct real politics in Czechoslovakia today. Which, by the way, is the same thing: this conclusion can be reached only by someone who is unwilling to sacrifice his or her own human identity to politics, or rather who does not believe in a politics that requires such a sacrifice.

The more thoroughly the post-totalitarian system frustrates any rival alternative on the level of real power, as well as any form of politics independent of the laws of its own automatism, the more definitively the centre of gravity of any potential political threat shifts to the area of the existential and the prepolitical: usually without any conscious effort, living within the truth becomes the one natural point of departure for all activities that work against the automatism of the system. And even if such activities ultimately grow beyond the area of living within the truth (which means they are transformed into various parallel structures, movements, institutions, they begin to be regarded as political activity, they bring real pressure to bear on the official structures and begin in fact to have a certain influence on the level of real power), they always carry with them the specific hallmark of their origins. Therefore it seems to me that not even the so-called dissident movements can be properly understood without constantly bearing in mind this special background from which they emerge.

The profound crisis of human identity brought on by living within a lie, a crisis which in turn makes such a life possible, certainly possesses a moral dimension as well: it appears, among other things, as a deep moral crisis in society. A person who has been seduced by the consumer value system, whose identity is dissolved in an amalgam of the accoutrements of mass civilization, and who has no roots in the order of being, no sense of responsibility for anything higher than his or her own personal survival, is a demoralized person. The system depends on this demoralization, deepens it, is in fact a projection of it into society.

Living within the truth, as humanity's revolt against an enforced position, is, on the contrary, an attempt to regain control over one's own sense of responsibility. In other words, it is clearly a moral act, not only because one must pay so dearly for it, but principally because it is not self-serving: the risk may bring rewards in the form of a general amelioration in the situation, or it may not. In this regard, as I stated
previously, it is an all-or-nothing gamble, and it is difficult to imagine a reasonable person embarking on such a course merely because he or she reckons that sacrifice today will bring rewards tomorrow, be it only in the form of general gratitude. (By the way, the representatives of power invariably come to terms with those who live within the truth by persistently ascribing utilitarian motivations to them - a lust for power or fame or wealth - and thus they try, at least, to implicate them in their own world, the world of general demoralization.)

If living within the truth in the post-totalitarian system becomes the chief breeding ground for independent, alternative political ideas, then all considerations about the nature and future prospects of these ideas must necessarily reflect this moral dimension as a political phenomenon. (And if the revolutionary Marxist belief about morality as a product of the ‘superstructure’ inhibits any of our friends from realizing the full significance of this dimension and, in one way or another, from including it in their view of the world, it is to their own detriment: an anxious fidelity to the postulates of that world view prevents them from properly understanding the mechanisms of their own political influence, thus paradoxically making them precisely what they, as Marxists, so often suspect others of being - victims of ‘false consciousness’.) The very special political significance of morality in the post-totalitarian system is a phenomenon that is at the very least unusual in modern political history, a phenomenon that might well have - as I shall soon attempt to show - far-reaching consequences.

Undeniably, the most important political event in Czechoslovakia after the advent of the Husák leadership in 1969 was the appearance of Charter 77. The spiritual and intellectual climate surrounding its appearance, however, was not the product of any immediate political event. That climate was created by the trial of some young musicians associated with a rock group called ‘The Plastic People of the Universe’. Their trial was not a confrontation of two differing political forces or conceptions, but two differing conceptions of life. On the one hand, there was the sterile puritanism of the post-totalitarian establishment and, on the other hand, unknown young people who wanted no more than to be able to live within the truth, to play the music they enjoyed, to sing songs that were relevant to their lives, and to live freely in dignity and partnership. These people had no past history of political activity. They were not highly motivated members of the opposition with political ambitions, nor were they former politicians expelled from the power structures. They had been given every opportunity to adapt to the status quo, to accept the principles of living within a lie and thus to enjoy life undisturbed by the authorities. Yet they decided on a different course. Despite this, or perhaps precisely because of it, their case had a very special impact on everyone who had not yet given up hope. Moreover, when the trial took place, a new mood had begun to surface after the years of waiting, of apathy and of scepticism towards various forms of resistance. People were ‘tired of being tired’; they were fed up with the stagnation, the inactivity, barely hanging on in the hope that things might improve after all. In some ways the trial was the final straw. Many groups of differing tendencies which until then had remained isolated from each other, reluctant to co-operate, or which were committed to forms of action that made co-operation difficult, were suddenly struck with the powerful realization that freedom is indivisible. Everyone understood that an attack on the Czech musical underground was an attack on a most elementary and important thing, something that in fact bound everyone together: it was an attack on the very notion of ‘living within the truth’, on the real aims of life. The freedom to play rock music was understood as a human freedom and thus as essentially the same as the freedom to engage in philosophical and political reflection, the freedom to write, the freedom to express and defend the various social and political interests of society. People were inspired to feel a
genuine sense of solidarity with the young musicians and they came to realize that not standing up for the freedom of others, regardless of how remote their means of creativity or their attitude to life, meant surrendering one's own freedom. (There is no freedom without equality before the law, and there is no equality before the law without freedom; Charter 77 has given this ancient notion a new and characteristic dimension, which has immensely important implications for modern Czech history. What Slábeček, the author of the book *Sixty-eight*, in a brilliant analysis, calls the 'principle of exclusion', lies at the root of all our present-day moral and political misery. This principle was born at the end of the Second World War in that strange collusion of democrats and communists and was subsequently developed further and further, right to the 'bitter end'. For the first time in decades this principle has been overcome, by Charter 77: all those united in the Charter have, for the first time, become equal partners. Charter 77 is not merely a coalition of communists and non-communists - that would be nothing historically new and, from the moral and political point of view, nothing revolutionary - but it is a community that is *a priori* open to anyone, and no one in it is *a priori* assigned an inferior position.) This was the climate, then, in which Charter 77 was created. Who could have foreseen that the prosecution of one or two obscure rock groups would have such far-reaching consequences?

I think that the origins of Charter 77 illustrate very well what I have already suggested above: that in the post-totalitarian system, the real background to the movements that gradually assume political significance does not usually consist of overtly political events of confrontations between different forces or concepts that are openly political. These movements for the most part originate elsewhere, in the far broader area of the 'pre-political', where 'living within a lie' confronts 'living within the truth', that is, where the demands of the post-totalitarian system conflict with the real aims of life. These real aims can naturally assume a great many forms. Sometimes they appear as the basic material or social interests of a group or an individual; at other times, they may appear as certain intellectual and spiritual interests; at still other times, they may be the most fundamental of existential demands, such as the simple longing of people to live their own lives in dignity. Such a conflict acquires a political character, then, not because of the elementary political nature of the aims demanding to be heard but simply because, given the complex system of manipulation on which the post-totalitarian system is founded and on which it is also dependent, every free human act or expression, every attempt to live within the truth, must necessarily appear as a threat to the system and, thus, as something which is political *par excellence*. Any eventual political articulation of the movements that grow out of this 'pre-political' hinterland is secondary. It develops and matures as a result of a subsequent confrontation with the system, and not because it started off as a political programme, project or impulse.

Once again, the events of 1968 confirm this. The communist politicians who were trying to reform the system came forward with their programme not because they had suddenly experienced a mystical enlightenment, but because they were led to do so by continued and increasing pressure from areas of life that had nothing to do with politics in the traditional sense of the word. In fact they were trying in political ways to solve the social conflicts (which in fact were confrontations between the aims of the system and the aims of life) that almost every level of society had been experiencing daily, and had been thinking about with increasing openness for years. Backed by this living resonance throughout society, scholars and artists had defined the problem in a wide variety of ways and Students were demanding solutions.

The genesis of Charter 77 also illustrates the special political significance of the moral aspect of things that I have mentioned. Charter 77 would have been unimaginable without that powerful sense of solidarity among widely differing groups, and without the sudden realization that it was impossible to go on waiting
any longer, and that the truth had to be spoken loudly and collectively, regardless of the virtual certainty of sanctions and the uncertainty of any tangible results in the immediate future. ‘There are some things worth suffering for’, Jan Patočka wrote shortly before his death. I think that Chartists understand this not only as Patočka’s legacy, but also as the best explanation of why they do what they do.

Seen from the outside, and chiefly from the vantage point of the system and its power structure, Charter 77 came as a surprise, as a bolt out of the blue. It was not a bolt out of the blue, of course, but that impression is understandable, since the ferment that led to it took place in the ‘hidden sphere’, in that semi-darkness where things are difficult to chart or analyse. The chances of predicting the appearance of the Charter were just as slight as the chances are now of predicting where it will lead. Once again, it was that shock, so typical of moments when something from the hidden sphere suddenly bursts through the moribund surface of ‘living within a lie’. The more one is trapped in the world of appearances, the more surprising it is when something like that happens.

XI

In societies under the post-totalitarian system, all political life in the traditional sense has been eliminated. People have no opportunity to express themselves politically in public, let alone to organize politically. The gap that results is filled by ideological ritual. In such a situation, people’s interest in political matters naturally dwindles and independent political thought, in so far as it exists at all, is seen by the majority as unrealistic, far-fetched, a kind of self-indulgent game, hopelessly distant from their everyday concerns; something admirable, perhaps, but quite pointless, because it is on the one hand entirely utopian and on the other hand extraordinarily dangerous, in view of the unusual vigour with which any move in that direction is persecuted by the regime.

Yet even in such societies, individuals and groups of people exist who do not abandon politics as a vocation and who, in one way or another, strive to think independently, to express themselves and in some cases even to organize politically, because that is a part of their attempt to live within the truth.

The fact that these people exist and work is in itself immensely important and worthwhile. Even in the worst of times, they maintain the continuity of political thought. If some genuine political impulse emerges from this or that ‘pre-political’ confrontation and is properly articulated early enough, thus increasing its chances of relative success, then this is frequently due to these isolated ‘generals without an army’, who, because they have maintained the continuity of political thought in the face of enormous difficulties, can at the right moment enrich the new impulse with the fruits of their own political thinking. Once again, there is ample evidence for this process in Czechoslovakia. Almost all those who were political prisoners in the early 1970s, who had apparently been made to suffer in vain because of their quixotic efforts to work politically among an utterly apathetic and demoralized society, belong today inevitably - among the most active Chartists. In Charter 77, the moral legacy of their earlier sacrifices is valued, and they have enriched this movement with their experience and that element of political thinking.

And yet it seems to me that the thought and activity of those friends who have never given up direct

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*Editor’s note: a highly influential philosopher and disciple of Edmund Husserl, Jan Patočka was also one of the three founding spokespersons for Charter 77. He was severely harassed by the police, subjected to lengthy interrogations, and literally hounded by the police to his hospital death bed. The quotation above is taken from his final public statement, translated as ‘Political testament’, Telos, 31 (spring 1977), pp. 151-2.
political work and who are always ready to assume direct political responsibility very often suffer from one chronic fault: an insufficient understanding of the historical uniqueness of the post-totalitarian system as a social and political reality. They have little understanding of the specific nature of power that is typical for this system and therefore they overestimate the importance of direct political work in the traditional sense. Moreover, they fail to appreciate the political significance of those 'pre-political' events and processes that provide the living humus from which genuine political change usually springs. As political actors - or, rather, as people with political ambitions they frequently try to pick up where natural political life left off. They maintain models of behaviour that may have been appropriate in more normal political circumstances and thus, without really being aware of it, they bring an outmoded way of thinking, old habits, conceptions, categories and notions to bear on circumstances that are quite new and radically different, without first giving adequate thought to the meaning and substance of such things in the new circumstances, to what politics as such means now, to what sort of thing can have political impact and potential, and in what way. Because such people have been excluded from the structures of power and are no longer able to influence those structures directly (and because they remain faithful to traditional notions of politics established in more or less democratic societies or in classical dictatorships) they frequently, in a sense, lose touch with reality. Why make compromises with reality, they say, when none of our proposals will ever be accepted anyway? Thus they find themselves in a world of genuinely utopian thinking.

As I have already tried to indicate, however, genuinely far-reaching political events do not emerge from the same sources and in the same way in the post-totalitarian system as they do in a democracy. And if a large portion of the public is indifferent to, even sceptical of, alternative political models and programmes and the private establishment of opposition political parties, this is not merely because there is a general feeling of apathy towards public affairs and a loss of that sense of 'higher responsibility'; in other words, it is not just a consequence of the general demoralization. There is also a bit of healthy social instinct at work in this attitude. It is as if people sensed intuitively that 'nothing is what it seems any longer', as the saying goes, and that from now on, therefore, things must be done entirely differently as well.

If some of the most important political impulses in Soviet bloc countries in recent years have come initially - that is, before being felt on the level of actual power - from mathematicians, philosophers, physicians, writers, historians, ordinary workers and so on, more frequently than from politicians, and if the driving force behind the various 'dissident movements' comes from so many people in 'non-political' professions, this is not because these people are more clever than those who see themselves primarily as politicians. It is because those who are not politicians are also not so bound by traditional political thinking and political habits and therefore, paradoxically, they are more aware of genuine political reality and more sensitive to what can and should be done under the circumstances.

There is no way around it: no matter how beautiful an alternative political model may be, it can no longer speak to the 'hidden sphere', inspire people and society, call for real political ferment. The real sphere of potential politics in the post-totalitarian system is elsewhere: in the continuing and cruel tension between the complex demands of that system and the aims of life, that is, the elementary need of human beings to live, to a certain extent at least, in harmony with themselves, that is, to live in a bearable way, not to be humiliated by their superiors and officials, not to be continually watched by the police, to be able to express themselves freely, to find an outlet for their creativity, to enjoy legal security, and so on. Anything that touches this field concretely, anything that relates to this fundamental, omnipresent and living tension, will inevitably speak to people. Abstract projects for an ideal political or economic order do not interest them to anything like the same extent - and rightly so - not only because everyone knows how little chance
they have of succeeding, but also because today people feel that the less political policies are derived from a concrete and human 'here and now' and the more they fix their sights on an abstract 'some day', the more easily they can degenerate into new forms of human enslavement. People who live in the post-totalitarian system know only too well that the question of whether one or several political parties are in power, and how these parties define and label themselves, is of far less importance than the question of whether or not it is possible to live like a human being.

To shed the burden of traditional political categories and habits and open oneself up fully to the world of human existence and then to draw political conclusions only after having analysed it: this is not only politically more realistic but at the same time, from the point of view of an 'ideal state of affairs', politically more promising as well. A genuine, profound and lasting change for the better - as I shall attempt to show elsewhere - can no longer result from the victory (were such a victory possible) of any particular traditional political conception, which can ultimately be only external, that is, a structural or systemic conception. More than ever before, such a change will have to derive from human existence, from the fundamental reconstitution of the position of people in the world, their relationships to themselves and to each other, and to the universe. If a better economic and political model is to be created, then perhaps more than ever before it must derive from profound existential and moral changes in society. This is not something that can be designed and introduced like a new car. If it is to be more than just a new variation on the old degeneration, it must above all be an expression of life in the process of transforming itself. A better system will not automatically ensure a better life. In fact the opposite is true: only by creating a better life can a better system be developed.

Once more I repeat that I am not underestimating the importance of political thought and conceptual political work. On the contrary, I think that genuine political thought and genuinely political work is precisely what we continually fail to achieve. If I say 'genuine', however, I have in mind the kind of thought and conceptual work that has freed itself of all the traditional political schemata that have been imported into our circumstances from a world that will never return (and whose return, even were it possible, would provide no permanent solution to the most important problems).

The Second and Fourth Internationals, like many other political powers and organizations, may naturally provide significant political support for various efforts of ours, but neither of them can solve our problems for us. They operate in a different world and are a product of different circumstances. Their theoretical concepts can be interesting and instructive to us but one thing is certain: we cannot solve our problems simply by identifying with these organizations. And the attempt in our country to place what we do in the context of some of the discussions that dominate political life in democratic societies often seems like sheer folly. For example, is it possible to talk seriously about whether we want to change the system or merely reform it? In the circumstances under which we live, this is a pseudo-problem, since for the time being there is simply no way we can accomplish either goal. We are not even clear about where reform ends and change begins. We know from a number of harsh experiences that neither reform nor change is in itself a guarantee of anything. We know that ultimately it is all the same to us whether or not the system in which we live, in the light of a particular doctrine, appears 'changed' or 'reformed'. Our concern is whether we can live with dignity in such a system, whether it serves people rather than people serving it. We are struggling to achieve this with the means available to us, and the means it makes sense to employ. Western journalists, submerged in the political banalities in which they live, may label our approach as overly legalistic, as too risky, revisionist, counter-revolutionary, bourgeois, communist, or as too right-wing or left-wing. But this is the very last thing that interests us.
At the time when the Czech lands and Slovakia were an integral part of the Austro-Hungarian Empire, and when there existed neither the historical nor the political, psychological or social conditions that would have enabled the Czechs and Slovaks to seek their identity outside the framework of this empire. T. G. Masaryk established a Czechoslovak national programme based on the notion of ‘small scale work’ (drobná práce). By that he meant honest and responsible work in widely different areas of life but within the existing social order, work that would stimulate national creativity and national self-confidence. Naturally he placed particular emphasis on intelligent and enlightened upbringing and education, and on the moral and humanitarian aspects of life. Masaryk believed that the only possible starting point for a more dignified national destiny was humanity itself. Humanity's first task was to create the conditions for a more human life; and in Masaryk’s view, the task of transforming the stature of the nation began with the transformation of human beings.

This notion of 'working for the good of the nation' took root in Czechoslovak society and in many ways it was successful and is still alive today. Along with those who exploit the notion as a sophisticated excuse for collaborating with the regime, there are still many, even today who genuinely uphold the ideal and, in some areas at least, can point to indisputable achievements. It is hard to say how much worse things would be if there were not many hard working people who simply refused to give up and try constantly to do the best they can, paying an unavoidable minimum to 'living within a lie' so that they might give their utmost to the authentic needs of society. These people assume, correctly, that every piece of good work is an indirect criticism of bad politics, and that there are situations where it is worthwhile going this route, even though it means surrendering one’s natural right to make direct criticisms.

Today, however, there are very clear limitations to this attitude, even compared to the situation in the 1960s. More and more frequently, those who attempt to practise the principle of ‘small-scale work’ come up against the post-totalitarian system and find themselves facing a dilemma: either one retreats from that position, dilutes the honesty, responsibility and consistency on which it is based and simply adapts to circumstances (the approach taken by the majority), or one continues on the way begun and inevitably comes into conflict with the regime (the approach taken by a minority).

If the notion of small-scale work was never intended as an imperative to survive in the existing social and political structure at any cost (in which case individuals who allowed themselves to be excluded from that structure would necessarily appear to have given up ‘working for the nation’) then today it is even less significant. There is no general model of behaviour, that is, no neat, universally valid way of determining the point at which small-scale work ceases to be 'for the good of the nation' and becomes 'detrimental to the nation’. It is more than clear, however, that the danger of such a reversal is becoming more and more acute and that small-scale work, with increasing frequency, is coming up against that limit beyond which avoiding conflict means compromising its very essence.

In 1974, when I was employed in a brewery, my immediate superior was a certain Š., a person well-versed in the art of making beer. He was proud of his profession and he wanted our brewery to brew good beer. He spent almost all his time at work, continually thinking up improvements and he frequently made the rest of us feel uncomfortable because he assumed that we loved brewing as much as he did. In the midst of the slovenly indifference to work that socialism encourages, a more constructive worker would be
The brewery itself was managed by people who understood their work less and were less fond of it, but who were politically more influential. They were bringing the brewery to ruin and not only did they fail to react to any of Š.'s suggestions, but they actually became increasingly hostile towards him and tried in every way to thwart his efforts to do a good job. Eventually the situation became so bad that Š. felt compelled to write a lengthy letter to the manager's superior, in which he attempted to analyse the brewery's difficulties. He explained why it was the worst in the district and pointed to those responsible.

His voice might have been heard. The manager, who was politically powerful but otherwise ignorant of beer, a man who loathed workers and was given to intrigue, might have been replaced and conditions in the brewery might have been improved on the basis of Š.'s suggestions. Had this happened, it would have been a perfect example of small-scale work in action. Unfortunately the precise opposite occurred: the manager of the brewery, who was a member of the Communist Party's district committee, had friends in higher places and he saw to it that the situation was resolved in his favour. Š.'s analysis was described as a 'defamatory document' and Š. himself was labelled a 'political saboteur'. He was thrown out of the brewery and shifted to another one where he was given a job requiring no skill. Here the notion of small-scale work had come up against the wall of the post-totalitarian system. By speaking the truth, Š. had stepped out of line, broken the rules, cast himself out, and he ended up as a sub-citizen, stigmatized as an enemy. He could now say anything he wanted, but he could never, as a matter of principle, expect to be heard. He had become the 'dissident' of the Eastern Bohemian Brewery.

I think this is a model case which, from another point of view, illustrates what I have already said in the preceding section: you do not become a 'dissident' just because you decide one day to take up this most unusual career. You are thrown into it by your personal sense of responsibility, combined with a complex set of external circumstances. You are cast out of the existing structures and placed in a position of conflict with them. It begins as an attempt to do your work well, and ends with being branded an enemy of society. This is why our situation is not comparable to the Austro-Hungarian Empire, when the Czech nation, in the worst period of Bach's absolutism, had only one real 'dissident', Karel Havlíček, who was imprisoned in Brixen. Today, if we are not to be snobbish about it, we must admit that 'dissidents' can be found on every street corner.

To rebuke 'dissidents' for having abandoned 'small-scale work' is simply absurd. 'Dissent' is not an alternative to Masaryk's notion, it is frequently its only possible outcome. I say 'frequently' in order to emphasize that this is not always the case. I am far from believing that the only decent and responsible people are those who find themselves at odds with the existing social and political structures. After all, the brewmaster Š. might have won his battle. To condemn those who have kept their positions simply because they have kept them, in other words, for not being 'dissidents', would be just as absurd as to hold them up as an example to the 'dissidents'. In any case, it contradicts the whole 'dissident' attitude - seen as an attempt to live within the truth - if one judges human behaviour not according to what it is and whether it is good or not, but according to the personal circumstances such an attempt has brought one to.

* Editor's note: Alexander Bach was Minister of the Interior for a decade - 1849-S9 - In Vienna. His name has entered the Czech language and is synonymous with police rule. Karel Havlíček Borovský (1821-56) was a poet, literary critic and publicist. He is widely considered as the classical writer in the tradition of Czech political satire, and was involved directly in the Czech movement for nationhood and democracy during the 1840s and 1850s.
Our greengrocer’s attempt to live within the truth may be confined to not doing certain things. He decides not to put flags in his window when his only motive for putting them there in the first place would have been to avoid being reported by the house warden; he does not vote in elections that he considers false; he does not hide his opinions from his superiors. In other words, he may go no further than 'merely' refusing to comply with certain demands made on him by the system (which of course is not an insignificant step to take). This may, however, grow into something more. The greengrocer may begin to do something concrete, something that goes beyond an immediately personal self-defensive reaction against manipulation, something that will manifest his new-found sense of higher responsibility. He may, for example, organize his fellow greengrocers to act together in defence of their interests. He may write letters to various institutions, drawing their attention to instances of disorder and injustice around him. He may seek out unofficial literature, copy it and lend it to his friends.

If what I have called living within the truth is a basic existential (and of course potentially political) starting point for all those 'independent citizens' initiatives' and 'dissident' or 'opposition' movements dealt with in the essays to follow, this does not mean that every attempt to live within the truth automatically belongs in this category. On the contrary, in its most original and broadest sense, living within the truth covers a vast territory whose outer limits are vague and difficult to map, a territory full of modest expressions of human volition, the vast majority of which will remain anonymous and whose political impact will probably never be felt or described any more concretely than simply as a part of a social climate or mood. Most of these expressions remain elementary revolts against manipulation: you simply straighten your backbone and live in greater dignity as an individual.

Here and there - thanks to the nature, the assumptions and the professions of some people, but also thanks to a number of accidental circumstances such as the specific nature of the local milieu, friends, and so on - a more coherent and visible initiative may emerge from this wide and anonymous hinterland, an initiative that transcends 'merely' individual revolt and is transformed into more conscious, structured and purposeful work. The point where living within the truth ceases to be a mere negation of living with a lie and becomes articulate in a particular way, is the point at which something is born that might be called 'the independent spiritual, social and political life of society'. This independent life is not separated from the rest of life ('dependent life') by some sharply defined line. Both types frequently coexist in the same people. Nevertheless, its most important focus is marked by a relatively high degree of inner emancipation. It sails upon the vast ocean of the manipulated life like little boats, tossed by the waves but always bobbing back as visible messengers of living within the truth, articulating the suppressed aims of life.

What is this independent life of society? The spectrum of its expressions and activities is naturally very wide. It includes everything from self-education and thinking about the world, through free creative-activity and its communication to others, to the most varied free, civic attitudes, including instances of independent social self-organization. In short, it is an area in which living within the truth becomes articulate and materializes in a visible way.

Thus what will later be referred to as 'citizens' initiatives', 'dissident movements' or even 'oppositions', emerge, like the proverbial one-tenth of the iceberg visible above the water, from that area, from the independent life of society. In other words, just as the independent life of society develops out of living within the truth in the widest sense of the word, as the distinct, articulated expression of that life, so
‘dissent’ gradually emerges from the ‘independent life of society’. Yet there is a marked difference: if the independent life of society, externally at least, can be understood as a higher form of living within the truth, it is far less certain that ‘dissident movements’ are necessarily a higher form of the ‘independent life of society’. They are simply one manifestation of it and though they may be the most visible and, at first glance, the most political (and most clearly articulated) expression of it, they are far from necessarily being the most mature or even the most important, not only in the general social sense but even in terms of direct political influence. After all, ‘dissent’ has been artificially removed from its place of birth by having been given a special name. In fact, however, it is not possible to think of it separated from the whole background out of which it develops, of which it is an integral part, and from which it draws all its vital strength. In any case, it follows from what has already been said about the peculiarities of the post-totalitarian system that what appears to be the most political of forces in a given moment, and what thinks of itself in such terms, need not necessarily in fact be such a force. The extent to which it is a real political force is due exclusively to its pre-political context.

What follows from this description? Nothing more and nothing less than this: it is impossible to talk about what in fact ‘dissidents’ do and the effect of their work without first talking about the work of all those who, in one way or another, take part in the independent life of society and who are not necessarily ‘dissidents’ at all. They may be writers who write as they wish without regard for censorship or official demands and who issue their work - when official publishers refuse to print them - as samizdat. They may be philosophers, historians, sociologists and all those who practise independent scholarship and, if it is impossible through official or semiofficial channels, who also circulate their work in samizdat or who organize private discussions, lectures and seminars. They may be teachers who privately teach young people things that are kept from them in the state schools; clergymen who either in office or, if they are deprived of their charges, outside it, try to carry on a free religious life; painters, musicians and singers who practise their work regardless of how it is looked upon by official institutions; everyone who shares this independent culture and helps to spread it; people who, using the means available to them, try to express and defend the actual social interests of workers, to put real meaning back into trade unions or to form independent ones; people who are not afraid to call the attention of officials to cases of injustice and who strive to see that the laws are observed; and the different groups of young people who try to extricate themselves from manipulation and live in their own way, in the spirit of their own hierarchy of values. The list could go on.

Very few would think of calling all these people ‘dissidents’. And yet are not the well-known ‘dissidents’ simply people like them? Are not all these activities in fact what ‘dissidents’ do as well? Do they not produce scholarly work and publish it in samizdat? Do they not write plays and novels and poems? Do they not lecture to students in private “universities”? Do they not struggle against various forms of injustice and attempt to ascertain and express the genuine social interests of various sectors of the population?

After having tried to indicate the sources, the inner structure and some aspects of the ‘dissident’ attitude as such, I have clearly shifted my viewpoint from outside, as it were, to an investigation of what these ‘dissidents’ actually do, how their initiatives are manifested and where they lead.

The first conclusion to be drawn, then, is that the original and most important sphere of activity, one that predetermines all the others, is simply an attempt to create and support the ‘independent life of society’ as an articulated expression of ‘living within the truth’. In other words, serving truth consistently, purposefully and articulately, and organizing this service. This is only natural, after all: if living within the truth is an
elementary starting point for every attempt made by people to oppose the alienating pressure of the system, if it is the only meaningful basis of any independent act of political import, and if, ultimately, it is also the most intrinsic existential source of the 'dissident' attitude, then it is difficult to imagine that even manifest 'dissent' could have any other basis than the service of truth, the truthful life and the attempt to make room for the genuine aims of life.

XVI

The post-totalitarian system is mounting a total assault on humans and humans stand against it alone, abandoned and isolated. It is therefore entirely natural that all the 'dissident movements' are explicitly defensive movements: they exist to defend human beings and the genuine aims of life against the aims of the system.

Today the Polish group KOR is called the Committee for Social Self-Defence. The word 'defence' appears in the names of other similar groups in Poland, but even the Soviet Helsinki monitoring group and our own Charter 11 are clearly defensive in nature.

In terms of traditional politics, this programme of defence is understandable, even though it may appear minimal, provisional and ultimately negative. It offers no new conception, model or ideology, and therefore it is not 'politics' in the proper sense of the word, since politics always assumes a 'positive' programme and can scarcely limit itself to defending someone against something.

Such a view, I think, reveals the limitations of the traditionally political way of looking at things. The post-totalitarian system, after all, is not the manifestation of a particular political line followed by a particular government. It is something radically different: it is a complex, profound and long-term violation of society, or rather the self-violation of society. To oppose it merely by establishing a different political line and then striving for a change in government would not only be unrealistic, it would be utterly inadequate; for it would never come near to touching the root of the matter. For some time now, the problem has no longer resided in a political line or programme: it is a problem of life itself.

Thus defending the aims of life, defending humanity is not only a more realistic approach, since it can begin right now and is potentially more popular because it concerns people's everyday lives; at the same time (and perhaps precisely because of this) it is also an incomparably more consistent approach because it aims at the very essence of things.

There are times when we must sink to the bottom of our misery to understand truth, just as we must descend to the bottom of a well to see the stars in broad daylight. It seems to me that today, this 'provisional', 'minimal' and 'negative' programme - the 'simple' defence of people - is in a particular sense (and not merely in the circumstances in which we live) an optimal and most positive programme because it forces politics to return to its only proper starting point, proper that is, if all the old mistakes are to be avoided: individual people. In democratic societies, where the violence done to human beings is not nearly so obvious and cruel, this fundamental revolution in politics has yet to happen, and some things will probably have to get worse there before the urgent need for that revolution is reflected in politics. In our world, precisely because of the misery in which we find ourselves, it would seem that politics has already undergone that transformation: the central concern of political thought is no longer abstract visions of a self-redeeming, 'positive' model (and of course the opportunistic political practices that are the reverse of
the same coin), but rather the people who have so far merely been enslaved by those models and their practices.

Every society, of course, requires some degree of organization. Yet if that organization is to serve people and not the other way around, then people will have to be liberated and space created so that they may organize themselves in meaningful ways. The depravity of the opposite approach, in which people are first organized in one way or another (by someone who always knows best ‘what the people need’) so they may then allegedly be liberated, is something we have known on our own skins only too well.

To sum up: most people who are too bound to the traditional political way of thinking see the weaknesses of the 'dissident movements' in their purely defensive character. In contrast, I see that as their greatest strength. I believe that this is precisely where these movements supercede the kind of politics from whose point of view their programme can seem so inadequate.

XVII

In the 'dissident movements' of the Soviet bloc, the defence of human beings usually takes the form of a defence of human and civil rights as they are entrenched in various official documents such as the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Final Act of the Helsinki Conference and the constitutions of individual states. These movements set out to defend anyone who is being prosecuted for acting in the spirit of those rights, and they in turn act in the same spirit in their work, by insisting over and over again that the regime recognize and respect human and civil rights, and by drawing attention to the areas of life where this is not the case.

Their work, therefore, is based on the principle of legality: they operate publicly and openly, insisting not only that their activity is in line with the law, but that achieving respect for the law is one of their main aims. This principle of legality, which provides both the point of departure and the framework for their activities, is common to all 'dissident' groups in the Soviet bloc, even though individual groups have never worked out any formal agreement on that point. This circumstance raises an important question: Why, in conditions where a widespread and arbitrary abuse of power is the rule, is there such a general and spontaneous principle of legality?

On the primary level, this stress on legality is a natural expression of specific conditions that exist in the post-totalitarian system, and the consequence of an elementary understanding of that specificity. If there are in essence only two ways to struggle for a free society - that is, through legal means and through (armed or unarmed) revolt - then it should be obvious at once how inappropriate the latter alternative is in the post-totalitarian system. Revolt is appropriate when conditions are clearly and openly in motion, during a war for example, or in situations where social or political conflicts are coming to a head. It is appropriate in a classical dictatorship that is either just setting itself up or is in a state of collapse. In other words, it is appropriate where social forces of comparable strength (for example, a government of occupation vs. a nation fighting for its freedom) are confronting each other on the level of actual power, or where there is a clear distinction between the usurpers of power and the subjugated population, or when society finds itself in a state of open crisis. Conditions in the post-totalitarian system - except in extremely explosive situations like the one in Hungary in 1956 - are, of course, precisely the opposite. They are static and stable, and social crises, for the most part, exist only latently (though they run much deeper). Society is not sharply polarized on the level of actual political power, but, as we have seen, the fundamental lines of conflict run
right through each person. In this situation, no attempt at revolt could ever hope to set up even a minimum of resonance in the rest of society, because that society is 'soporific', submerged in a consumer rat-race and wholly involved in the post-totalitarian system (that is, participating in it and acting as agents of its 'automatism'), and it would simply find anything like revolt unacceptable. It would interpret the revolt as an attack upon itself and, rather than supporting the revolt, it would very probably react by intensifying its bias towards the system, since, in its view, the system can at least guarantee a certain quasi- legality. Add to this the fact that the post-totalitarian system has at its disposal a complex mechanism of direct and indirect surveillance that has no equal in history and it is clear that not only would any attempt to revolt come to a dead end politically, but it would also be almost technically impossible to carry off. Most probably it would be liquidated before it had a chance to translate its intentions into action. Even if revolt were possible, however, it would remain the solitary gesture of a few isolated individuals and they would be opposed not only by a gigantic apparatus of national (and supranational) power, but also by the very society in whose name they were mounting their revolt in the first place. (This, by the way, is another reason why the regime and its propaganda have been ascribing terrorist aims to the 'dissident movements' and accusing them of illegal and conspiratorial methods.)

All of this, however, is not the main reason why the 'dissident movements' support the principle of legality. That reason lies deeper, in the innermost structure of the 'dissident' attitude. This attitude is and must be fundamentally hostile towards the notion of violent change as such to the system - and every revolt, essentially, aims at violent change - simply because it places its faith in violence. (Generally, the 'dissident' attitude can only accept violence as a necessary evil in extreme situations, when direct violence can only be met by violence and where remaining passive would in effect mean supporting violence: let us recall, for example, that the blindness of European pacifism was one of the factors that prepared the ground for the Second World War.) As I have already mentioned, 'dissidents' tend to be sceptical about political thought based on the faith that profound social changes can only be achieved by bringing about (regardless of the method) changes in the system or in the government, and the belief that such changes - because they are considered 'fundamental' - justify the sacrifice of 'less fundamental' things, in other words, human lives. Respect for a theoretical concept here outweighs respect for human life. Yet this is precisely what threatens to enslave humanity all over again.

'Dissident movements', as I have tried to indicate, share exactly the opposite view. They understand systemic change as something superficial, something secondary, something that in itself can guarantee nothing. Thus an attitude that turns away from abstract political visions of the future towards concrete human beings and ways of defending them effectively in the here and now is quite naturally accompanied by an intensified antipathy to all forms of violence carried out in the name of 'a better future', and by a profound belief that a future secured by violence might actually be worse than what exists now; in other words, the future would be fatally stigmatized by the very means used to secure it. At the same time, this attitude is not to be mistaken for political conservatism or political moderation. The 'dissident movements' do not shy away from the idea of violent political overthrow because the idea seems too radical, but on the contrary, because it does not seem radical enough. For them, the problem lies far too deep to be settled through mere systemic changes, either governmental or technological. Some people, faithful to the classical Marxist doctrines of the nineteenth century, understand our system as the hegemony of an exploiting class over an exploited class and, operating from the postulate that exploiters never surrender their power voluntarily, they see the only solution in a revolution to sweep away the exploiters. Naturally, they regard such things as the struggle for human rights as something hopelessly legalistic, illusory, opportunistic and ultimately misleading because it makes the doubtful assumption that you can negotiate
in good faith with your exploiters on the basis of a false legality. The problem is that they are unable to find anyone determined enough to carry out this revolution, with the result that they become bitter, sceptical, passive and ultimately apathetic - in other words, they end up precisely where the system, wants them to be. This is one example of how far one can be misled by mechanically applying, in post-totalitarian circumstances, ideological models from another world and another time.

Of course, one need not be an advocate of violent revolution to ask whether an appeal to legality makes any sense at all when the laws - and particularly the general laws concerning human rights - are no more than a façade, an aspect of the world of appearances, a mere game behind which lies total manipulation. 'They can ratify anything because they will still go ahead and do whatever they want anyway' - this is an opinion we often encounter. Is it not true that to constantly 'take them at their word', to appeal to laws every child knows are binding only as long as the government wishes, is in the end just a kind of hypocrisy, a Švejkian obstructionism and, finally, just another way of playing the game; another form of self-delusion? In other words, is the legalistic approach at all compatible with the principle of 'living within the truth'?

This question can only be answered by first looking at the wider implications of how the legal code functions in the post-totalitarian system.

In a classical dictatorship, to a far greater extent than in the post-totalitarian system, the will of the ruler is carried out directly, in an unregulated fashion. A dictatorship has no reason to hide its foundations, nor to conceal the real workings of power, and therefore it need not encumber itself to any great extent with a legal code. The post-totalitarian system, on the other hand, is utterly obsessed with the need to bind everything in a single order: life in such a state is thoroughly permeated by a dense network of regulations, proclamations, directives, norms, orders and rules. (It is not called a bureaucratic system without good reason.) A large proportion of those norms functions as direct instruments of the complex manipulation of life that is intrinsic to the post-totalitarian system. Individuals are reduced to little more than tiny cogs in an enormous mechanism and their significance is limited to their function in this mechanism. Their job, housing accommodation, movements, social and cultural expressions, everything, in short, must be cosseted together as firmly as possible, predetermined, regulated and controlled. Every aberration from the prescribed course of life is treated as error, licence and anarchy. From the cook in the restaurant who, without hard-to-get permission from the bureaucratic apparatus, cannot cook something special for his customers, to the singer who cannot perform his new song at a concert without bureaucratic approval, everyone, in all aspects of their life, is caught in this regulatory tangle of red tape, the inevitable product of the post-totalitarian system. With ever-increasing consistency, it binds all the expressions and aims of life to the spirit of its own aims: the vested interests of its own smooth, automatic operation.

In a narrower sense the legal code serves the post-totalitarian system in this direct way as well, that is, it too forms a part of the world of regulations and prohibitions. At the same time, however, it performs the same service in another indirect way, one that brings it remarkably closer - depending on which level of the law is involved - to ideology and in some cases making it a direct component of that ideology.

1 Like ideology, the legal code functions as an excuse. It wraps the base exercise of power in the noble apparel of the letter of the law; it creates the pleasing illusion that justice is done, society protected and the exercise of power objectively regulated. All this is done to conceal the real essence of post-totalitarian legal practice: the total manipulation of society. If an outside observer who knew nothing at all about life in Czechoslovakia were to study only its laws, he or she would be utterly incapable of
understanding what we were complaining about. The hidden political manipulation of the courts and of public prosecutors, the limitations placed on lawyers’ ability to defend their clients, the closed nature, \textit{de facto}, of trials, the arbitrary actions of the security forces, their position of authority over the judiciary, the absurdly broad application of several deliberately vague sections of that code, and of course the state’s utter disregard for the positive sections of that code (the rights of citizens): all of this would remain hidden from our outside observer. The only thing he or she would take away would be the impression that our legal code is not much worse than the legal code of other civilized countries, and not much different either, except perhaps for certain curiosities, such as the entrenchment in the constitution of a single political party’s eternal rule and the state’s love for a neighbouring superpower. But that is not all: if our observer had the opportunity to study the formal side of policing and judicial procedures and practices, how they look ‘on paper’, he or she would discover that for the most part the common rules of criminal procedure are observed: charges are laid within the prescribed period following arrest, and it is the same with detention orders. Indictments are properly delivered, the accused has a lawyer, and so on. In other words, everyone has an excuse: they have all observed the law. In reality, however, they have cruelly and pointlessly ruined a young person’s life, perhaps for no other reason than because he or she made \textit{samizdat} copies of a novel written by a banned writer, or because the police deliberately falsified their testimony (as everyone knows, from the judge on down to the defendant). Yet all of this somehow remains in the background. The falsified testimony is not necessarily obvious from the trial documents and the section of the criminal code dealing with incitement does not formally exclude the application of that charge to the copying of a banned novel. In other words, the legal code - at least in several areas - is not more than a façade, an aspect of the world of appearances. Then why is it there at all? For exactly the same reason as ideology is there: it provides a bridge of excuses between the system and individuals, making it easier for them to enter the power structure and serve the arbitrary demands of power. The excuse lets individuals fool themselves into thinking they are merely upholding the law and protecting society from criminals. (Without this excuse, how much more difficult it would be to recruit new generations of judges, prosecutors and interrogators!) As an aspect of the world of appearances, however, the legal code deceives not only the conscience of prosecutors, it deceives the public, it deceives foreign observers, and it even deceives history itself.

2 Like ideology, the legal code is an essential instrument of ritual communication outside the power structure. It is the legal code that gives the exercise of power a form, a framework, a set of rules. It is the legal code that enables all components of the system to communicate, to put themselves in a good light, to establish their own legitimacy. It provides their whole game with its ‘rules’ and engineers with their technology. Can the exercise of post-totalitarian power be imagined at all without this universal ritual making it all possible, serving as a common language to bind the relevant sectors of the power structure together? The more important the position occupied by the repressive apparatus in the power structure, the more important that it functions according to some kind of formal code. How, otherwise, could people be so easily and inconspicuously locked up for copying banned books if there were no judges, prosecutors, interrogators; defence lawyers, court stenographers and thick files, and if all this were not held together by some firm order? And above all, without that innocent-looking Section 100 on incitement? This could all be done, of course, without a legal code and its accessories, but only in some ephemeral dictatorship run by a Ugandan bandit, not in a system that embraces such a huge portion of civilized humankind and represents an integral, stable and respected part of the modern world. That would not only be unthinkable, it would quite simply be technically impossible. Without the legal code functioning as a ritually cohesive force, the post-totalitarian system could not exist.
The entire role of ritual, façades and excuses appears most eloquently, of course, not in the proscriptive section of the legal code, which sets out what a citizen may not do and what the grounds for prosecution are, but in the section declaring what he or she may do and what his or her rights are. Here there is truly nothing but 'words, words, words'. Yet even that part of the code is of immense importance to the system, for it is here that the system establishes its legitimacy as a whole, before its own citizens, before school children, before the international public and before history. The system cannot afford to disregard this because it cannot permit itself to cast doubt upon the fundamental postulates of its ideology, which are so essential to its very existence. (We have already seen how the power structure is enslaved by its own ideology and its ideological prestige.) To do this would be to deny everything it tries to present itself as and, thus, one of the main pillars on which the system rests would be undermined: the integrity of the world of appearances.

If the exercise of power circulates through the whole power structure as blood flows through veins, then the legal code can be understood as something that reinforces the walls of those veins. Without it, the blood of power could not circulate in an organized way and the body of society would haemorrhage at random. Order would collapse.

A persistent and never-ending appeal to the laws - not just to the laws concerning human rights, but to all laws - does not mean at all that those who do so have succumbed to the illusion that in our system the law is anything other than what it is. They are well aware of the role it plays. But precisely because they know how desperately the system depends on it - on the 'noble' version of the law, that is - they also know how enormously significant such appeals are. Because the system cannot do without the law, because it is hopelessly tied down by the necessity of pretending the laws are observed, it is compelled to react in some way to such appeals. Demanding that the laws be upheld is thus an act of living within the truth that threatens the whole mendacious structure at its point of maximum mendacity. Over and over again, such appeals make the purely ritualistic nature of the law clear to society and to those who inhabit its power structures. They draw attention to its real material substance and thus, indirectly, compel all those who take refuge behind the law to affirm and make credible this agency of excuses, this means of communication, this reinforcement of the social arteries outside of which their will could not be made to circulate through society. They are compelled to do so for the sake of their own consciences, for the impression they make on outsiders, to maintain themselves in power (as part of the system’s own mechanism of self-preservation and its principles of cohesion), or simply out of fear that they will be reproached for being 'clumsy' in handling the ritual. They have no other choice: because they cannot discard the rules of their own game, they can only attend more carefully to those rules. Not to react to challenges means to undermine their own excuse and lose control of their mutual communications system. To assume that the laws are a mere façade, that they have no validity and that therefore it is pointless to appeal to them would mean to go on reinforcing those aspects of the law that create the façade and the ritual. It would mean confirming the law as an aspect of the world of appearances and enabling those who exploit it to rest easy with the cheapest (and therefore the most mendacious) form of their excuse.

I have frequently witnessed policemen, prosecutors or judges - if they were dealing with an experienced Chartist or a courageous lawyer, and if they were exposed to public attention (as individuals with a name, no longer protected by the anonymity of the apparatus) - suddenly and anxiously begin to take particular care that no cracks appear in the ritual. This does not alter the fact that a despotic power is hiding behind that ritual, but the very existence of the officials' anxiety necessarily regulates, limits and slows down the operation of that despotism.
This, of course, is not enough. But an essential part of the 'dissident' attitude is that it comes out of the reality of the human 'here and now'. It places more importance on oft-repeated and consistent concrete action - even though it may be inadequate and though it may ease only insignificantly the suffering of a single insignificant citizen - than it does in some abstract 'fundamental solution' in an uncertain future. In any case, is not this in fact just another form of 'small-scale work' in the Masarykian sense, with which the 'dissident' attitude seemed at first to be in such sharp contradiction?

This section would be incomplete without stressing certain internal limitations to the policy of 'taking them at their own word'. The point is this: even in the most ideal of cases, the law is only one of several imperfect and more or less external ways of defending what is better in life against what is worse. By itself, the law can never create anything better. Its purpose is to render a service and its meaning does not lie in the law itself. Establishing respect for the law does not automatically ensure a better life for that, after all, is a job for people and not for laws and institutions. It is possible to imagine a society with good laws that are fully respected but in which it is impossible to live. Conversely, one can imagine life being quite bearable even where the laws are imperfect and imperfectly applied. The most important thing is always the quality of that life and whether or not the laws enhance life or repress it, not merely whether they are upheld or not. (Often strict observance of the law could have a disastrous impact on human dignity.) The key to a humane, dignified, rich and happy life does not lie either in the constitution or in the criminal code. These merely establish what may or may not be done and, thus, they can make life easier or more difficult. They limit or permit, they punish, tolerate or defend, but they can never give life substance or meaning. The struggle for what is called 'legality' must constantly keep this legality in perspective against the background of life as it really is. Without keeping one's eyes open to the real dimensions of life's beauty and misery, and without a moral relationship to life, this struggle will sooner or later come to grief on the rocks of some self-justifying system of scholastics. Without really wanting to, one would thus become more and more like the observer who comes to conclusions about our system only on the basis of trial documents and is satisfied if all the appropriate regulations have been observed.

XVIII

If the basic job of the 'dissident movements' is to serve truth, that is, to serve the real aims of life, and if that necessarily develops into a defence of the individual and his or her right to a free and truthful life (that is, a defence of human rights and a struggle to see the laws respected) then another stage of this approach, perhaps the most mature stage so far, is what Václav Benda has called the development of parallel structures.

When those who have decided to live within the truth have been denied any direct influence on the existing social structures, not to mention the opportunity to participate in them, and when these people begin to create what I have called the independent life of society, this independent life begins, of itself, to become structured in a certain way. Sometimes there are only very embryonic indications of this process of structuring; at other times, the structures are already quite well-developed. Their genesis and evolution are inseparable from the phenomenon of 'dissent', even though they reach far beyond the arbitrarily defined area of activity usually indicated by that term.

What are these structures? Ivan Jirous was the first in Czechoslovakia to formulate and apply in practice the concept of a 'second culture'. Although at first he was thinking chiefly of nonconformist rock music and
only certain literary, artistic or performance events close to the sensibilities of those non-conformist musical
groups, the term 'second culture' very rapidly came to be used for the whole area of independent and
repressed culture, that is, not only for art and its various currents but also for the humanities, the social
sciences and philosophical thought. This 'second culture', quite naturally, has created elementary organiza-
tional forms: samizdat editions of books and magazines, private performances and concerts, seminars,
exhibitions and so on. (In Poland all of this is vastly more developed: there are independent publishing
houses and many more periodicals, even political periodicals; they have means of proliferation other than
carbon copies, and so on. In the Soviet Union, samizdat has a longer tradition and clearly its forms are
quite different.) Culture, therefore, is a sphere in which the 'parallel structures' can be observed in their
most highly developed form. Benda, of course, gives thought to potential or embryonic forms of such
structures in other spheres as well: from a parallel information network to parallel forms of education
(private universities), parallel trade unions, parallel foreign contacts, to a kind of hypothesis on a parallel
economy. On the basis of these parallel structures, he then develops the notion of a 'parallel polis' or state
or, rather, he sees the rudiments of such a polis in these structures.

At a certain stage in its development, the independent life of society and the 'dissident movements' cannot
avoid a certain amount of organization and institutionalization. This is a natural development and unless
this independent life of society is somehow radically suppressed and eliminated, the tendency will grow.
Along with it, a parallel political life will also necessarily evolve, and to a certain extent it exists already in
Czechoslovakia. Various groupings of a more or less political nature will continue to define themselves
politically, to act and confront each other.

These parallel structures, it may be said, represent the most articulated expressions so far of 'living within
the truth'. One of the most important tasks the 'dissident movements' have set themselves is to support
and develop them. Once again, it confirms the fact that all attempts by society to resist the pressure of the
system have their essential beginnings in the pre-political area. For what else are parallel structures than
an area where a different life can be lived, a life that is in harmony with its own aims and which in turn
structures itself in harmony with those aims? What else are those initial attempts at social self-organization
than the efforts of a certain part of society to live - as a society - within the truth, to rid itself of the self-
sustaining aspects of totalitarianism and, thus, to extricate itself radically from its involvement in the post-
totalitarian system? What else is it but a non-violent attempt by people to negate the system within
themselves and to establish their lives on a new basis, that of their own proper identity? And does this
tendency not confirm once more the principle of returning the focus to actual individuals? After all, the
parallel structures do not grow a priori out of a theoretical vision of systemic changes (there are no political
sects involved), but from the aims of life and the authentic needs of real people. In fact, all eventual
changes in the system, changes we may observe here in their rudimentary forms, have come about as it
were de facto, from 'below', because life compelled them to, not because they came before life, somehow
directing it or forcing some change on it.

Historical experience teaches us that any genuinely meaningful point of departure in an individual's life
usually has an element of universality about it. In other words, it is not something partial, accessible only
to a restricted community, and not transferable to any other. On the contrary, it must be potentially
accessible to everyone; it must foreshadow a general solution and, thus, it is not just the expression of an
introverted, self-contained responsibility that individuals have to and for themselves alone, but
responsibility to and for the world. Thus it would be quite wrong to understand the parallel structures and
the parallel polis as a retreat into a ghetto and as an act of isolation, addressing itself only to the welfare
of those who had decided on such a course, and who are indifferent to the rest. It would be wrong, in short, to consider it an essentially group solution that has nothing to do with the general situation. Such a concept would, from the start, alienate the notion of living within the truth from its proper point of departure, which is concern for others, transforming it ultimately into just another more sophisticated version of 'living within a lie'. In doing so, of course, it would cease to be a genuine point of departure for individuals and groups and would recall the false notion of 'dissidents' as an exclusive group with exclusive interests, carrying on their own exclusive dialogue with the powers that be. In any case, even the most highly developed forms of life in the parallel structures, even that most mature form of the parallel polis can only exist - at least in post-totalitarian circumstances - when the individual is at the same time lodged in the 'first', official structure by a thousand different relationships, even though it may only be the fact that one buys what one needs in their stores, uses their money and obeys their laws. Certainly one can imagine life in its 'baser' aspects flourishing in the parallel polis, but would not such a life, lived deliberately that way, as a programme, be merely another version of the schizophrenic life 'within a lie' which everyone else must live in one way or another? Would it not just be further evidence that a point of departure that is not a 'model' solution, that is not applicable to others, cannot be meaningful for an individual either? Patočka used to say that the most interesting thing about responsibility is that we carry it with us everywhere. That means that responsibility is ours, that we must accept it and grasp it here, now, in this place in time and space where the Lord has set us down, and that we cannot lie our way out of it by moving somewhere else, whether it be to an Indian ashram or to a parallel polis. If western young people so often discover that retreat to an Indian monastery fails them as an individual or group solution, then this is obviously because, and only because, it lacks that element of universality, since not everyone can retire to an ashram. Christianity is an example of an opposite way out: it is a point of departure for me here and now - but only because anyone, anywhere, at any time, may avail themselves of it.

In other words, the, parallel polis points beyond itself and only makes sense as an act of deepening one’s responsibility to and for the whole, as a way of discovering the most appropriate locus for this responsibility, not as an escape from it.

XX

The specific nature of post-totalitarian conditions - with their absence of a normal political life and the fact that any far-reaching political change is utterly unforeseeable - has one positive aspect: it compels us to examine our situation in terms of its deeper coherences and to consider our future in the context of global, long-range prospects of the world of which we are a part. The fact that the most intrinsic and fundamental confrontation between human beings and the system takes place at a level incomparably more profound than that of traditional politics would seem, at the same time, to determine as well the direction such considerations will take.

Our attention, therefore, inevitably turns to the most essential matter: the crisis of contemporary technological society as a whole, the crisis that Heidegger describes as the ineptitude of humanity face to face with the planetary power of technology. Technology - that child of modern science, which in turn is a child of modern metaphysics - is out of humanity’s control, has ceased to serve us, has enslaved us and compelled us to participate in the preparation of our own destruction. And humanity can find no way out: we have no idea and no faith, and even less do we have a political conception to help us bring things back under human control. We look on helplessly as that coldly functioning machine we have created inevitably engulfs us, tearing us away from our natural affiliations (for instance from our habitat in the widest sense
of that word, including our habitat in the biosphere) just as it removes us from the experience of 'being' and casts us into the world of 'existences'. This situation has already been described from many different angles and many individuals and social groups have sought, often painfully, to find ways out of it (for instance through oriental thought or by forming communes). The only social, or rather political, attempt to do something about it that contains the necessary element of universality (responsibility to and for the whole) is the desperate and, given the turmoil the world is in, fading voice of the ecological movement, and even there the attempt is limited to a particular notion of how to use technology to oppose the dictatorship of technology.

‘Only a God can save us now’, Heidegger says, and he emphasizes the necessity of 'a different way of thinking', that is, of a departure from what philosophy has been for centuries, and a radical change in the way in which humanity understands itself, the world and its position in it. He knows no way out and all he can recommend is 'preparing expectations'.

Various thinkers and movements feel that this as yet unknown way out might be most generally characterized as a broad 'existential revolution'. I share this view, and I also share the opinion that a solution cannot be sought in some technological sleight of hand, that is, in some external proposal for change, or in a revolution that is merely philosophical, merely social, merely technological or even merely political. These are all areas where the consequences of an 'existential revolution' can and must be felt; but their most intrinsic locus can only be human existence in the profoundest sense of the word. It is only from that basis that it can become a generally ethical - and, of course, ultimately a political - reconstitution of society.

What we call the Consumer and industrial (or post-industrial) society, and Ortega y Gasset once understood as 'the revolt of the masses', as well as the intellectual, moral, political and social misery in the world today: all of this is perhaps merely an aspect of the deep crisis in which humanity, dragged helplessly along by the automatism of global technological civilization, finds itself.

The post-totalitarian system is only one aspect - a particularly drastic aspect and thus all the more revealing of its real origins - of this general inability of modern humanity to be the master of its own situation. The automatism of the post-totalitarian system is merely an extreme version of the global automatism of technological civilization. The human failure that it mirrors is only one variant of the general failure of modern humanity.

This planetary challenge to the position of human beings in the world is, of course, also taking place in the western world, the only difference being the social and political forms it takes. Heidegger refers expressly to a crisis of democracy. There is no real evidence that western democracy, that is, democracy of the traditional parliamentary type, can offer solutions that are any more profound. It may even be said that the more room there is in the western democracies (compared to our world) for the genuine aims of life, the better the crisis is hidden from people and the more deeply do they become immersed in it.

It would appear that the traditional parliamentary democracies can offer no fundamental opposition to the automatism of technological civilization and the industrial-consumer society, for they, too, are being dragged helplessly along by it. People are manipulated in ways that are infinitely more subtle and refined than the brutal methods used in the post-totalitarian societies. But this static complex of rigid, conceptually sloppy and politically pragmatic mass political parties run by professional apparatuses and releasing the
citizen from all forms of concrete and personal responsibility; and those complex foci of capital accumulation engaged in secret manipulations and expansion; the omnipresent dictatorship of consumption, production, advertising, commerce, consumer culture, and all that flood of information: all of it, so often analysed and described, can only with great difficulty be imagined as the source of humanity's rediscovery of itself. In his June 1978 Harvard lecture, Solzhenitsyn describes the illusory nature of freedoms not based on personal responsibility and the chronic inability of the traditional democracies, as a result, to oppose violence and totalitarianism. In a democracy, human beings may enjoy many personal freedoms and securities that are unknown to us, but in the end they do them no good, for they too are ultimately victims of the same automatism, and are incapable of defending their concerns about their own identity or preventing their superficialization or transcending concerns about their own personal survival to become proud and responsible members of the \textit{polis}, making a genuine contribution to the creation of its destiny.

Because all our prospects for a significant change for the better are very long range indeed, we are obliged to take note of this deep crisis of traditional democracy. Certainly, if conditions were to be created for democracy in some countries in the Soviet bloc (although this is becoming increasingly improbable), it might be an appropriate transitional solution that would help to restore the devastated sense of civic awareness, to renew democratic discussion, to allow for the crystallization of an elementary political plurality, an essential expression of the aims of life. But to cling to the notion of traditional parliamentary democracy as one's political ideal and to succumb to the illusion that only this 'tried and true' form is capable of guaranteeing human beings enduring dignity and an independent role in society would, in my opinion, be at the very least shortsighted.

I see a renewed focus of politics on real people as something far more profound than merely returning to the everyday mechanisms of western (or if you like bourgeois) democracy. In 1968 I felt that our problem could be solved by forming an opposition party that would compete publicly for power with the Communist Party. I have long since come to realize, however, that it is just not that simple and that no opposition party in and of itself, just as no new electoral laws in and of themselves, could make society proof against some new form of violence. No 'dry' organizational measures in themselves can provide that guarantee, and we would be hard pressed to find in them that God who alone can save us.

And now I may properly be asked the question: What is to be done, then?

My scepticism towards alternative political models and the ability of systemic reforms or changes to redeem us does not, of course, mean that I am sceptical of political thought altogether. Nor does my emphasis on the importance of focusing concern on real human beings disqualify me from considering the possible structural consequences flowing from it. On the contrary, if A was said, then B should be said as well. Nevertheless, I will offer only a few very general remarks.

Above all, any existential revolution should provide hope of a moral reconstitution of society, which means a radical renewal of the relationship of human beings to what I have called the 'human order', which no political order can replace. A new experience of being, a renewed rootedness in the universe, a newly

\footnote{Editor's note: This lecture is published as Alexander Solzhenitsyn Speaks to the West (London 1978)}
grasped sense of 'higher responsibility', a new-found inner relationship to other people and to the human community - these factors clearly indicate the direction in which we must go.

And the political consequences? Most probably they could be reflected in the constitution of structures that will derive from this 'new spirit', from human factors rather than from a particular formalization of political relationships and guarantees. In other words, the issue is the rehabilitation of values like trust, openness, responsibility, solidarity, love. I believe in structures that are not aimed at the 'technical' aspect or the execution of power, but at the significance of that execution in structures held together more by a commonly shared feeling of the importance of certain communities than by commonly shared expansionist ambitions directed 'outward'. There can and must be structures that are open, dynamic and small; beyond a certain point, human ties like personal trust and personal responsibility cannot work. There must be structures that in principle place no limits on the genesis of different structures. Any accumulation of power whatsoever (one of the characteristics of automatism) should be profoundly alien to it. They would be structures, not in the sense of organizations or institutions, but like a community. Their authority certainly cannot be based on long-empty traditions, like the tradition of mass political parties, but rather on how, in concrete terms, they enter into a given situation. Rather than a strategic agglomeration of formalized organizations, it is better to have organizations springing up ad hoc, infused with enthusiasm for a particular purpose and disappearing when that purpose has been achieved. The leaders' authority ought to derive from their personalities and be personally tested in their particular surroundings, and not from their position in any nomenklatura. They should enjoy great personal confidence and even great lawmaking powers based on that confidence. This would appear to be the only way out of the classic impotence of traditional democratic organizations, which frequently seem founded more on mistrust than mutual confidence, and more on collective irresponsibility than on responsibility. It is only with the full existential backing of every member of the community that a permanent bulwark against 'creeping totalitarianism' can be established. These structures should naturally arise from below as a consequence of authentic social 'self-organization'; they should derive vital energy from a living dialogue with the genuine needs from which they arise, and when these needs are gone, the structures should also disappear. The principles of their internal organization should be very diverse, with a minimum of external regulation. The decisive criterion of this 'self-constitution' should be the structure's actual significance, and not just a mere abstract norm.

Both political and economic life ought to be founded on the varied and versatile co-operation of such dynamically appearing and disappearing organizations. As far as the economic life of society goes, I believe in the principle of self-management, which is probably the only way of achieving what all the theorists of socialism have dreamed about, that is, the genuine (i.e. formal) participation of workers in economic decision-making, leading to a feeling of genuine responsibility for their collective work. The principles of control and discipline ought to be abandoned in favour of self-control and self-discipline.

As is perhaps clear from even so general an outline, the systemic consequences of an 'existential revolution' of this type goes significantly beyond the framework of classical parliamentary democracy. Having introduced the term 'post-totalitarian' for the purposes of this discussion, perhaps I should refer to the notion I have just outlined - purely for the moment - as the prospects for a 'post-democratic' system.

Undoubtedly this notion could be developed further, but I think it would be a foolish undertaking, to say the least, because slowly but surely the whole idea would become alienated, separated from itself. After all, the essence of such a 'post-democracy' is also that it can only develop via facti, as a process deriving
directly from life, from a new atmosphere and a new 'spirit' (political thought, of course, would play a role here, though not as a director, merely as a guide). It would be presumptuous, however, to try to foresee the structural expressions of this 'new spirit' without that spirit actually being present and without knowing its concrete physiognomy.

XXII

I would probably have omitted the entire preceding section as a more suitable subject for private meditation were it not for a certain recurring sensation. It may seem rather presumptuous, and therefore I will present it as a question: Does not this vision of 'post-democratic' structures in some ways remind one of the 'dissident' groups or some of the independent citizens' initiatives as we already know them from our own surroundings? Do not these small communities, bound together by thousands of shared tribulations, give rise to some of those special 'humanly meaningful' political relationships and ties that we have been talking about? Are not these communities (and they are communities more than organizations) - motivated mainly by a common belief in the profound significance of what they are doing since they have no chance of direct, external success - joined together by precisely the kind of atmosphere in which the formalized and ritualized ties common in the official structures are supplanted by a living sense of solidarity and fraternity? Do not these 'post-democratic' relationships of immediate personal trust and the informal rights of individuals based on them come out of the background of all those commonly shared difficulties? Do not these groups emerge, live and disappear under pressure from concrete and authentic needs, unburdened by the ballast of hollow traditions? Is not their attempt to create an articulate form of 'living within the truth' and to renew the feeling of higher responsibility in an apathetic society really a sign of some kind of rudimentary moral reconstitution?

In other words, are not these informal, non-bureaucratic, dynamic and open communities that comprise the 'parallel polis': a kind of rudimentary prefiguration, a symbolic model of those more meaningful 'post-democratic' political structures that might become the foundation of a better society?

I know from thousands of personal experiences how the mere circumstance of having signed Charter 77 has immediately created a deeper and more open relationship and evoked sudden and powerful feelings of genuine community among people who were all but strangers before. This kind of thing happens only rarely, if at all, even among people who have worked together for long periods in some apathetic official structure. It is as though the mere awareness and acceptance of a common task and a shared experience were enough to transform people and the climate of their lives, as though it gave their public work a more human dimension that is seldom found elsewhere.

Perhaps all this is only the consequence of a common threat. Perhaps the moment the threat ends or eases, the mood it helped create will begin to dissipate as well. (The aim of those who threaten us, however, is precisely the opposite. Again and again, one is shocked by the energy they devote to contaminating, in various despicable ways, all the human relationships inside the threatened community.)

Yet even if that were so, it would change nothing in the question I have posed.

We do not know the way out of the marasmus of the world, and it would be an expression of unforgivable pride were we to see the little we do as a fundamental solution, or were we to present ourselves, our community and our solutions to vital problems as the only thing worth doing.
Even so, I think that given all these preceding thoughts on post-totalitarian conditions, and given the circumstances and the inner constitution of the developing efforts to defend human beings and their identity in such conditions, the questions I have posed are appropriate. If nothing else, they are an invitation to reflect concretely on our own experience and to give some thought to whether certain elements of that experience do not - without our really being aware of it - point somewhere further, beyond their apparent limits, and whether right here, in our everyday lives, certain challenges are not already encoded, quietly waiting for the moment when they will be read and grasped.

For the real question is whether the 'brighter future' is really always so distant. What if, on the contrary, it has been here for a long time already, and only our own blindness and weakness has prevented us from seeing it around us and within us, and kept us from developing it?
Chapter VI
History of Ideas

"Stand with anybody that stands RIGHT. Stand with him while he is right and PART with him when he goes wrong."

Abraham Lincoln
October 16, 1854
Chapter 6 Objectives- History of Ideas

These readings introduce the ideas behind the movements, historical events and laws that have affected societies over the past fifty years. All of the readings highlight the devastation caused by ideologies that reject the dignity of the person. Members should be able to connect these flawed historical ideas with the ideas generating current international population control programs and international policies.

Readings

i. William Gairdner, *A Brief History of Relativism* …235
ii. Josef Pieper, “Work, Spare Time, and Leisure” from *Only the Lover Sings* …250
iii. John Paul II, *Centesimus Annus* …255

Questions

1. What is the vision of the person found in the readings of John Paul II’s writings and in *A Brief History of Relativism*?

2. How does the faulty conception of the person, particularly as outlined in the readings by John Paul II and William Gairdner, relate to the understanding of the person in the McGurn reading?

3. What does Pieper propose as a solution to the recuperation of a proper understanding of the human person?
When asked where relativism comes from, most people are likely to shrug and say: "It's just the way things are." Some might add that Einstein started it all, or that anthropology shows how every culture has its own customs and truths, or that psychology has proven all values are "personal," and so on. And everyone has seen movies or read books that play with the idea that reality is not an objective thing but a composite of different "perspectives." Most of this is trotted out as commonly held truth and often dressed up as morally tolerant intellectual sophistication. But in the end, most people are getting at the same strictly modern idea: they think that reality is subjective, and thus dependent on your point of view and that this fact is as close as anyone can get to the truth.

But on closer inspection, we have to ask what people really mean when they say that things are relative. For there is quite a difference between that we can understand something best after relating it to something else and saying that because we must relate things, they can never be understood for what they are in themselves. I mean to say, there is a big difference between relationism and relativism.

RELATIONISM

The idea that we get at the truth by relating things has been around a long time. We contrast night and day, disease and health, oranges and apples, and so on. And there are experiences everyone has had that dramatically illustrate how what we know can be discovered only by its relation to something else.

For example, suppose you are sitting minding your own business on a train, in a car, or on an airplane when suddenly, you start to move. The trip is finally underway! Then, just as suddenly, you are overcome by a queasy sense of unreality. You are absolutely certain you are moving. But is it true? Could it be that you are perfectly motionless and that the vehicle beside you is moving? Which is it? And how can you know?

This familiar situation typically produces a feeling of radical uncertainty, a moment of panic during which we feel a desperate need to know what is really happening. We suddenly find ourselves searching furtively for something that ought to be stationary. The ground? The platform? A building? Something - anything - to test whether our feeling of motion is real or imaginary. The very instant we find a fixed point of reference, we feel immense relief as the logic of motion falls into place. But what a shock it is to discover that it is we who were at rest, while the vehicle beside us was moving, and how strange to have been so deeply betrayed by our own senses!

This is the feeling most people casually think of as "relativity." But it is a feeling that disappears quickly once they understand the objective relation between moving things and stationary things. For in reality, there is nothing relative about this situation. It is just that physical movement of any kind makes sense only as measured in relation to something else. Once we have our reference points, it is precisely measurable, predictable to an extraordinary degree of accuracy, and follows the same exacting - and absolute - laws everywhere in the universe.
Time is the same. It is told in relation to where you are on earth or in space, as anyone knows who has experienced jet lag. In the sense that we have figured out how to segment the unbroken flow of time into years, days, seconds, nanoseconds, and so on, it is also extremely precise and predictable. So much so that we can fire rockets into space that travel millions of miles at incredible speeds yet still predict exactly when and where they will be years later. Space and time together are the most typical ways we experience the need to relate things in order, say, to meet someone at a specific address, time, intersection, and so on. And such is the case for all things physical and temporal.

The most common nonphysical forms of relationism, however, are generally conceptual, moral, or cultural. For example, we are commonly told that good and evil, truth and justice, and many other such notions are “relative.” However, this is often an illusion, too, just like the train we thought was moving when it wasn’t. When we think of two people who vigorously disagree about the truth of what happened at the scene of a crime, for example, we often say their different perceptions are relative to what each saw. But we never doubt there is a single truth lurking somewhere. If someone later shows us a video of the actual event, we might conclude that they were both wrong or that one of them was lying, and everyone can now see the same indisputable truth. In the same fashion, as we shall see in the next chapter, people all over the world recognize general concepts of trust, equality, honesty, love, justice so on, even if they often differ sharply over specific instances and degrees of these things.

On a philosophical note, it is interesting to learn that the basic concept of “relation” is itself a universal. The philosopher Bertrand Russell (1872-1970) was a model of clear thinking and writing (I believe these go together) for all philosophers, and in his justly admired little book The Problems of Philosophy, he used several chapters to describe the world of universals - what they are and how we know they exist. For Russell, most of the concepts of common language are themselves universals. For example, the words “cat” or “run” or “cut” are universal concepts and become particular only when we think of or engage in a particular act or observation (we see or imagine a certain real cat, we run to the store, or we cut a loaf of bread). But more to the point at hand, Russell expands on the fact that the basic concept of relations is itself universal. For example, the proposition “two and two are four” states a relation of quantity between the universal “two” and the universal “four,” and just as for the spatial relation involved in saying Toronto is “north of” New York, such relations are true, absolute, and universal. And, he maintains, relations such as “north of” something, or “two and two are four,” as well as relations of time, such as “before” and “after,” will always be so whether anyone exists to know it or not.

RELATIVISM

Relativism, however, is a far more disorienting concept than relationism, and in the next chapter I will outline some varieties. But for now we need keep in mind only that in its modern radical form, relativism means not only that we must relate things but moreover, that there is no ultimate truth possible.

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1 There is, however, a continuing and fascinating debate today between so-called “substantivalists” and “relationists” on the matter of space and time. The former say that space and time exist in their own right without regard to the existence or non-existence of things. The latter deny this. They say that we can know space and time only because of the existence of things and that it is in terms of their relations that we are able to describe both. That is the point I have made here also, primarily because I cannot imagine what space or time could be without things. For example, without things, how could we possibly know there was space since there would be nothing in that space to perceive? How could complete emptiness be a thing? In AD 379 Saint Augustine addressed this interesting question in his Confessions, where he made the argument that before God created matter there was no time, only eternity, which is timeless. It exists as an eternal present. But once things came into existence, time began as something measurable. Even though there is still an eternal present, things now ceaselessly flow from it both into the past and into the anticipated future.

because there is no fixed, or permanent, or privileged foundation outside our own perceptions or beliefs or culture from which to judge anything as more "true" than anything else. In a later chapter we will see that some clever thinkers proudly style themselves "postmodernists" or "anti-foundationalists" on this basis. They do not say there is no truth. They say there is a multiplicity of truths — perhaps an infinity of them — any one of which is as "true" as any other. Now, as anyone can see, this statement makes a mockery of the basic idea of truth, which is a concept we use to decide between competing reality claims, especially between true and false ones. And of course, if there is no foundation from which to truly know anything, then the view that there is no truth cannot be known either. At any rate, whenever we choose to ignore the fact that basic distinctions between what is true and false are always possible, relativism quickly turns into an intellectual snake that swallows its own tail. Unfortunately, a lot of modern academics and social scientists have been all too uncritical of the self-devouring tendencies of relativism to notice its corrosive effect on their own disciplines.

Most human beings, however, instinctively understand the need for action based on some kind of logical or moral precision, so they find the suggestion that there can never be certain truth very disturbing, if not obviously wrong. This is especially problematic for parents striving to raise good children. So why, despite this, do so many embrace relativism? One answer is that people live double lives. They are relativists in public but certainly not in private, nor with friends or family. We will speak more of this modern split personality later. Regardless of the motive, however, it is clear that relativism, especially in its moral and cultural form, has swiftly become our public philosophy. But it did not simply materialize from thin air. So we need to ask where it came from.

ANCIENT ROOTS

Some say relativism is very old, quoting the ancient Greek thinker Protagoras. He was a Sophist famous for the line "Man is the measure of all things." But in Plato’s critique we find him quoted in more detail: "As each thing appears to me, so it is for me, and as it appears to you, so it is for you." Protagoras went on to insist that for this reason there is no such thing as falsehood or truth, overlooking that such a claim meant his own views were meaningless. His famous quotation is more or less what we hear from the ordinary relativist at a modern cocktail party. However, whether this was something we ought to call relativism in the modern sense remains under debate. But the historical pattern is clear. The ancient world

4 Some historians have said that Protagoras did not mean that all things are relative. Rather, he meant that Man (humankind), not nature, is the primary object of human study. And so his was a doctrine of humanism, not of relativism. On this point, see the entry for "Relativity of Knowledge" in The Encyclopaedia Britannica, 11th ed., vol. 23. However, Plato cites the full argument by Protagoras, which is clearly relativist.

But there is a historical pattern here of some interest. Protagoras (485-410 BC) lived under Greek paganism, which, with its many warring and fickle gods, had diluted ancient Greek belief in absolutes. For along with many other Sophists of his time (Sophists were the first Greek philosophers to accept payment for teaching, and they took relish in winning logical debates without regard to truth or the good), Protagoras had become enamoured of Heraclitus’s view that all things are in flux. But once having accepted the idea that nothing is fixed, he was then forced to argue that all sensations must therefore be subjective and that reality can thus never be known for certain. This ancient form of relativism led to a swift breakdown of Greek philosophy that was not reversed until the time of Plato and Aristotle, who, each in his own way, restored concepts of the absolute to philosophy in a manner that has framed Western civilization for almost two thousand years. Indeed, modern relativism is really a kind of counterattack on the absolutist and "essentialist" ideas of Plato and Aristotle as they have come down to us in European thought. (In later chapters we will come to grips with Nietzsche, Heidegger, and their French acolytes Michel Foucault and Jacques Derrida, all of whom were anti-Platonists.)
experienced a kind of philosophical relativism that lasted barely a century and then evaporated under the withering criticisms first of Plato and then of his student Aristotle, two of the greatest philosophers who ever lived. It next raised its doubting and disruptive head during the sixteenth-century Renaissance and railed with a vengeance through the so-called Age of Reason, which lasted unwrappily the end of the eighteenth century. Still, although it is true a number of ancient thinkers were relativists of a sort, they were never quite like us. For even if certain of them denied the possibility of *knowing* reality absolutely, they did not necessarily deny that an absolute reality might actually exist beyond their ken. And certainly no entire civilization before our own ever publicly conceived of the whole cosmos as an utterly alien and meaningless accident, as do many moderns.⁵

The various logical and moral crises that inevitably arise from a belief in relativism will be exposed fully in the chapters to come. For now, let us look briefly at its more recent origins in the hope of understanding why an entire civilization - our own - has so confidently shifted over the last few centuries from an understanding of the world in which everyone had confidence to one that dismisses the very idea that any such confidence is possible.

**THE ROOTS OF MODERN RELATIVISM**

*The Rise of Science*

During the Middle Ages, from about AD 1000 to 1500, social and moral authority were generally rooted in religious belief. During the transition to the modern period, however, we begin to see appeals to the worldly authority of reason and science, both of which were increasingly relied upon to examine reality objectively, which is to say, without the filters of inherited social or religious values or personal subjectivity.

So firmly entrenched is this view by now that modern scientists regard this method as the only route to truth and themselves as defenders of objectivity against superstition and moral oppression (even

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⁵ A recent version of this notion was bleakly articulated by Professor William Provine, of Cornell University, in a small circulation Canadian newsletter (U-Turn, no. 4, Winter 1997). He was confident enough about the insignificance of the universe to say: "let me summarize my views loud and clear. There are no gods, no purposes, and no goal-directed forces of any kind. There is no life after death . . . no foundation for ethics, no ultimate meaning in life." Provine doesn't seem to realize that if he were to take himself at his own word, he could not give a convincing reason why he gets out of bed in the morning, why he is motivated to learn or teach anything, or why he should be upset if someone steals his car, for in a truly meaningless world there can be no ultimate defence of our actions nor any objection to the actions of others.

* Some extreme relativists today, such as Paul Feyerabend - see, for example, *Against Method* (London: New Left Books, 1973) - say that this is not possible, that even the most "objective" modern science is in fact a product of underlying assumptions, of the choices we make to observe things in certain ways and not others, of what we include and exclude in even the most "objective" theories and methods of observation. To such extreme relativists, even things such as mathematical certainty and the existence of the neutrino are but human inventions. Many postmodernists claim that "the world of things is a creation of the world of words." This, and similar attitudes, will be taken up later in some detail.
though the modern idea that reason and science have always been at war with religion is in fact quite recent). While we have accepted the objective findings of science as superior and now rely on these for our truth, we have just as wholeheartedly - even, I would say, dogmatically separated them from any religious or higher meaning. Religious explanations of reality are now everywhere considered matters of private subjective faith that have little to do with the objective world. The typical modern scientist simply assumes that the laws and forces of our extraordinarily complex natural world have arisen spontaneously, due to some inherent, if inexplicable, characteristic of matter. But the modern inquiry stops abruptly there. We generally make no public effort to ask where the laws and forces (the many "constants of nature" governing all matter) have themselves come from. This reminds us of the Hindu who, when asked to explain what holds up the world, explained that it rests on the back of a turtle.

"And the turtle?"
"Well, he rests on another turtle."
"And this turtle?"
"From there," he said with a smile, "it's turtles, all the way down."

Now, any thinking person might well ask: Why have so many modern scientists, many of whom are deeply spiritual people, divorced reason from spirit? The most likely answer is that scientific rationalists felt it was impossible to be objective without first rejecting everything subjective, so to achieve objectivity they had to dismiss all nonmaterial, abstract, spiritual, and conceptual solutions. This further opened the door to radical skepticism and doubt.

Reorganizing the Mind

A very early step in this direction was taken by William of Occam, an English thinker of the late Middle Ages (1300?-1349). He was fed up with the interminable abstract debates between scholars trying to prove how many angels could dance on the head of a pin. In the preceding centuries, the dominant philosophers had been convinced that ideas, forms, and universals were the most real of all things and that matter was but a degraded instance of those ideas and forms. The perfect triangle, for example, is described by an abstract geometric formula that tells us precisely what a triangle is. But only imperfect triangles made of pencil lines, wood, or metal can be found in the physical world. The idea of a perfect triangle is by definition prior to, and more real than, any imperfect, physical triangle. Opposing philosophers, however, were gaining ascendancy, and Occam tipped the balance. He argued that only particular physical experiences are real. Generalities, universals - indeed, all abstract ideas - are just names that have no real existence. They exist only in our minds. This philosophy was later called "nominalism" (from the Latin nomen, for "name"). And names, he argued, are but abstractions, mere fluff. Smoke and mirrors. It was a philosophy that fitted perfectly the growing scientific preference for only measurable physical, testable results.

Another influential step was taken much later by Descartes (he died in 1650), who famously made radical doubt the cornerstone of his philosophy. He claimed that since our senses, as well as bad

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6 Indeed, the word "science" is rooted in the Latin word for knowledge, and there is no small irony in the fact that just as men such as Galileo and Newton believed their "objective" and "scientific" discoveries were unveiling the natural laws of God, so did their religious accusers and detractors consider themselves to be "scientists" of the highest order. This was so because theology, which was the only discipline that strived to integrate all other forms of knowledge within a higher truth, was widely considered the "Queen of Sciences." In the minds of most serious thinkers, The Book of Nature and the Book of God were considered to be different manifestations of the same truth, and this was the generally accepted view from the Middle Ages until about the middle of the nineteenth century. Indeed, there are still many excellent scientists who feel this way. But it is certainly not the general view any longer.
arguments, may easily deceive us, the only way to find certain truth is to begin by doubting everything except the existence of our own doubting minds. After thus establishing our own existence, we may then move on by logical steps to establish other certainties. With his famous pronouncement "I think, therefore I am," Descartes opened wide the doors to the specifically modern belief that (contrary to what the best minds had always been saying) each of us can individually arrive at the truth, and this capacity is equal in all men. It was then to be only a matter of time before a claim to know the truth became a personal claim to my truth. 

Now, I do not think that people have anything like an equal capacity to distinguish the true from the false. If anything, social science tells us the opposite. The majority of us are most often dupes of appearances, wishful thinking, inadequate facts, and pseudo arguments. Nevertheless, here was a flattering idea that made Descartes very popular, for even though he was himself a God-fearing man, his new philosophy, by relocating truth within the thinking individual, had the effect of undermining the intellectual and moral prestige and therefore the control available to secular and religious authorities.

Reorganizing the World

As if this emerging recourse to strict mental reasoning were not enough, the newly objective science was quick to give a demonstration of how thoroughly our senses (and the authorities) can deceive us. Galileo dropped the first of many intellectual bombs. He stunned the thinking world by confirming that the sun does not travel around the earth, as ordinary perceptions still suggest, but rather the reverse: the earth is just one of many planets circling the sun. Here was relationism with a vengeance, and it upset a worldview thousands of years old: the venerable Judeo-Christian view that God had created the earth for human beings and set it as a jewel in heaven to be lit with the sun by day and the moon by night. In expressly denying this comforting Genesis account, science now seemed to be attacking God himself! As a devout Catholic, however, Galileo had tried desperately to save the church from denying his findings and thus from its own self-embarrassment. But it was too late, and the Galileo incident is today considered an important early example of science winning the first of many battles in a war against religious prejudice, even though this is not quite the historical truth.

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7 If we start from a faith in materialism and doubt, we indeed may say "I think, therefore I am." However, if we start from a faith in God, we may reverse this and say, "I am, therefore I think." Neither of these faiths can be indubitably proven by science or logic.
8 In his opening words of his Discourse on Method (1637), we see the hint of three emerging modern themes: objective science (of which mathematics was the new queen), individualism, and modern egalitarianism. Before Descartes, it was a common assumption that people differed so strongly in their opinions because some were clearly better thinkers or simply far better people than others. But to the astonishment of all, Descartes starts out by claiming that "Good sense is the most evenly shared thing in the world," so much so that we never hear anyone say they need more of it! As everyone feels way, he goes on, it is therefore unlikely we are all mistaken, and so it must be true, and therefore - just look where this "objective" thinker takes his conclusion: "the capacity to judge correctly and to distinguish the true from false, which is properly what one calls common sense or reason, is naturally equal in all men." See Rene Descartes, Discourse on Method and the Meditations, trans. F.E. Sutcliffe (New York: Penguin, 1968), 27ff. I am indebted to Etienne Gilson, The Unity of Philosophical Experience (New York: Charles Scribner, 1937), for his penetrating critique of Descartes and his philosophy.
9 On the question of pandemic public ignorance, see, for example, the journal Critical Review 14, nos 2-3 (Summer 2000). This same journal published yet another collection of papers on the same topic, vol. 18, nos 1-3 Summer 2006).
10 The irony of this misconception bears mention, namely that modern science arose only in the Christian West. It died a whimpering death in the Greek world and also among the Romans and the Chinese. And there is a reason. As Catholic philosopher Stanley J. Jaki has argued - see "Science: Western or What?" in Patterns or Principles (Bryn Mawr, PA: Intercollegiate Studies Institute, 1995), 161-78 - modern science would not have been possible without our belief that there is
Isaac Newton was born the year that Galileo died, and at the tender age of twenty-six he dropped his own Big Bertha. His *Principia* (1687) was a work that would change perceptions of the universe forever. It is one of the most astonishing works of scientific thinking ever created, and in the public mind (although certainly not in Newton’s own mind) it finished off the Aristotelian and Christian belief that the cosmos is a natural, organic order, a home of which we are the centre and purpose. The universe Newton described is ours. We think of it as “mechanical in the sense that like a clock it is self-sustaining. There is order everywhere. . . . Physical processes take place within an unchanging vault of absolute space and in accord with the unchanging beat of absolute time. Propelling itself through space, the universal force of gravitation subordinates all material objects to a single modality of attraction. And all this proceeds in accordance with simple mathematical laws.”

Ironically, although his extraordinary work seemed to confirm so much of the rationalist rebellion against the idea of a purposeful cosmos, Newton was a religious mystic and alchemist who never once doubted that "this most beautiful system of the sun, planets and comets, could only proceed from the counsel and domination of an intelligent and powerful Being." He has also been charged with reintroducing mysticism to Western science because he so convincingly proved that the reality we know is controlled by universal laws that are invisible and operate "at a distance" (such as the moon pulling the oceans and forming the tides). In a later chapter on physics we will see that quantum physics continues this quasi-mystical bent in the purest of the physical sciences.

Western civilization has followed Newton’s physics for more than three hundred years, and despite modifications by later physicists that have more to do with deep space, unimaginable speeds, and the origins of the universe than with what happens here on earth, we will always live under his laws. But we have utterly rejected his theological reasoning for their existence. Newton himself, however, was smart enough to see that figuring out how a law works does not explain its reason for being or its cause. He knew above all that science is silent as to the causes and ultimate purposes of life.

But as mentioned, after centuries of intricate but philosophically barren rationalism, many modern cosmologists and philosophers seeking ultimate causes and purposes are once again leaning toward Newton’s view that the universe may be the product of intelligent design. Others deny this, arguing that the universe designs itself. At any rate this *designer vs. self-designed* dispute is at the watershed of modern scientific opinion on the origins of the universe and the forms of life. Some highly respected physicists and mathematicians go much further. They are persuaded that *the entire cosmos came into existence so that human consciousness would eventually arise to observe it!* We may have gotten bumped from the centre of our own solar system over recent centuries, but such new and fascinating modern views argue that we

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11 Ibid., 172.

12 For that matter, the religious beliefs of all three of our greatest scientists, Galileo, Newton, and Einstein, have simply been ignored. Although in minds science and theology were indelibly connected, in the public mind became increasingly disconnected, despite the fact that the mysteries they revealed were no less mysterious for having been formulated as laws and universals. Newton, for example, was fully aware that although his law explained the first time in history how gravity works, and although he formulated it as absolute, or constant, of nature, the law does not tell us what gravity is. No has ever told us what gravity is, simply because no one knows. (Newton’s law specifies that the attraction between physical bodies is proportional to mass and inversely proportional to the square of the distance between them.)
belong right back at the centre again. But this time, they mean . . . at the centre of the entire universe! We will return to this intriguing idea.

For the moment, we need only see that despite deep convictions about cosmic purpose felt by many modern scientists, the general direction of today’s scientific community and, therefore, of the public mind - and certainly of public education, which we must assume to reflect that mind - has run strongly against this idea. We increasingly describe ourselves in defiantly materialist, atheistic, and therefore, relativistic terms, and these three concepts form the underpinning of our thoroughly modern orthodoxy. The bleakness of this view could hardly be better expressed than by Harvard astronomer Margaret Geller, who asks: "Why should the universe have a point? What point? It's just a physical system, what point is there?" 13 Let us not miss the connection between this view of physics and our topic: when there is no point to anything, relativism rules.

Science and the Relativity of Morals

For a stark example of how this newly objective thinking led at once to the first detailed subjective theory of moral relativism, we could do no better than to turn to the work of Thomas Hobbes (1588-1679). 14 His discovery of the mechanical work of Galileo so filled him with intellectual energy that he immediately set about building a new theory of politics around the idea of individuals and their societies as machines in motion. Every human life can be explained as the action of a mechanical apparatus comprised of sense organs, nerves, muscles, bones, and so on, kept in motion by its own natural impulse to satisfy appetites and avoid pain - the greatest pain of all being death. In defiance of all religious opinion to the effect that morality is rooted in a higher moral law, Hobbes simply declared that whatever is the object of any man’s appetite or desire he calls "Good," and whatever is the object of his hate and aversion he calls "Evil." And what was the warrant for the use of these words? There is none, he declared, "For these words of Good, and Evil . . . are ever used with relation to the person that useth them: there being nothing simply and absolutely so; nor any common rule of Good and Evil." 15

Mechanical solutions to the problem of morality have been proposed repeatedly ever since, perhaps with greatest effect in the nineteenth century by Jeremy Bentham and the young John Stuart Mill. Once joined with the rising popularity of democracy, their utilitarian formula for how to make "moral" decisions without any reference to God or any other universal or absolute became "the greatest good of the greatest number." Mill surrendered this relativism once he saw that majorities may happily choose very evil things. Nevertheless, the simplistic idea that truth may be decided simply by voting democratically was by then firmly established.

The Run-Up to Modern Relativism

Public confidence that clear reasoning would always somehow point the way to freedom and truth had begun to weaken long before this period - at least by the end of the eighteenth century. There were


14 Hobbes was a close friend and supporter of Sir Francis Bacon (1561-1626) and was deeply influenced by Bacon’s "objective" methods of scientific observation. Bacon vehemently disliked all religious authority and sought to cleanse the observing mind of all contaminating bias in order to observe The Book of Nature as he was sure it must be in its objectively pure state. He was the first of many Western scientists to replace the omnipotence of God with the omnipotence of Nature (a continuing and only lightly veiled theme in the natural sciences ever since).

many reasons for this, perhaps chief among them the shocking disaster of the "democratic" French Revolution, whose effects we are still feeling. That was the modern world's first political attempt to organize millions of people with the tools of rationalism, namely the secular concepts of mass administration and control, order, logic, mass conscription, equality, democracy, uniformity, obedience, and political correctness. At the high pitch of enthusiasm for all this, the Goddess of Reason had been erected in Notre Dame Cathedral in place of Jesus Christ and was worshipped by wine-imbibing, chanting devotees in white robes during special pagan ceremonies. In the same period a proposal was floated to remove all ancient names from French villages - because these carried historical nostalgia and replace them with numbers. Quaint thousand-year-old villages such as Saint Andre de Roquepertuis would now be called "village 67724." Fortunately, this idea died with Robespierre. But the practical results of the world's first social upheaval in the name of reason were nevertheless cataclysmic for the Western world. For after a brief honeymoon with the dream of a rationally designed secular utopia, the Revolution began devouring its own revolutionaries on the way to the slaughters of the Terror. This horrendous bloodbath - the French prophets of democracy hacking, chopping, guillotining, stabbing, and drowning thousands upon thousands of their own law-abiding citizens in a rationalist frenzy for equality - created, at least in Europe, what at first seemed a terminal loss of faith in the fruits of reason.

This made it easier for people to turn to darker levels of experience, and eventually to forms of extreme irrationality, for answers to what seemed the intractably depressing realities of human life. In the arts, things moved quickly from the prior rationalist art forms of the eighteenth century (sober, morally instructive poetry composed in measured rhyming couplets and the like) to the wilder, more emotionally spontaneous romantic forms of the next century (Wordsworth, Keats, Shelley, and Herder in poetry, Beethoven in music, etc.). With this came more violent revolution, social and industrial upheaval, a lot of aspiritual materialistic philosophies, communist class-warfare, existential angst, the depthless netherworld of psychoanalysis, and . . . the foundations for world war. By the end of the nineteenth century, the end of modernity, with its unquestioned faith in reason, was upon us - and we soon entered the long, badly named "postmodern" period. This meant a sudden end to the longstanding hope of discovering a universal human nature and a rational ethical foundation and the beginning of an even more energetic search - indeed, of a new hope that the truth might lie in things relative.

The Gentleman Relativists

We moderns were set up for this new embrace of relativism by influential gentleman philosophers such as John Locke (1632-1704) and David Hume (1711-1776). In striking contrast to his predecessors, so
confident of our common sinful human nature, Locke argued that there are no innate or inherent (universal, absolute, constant) characteristics of our minds. A mind is like a school blackboard, a blank slate (tabula rasa) on which experience makes impressions. Accordingly, as they have no prior meaning in themselves, to know things means to understand the relations and associations between them.

The radical skeptic Hume went much further and argued that while knowledge indeed comes from sense experiences, as Locke had described, the relations between things, such as cause and effect, are based only on habit and other unwarranted assumptions. The sun comes up every day, so we are certain it will do the same tomorrow. But we have no proof it will. In both men we see the classical focus on the essences of things (Plato) or on the organic substance of things (Aristotle) replaced by a focus on the relations between them. Much contemporary thinking, even of the serious (as distinct from the stylish postmodern) type, whether in mathematics, philosophy or physics, is wholly submerged in this last mode of understanding reality and is expressed in such areas as chaos theory, spontaneous organization, emergentism, and field theory.  

Perhaps the most coolly influential modern philosopher to have pushed us toward all sorts of relativist conclusions, however, was the German Immanuel Kant (1724-1804). He opposed Locke’s notion that the mind is a blank slate on the ground that the human mind has an innate (we would say a hardwired) capacity to generalize and categorize sense perceptions and form them into consistent, communicable ideas. The mind is not a blank slate, he argued, but rather more like an active agent, a kind of mental cookie cutter that of necessity shapes its own reality, and because of this, there is no way to know what things in themselves, outside the mind, are really like. Well, here was a serious formula that seemed to pave the way for the relativizing of all human reality, and this conclusion so disturbed Kant himself that he developed even more theories to establish universal and constant categories of thought and morality, without which, he maintained, human life would be unlivable. But the damage was done, and the prevalent modern idea is that we all live in Kant’s prison house of personal perceptions.

Not long afterward came what amounted to a powerfully influential attack on the moral absolutism of the whole Judeo-Christian system by England’s John Stuart Mill in his influential tract On Liberty (1859). Although a somewhat snobbish man, with high taste and firm personal expectations for moral behaviour and social “progress,” Mill’s work was extremely corrosive of Western moral and religious ideas as guides to behaviour. After he lost faith in his utilitarian ideal of “the greatest of the greatest number” as his “moral calculus” (during this period he described himself as “a thinking machine”), he turned to as a new moral standard to be limited only by his so-called “harm principle.” This basically stated that we are free to do whatever as long as we do not harm others. It was an appealing but confused philosophy that enclosed each individual inside a private moral bubble of personal choices as if the opinions of society were of no real account. This led to confusions in Mill’s theory, however, as anyone who bothers to read the whole tract will see, for a careful examination of On Liberty surprises us with the number of unresolved contradict claims. Despite this, his principle remains the most powerful and popular “moral” guideline cited by ordinary people in the West today, and its implicit command to “do your own thing, just don’t harm me” now quietly undergirds the philosophy of Western relativism and, increasingly, the philosophy of Western courts. Indeed, no sharper indication of Mill’s influence could be had than the decision of Canada’s Supreme Court on 21 December 2005 in “Swingers Clubs” R. v. Labaye, which held that the ancient “community standards” test would henceforth be replaced by the principle of “harm.” The

18 Examples are Set Theory in mathematics, Field Theory in psychology, sociology, and physics, the attempt of Western philosophers to escape the particle problem of analytical thinking through phenomenology, and in general the modern interest in organic part-whole relationships, chaos theory, spontaneous organization, and “emergent properties” both in the natural world and in human fields such as economics.
The court specifically referenced Mill as author of this principle. In this sense, it was Mill who almost single-handedly transformed the idea of liberty. Whereas the standard and brake on one’s behaviour in the pursuit of liberty had originally been a regard for the good of all society - that is, for doing no harm to society, to the common good - liberty would now be completely self-regarding, its only brake the notion of harm to other individuals.

The Angry European Relativists

Meanwhile, during the nineteenth century there were many angry European relativists who rejected entirely, or sought to reshape as entirely, the whole Western tradition. Among them was Georg Hegel (1770-1831) who cleverly mixed determinism and things spiritual by speaking of history with a capital “H” as a force of nature that evolves with a mind of its own to ever higher levels. The unfortunate boost he gave to relativism was the idea that “History” is not something created with hard facts but an ever-evolving process that cannot be understood or evaluated at all except through the context of particular historical periods. In the end, he insisted, there is no God’s-eye view of anything. Nothing stays the same in a universe that is ever-evolving toward its own perfect self-recognition. Now this may seem to be impenetrable German intellectual blather. But it unsettles anyone looking for a stable reality.

Another passionately defiant relativist was the Prussian thinker and romantic poet Johann Herder (1744-1803). He despised the subjection of European nations to the Enlightenment - mostly French – idea of a single universal human nature that is supposed to progress through a series of stages to an ideal rational state. This “filled him with anger.” He believed, on the contrary, that “every tribe and people was unfathomably and indestructibly unique . . . Each nation represented a truth of its own, which was compounded of blood, soil, climate, environment, experience . . . there was no universal criterion by which to judge nations . . . Men did not create a nation; a nation brought forth men.” In this sense, “he was a precursor of the moral and cultural relativism which was a prominent part of anthropology in the first part of the twentieth century and is still very much with us.”

Indeed. Farther along in this book we will look at the ideological mischief of the relativism that sprang from Herder’s concept of “the comity of nations as a garden of wildflowers,” a concept derided by a contemporary anthropologist as “the most childish notion ever to have imposed itself on the credulity of an influential mind. Whatever he [Herder] may have imagined, the garden of human cultures contains just as many stink-lilies as violets, strangling vines as primrose, sick societies as those with rosy cheeks - and too many problems in the modern world come from sentimentally denying this fact.”

But it was Friedrich Nietzsche (1844-1900) who surely ranks as the most tormented and explicitly angry relativist. He lambasted Western traditions root and branch, particularly Christianity (although even he had a grudging admiration for Christ). The West, he cried, originally made a huge mistake falling for Plato’s theory about absolutes that exist in some world of higher Ideals and perfect Forms. This was a terrible, life-denying concept that ruined Western civilization, mostly by producing Christianity, which he deeply disrespected as “a poor man’s Platonism” because it substitutes a perfect dream-world heaven after death for the vale of tears in the here and now. He was adamant that such grotesquely false promises prevent us from ever fulfilling ourselves and concluded that as any religion is obviously a lie, there are no absolutes to guide us to admirable human action, only admirable human “Will.” His key idea with respect to relativism was his well-known “there are no facts, only interpretations.” Accordingly, he called leaders

with strong charismatic personalities who could move us beyond our current deadening concepts of good and evil to create an entirely new world of original values.

*The Practical American Relativists*

Meanwhile, in America there were similar attacks on the idea of an absolute reality, especially of a moral reality. The philosopher William James (1842-1910) developed a philosophy called "pragmatism" asserting that ideas and actions regarding the good must be judged only in terms of their practical worldly consequences, for there is no higher external standard. "Man" is at the centre of things and must get along as best he can based on experience alone. His theory of reality was that whatever satisfies us is true, while whatever does not is false.

John Dewey (1859-1952), whose "child-centred" philosophy of education permeated North American schools for most of the twentieth century, felt much the same as James: man alone with his evolving experience is the measure of the evolving universe. There is no other truth. No final picture. Indeed, he fairly beseeched philosophers to stop searching for ultimate meanings, beginnings, final truths, and absolutes, for it makes no difference to human beings trapped inside their own experiences and perceptions whether some higher reality may exist, for this we can never know for certain. But we know enough to make sense of this world, to get along, and even to improve it. That should suffice.

*Twentieth-Century Relativism*

From this variety of influences the seedbed of modern relativism was well prepared by the start of the twentieth century. But it really picked up a head of steam about ten years after Einstein's Special Theory of Relativity appeared in 1905. Although only specialists to this day are able to understand this theory, the news of it at once produced "a vague source of unease," as British historian Paul Johnson puts it, such that after the physical and moral devastations of World War I, "the belief began to circulate, for the first time at a popular level, that there were no longer any absolutes: of time and space, of good and evil, of knowledge, and above all of value. Mistakenly but perhaps inevitably, relativity became confused with relativism." And, he adds, "no one was more distressed than Einstein by this public misapprehension."

In Johnson's view, "the public response to [Einstein's theory] was one of the principal formative influences on the course of twentieth-century history. It formed a knife, inadvertently wielded by its author, to help cut society adrift from its traditional moorings in the faith and morals of Judeo-Christian culture." Johnson goes on to explain how this relativity-become-relativism worked its poison on the public mind through its various insidious combinations with Darwinism, Marxism, Freudianism, and a host of other "isms." And of course, most parents are by now all too familiar with the effects of relativism on moral behaviour in general and aware of its proliferation through systems of education, literature, and the arts.

Although Einstein's theories concern only the behaviour of matter at incomprehensible cosmic scales, energies, and speeds that have no direct effect on human life, the indirect idea that everything in the universe is relative seemed now to have the deepest scientific imprimatur. And just as society had for three centuries patterned its thinking after Newton's idea that the universe is a machine, it now began to pattern all thinking about science, morality, and culture as one or another form of unpredictable relativism. We were suddenly back at the uncertain and unknowable river of Heraclitus.

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23 Ibid., 5.
Alas, it is by now a certain fact (and Einstein had worried deeply this might come to be the case) that various between-the-wars ideologies such as fascism and communism rested on variations of a politically self-serving moral relativism that contributed to Europe’s totalitarian nightmare. And even though the central legal foundation for the Western courts that condemned the Nazi machine at the postwar Nuremberg Trials was a form of moral and legal absolutism still called "natural law," this startling truth was easily lost in the general disillusion and the widespread repudiation of authority by the young. Just so, their attraction to existentialism was fuelled by their justifiable moral disappointment over two horrific world wars that displayed the full panoply of human cruelty and degradation. Existentialists argued that as there is obviously, if unfortunately, no God to create a human nature, or essence, of which we are all a manifestation, our existence must be only a brute fact of life and is basically senseless. It has no God-given meaning. We simply exist (hence, "existentialism") and so are abandoned in this world to carry on as free human agents carving out a moral universe according to our private personal choices, for there is no other arbiter of morality. For this reason, existentialists declared - in contrast to just about all prior philosophical and theological tradition - our existence precedes our essence.

By the 1970s, however, the disillusioned were no longer young. They were now wearing suits as professors and policy wonks in governments. And the trend was clear. With a mixture of philosophies drawn mostly from the thinkers reviewed here, they were energetically rejecting the old tenets of "modernism," which had taught that reason could reveal an objective world common to all. This belief was now characterized as a "Eurocentric" assumption, a philosophy invented by controlling intellectuals, by bureaucrats, or by the bourgeois-capitalist class (take your pick). Modern philosophy, we were now told - for that matter, all philosophies (take your pick again) - is just one story, or "narrative," that was invented by those striving for the dominance of their particular worldview and that reflects only their interests. Suddenly, it was fashionable to argue that the story about a stable world of objects and essences is false and part of a controlling myth. Here was a generation that preferred the idea that reality is unknowable except as formed by each individual mind, and as so much of thinking is expressed in language, this in turn produced the so-called "linguistic turn" in amateur philosophy: the idea that there is no reality except as created and perceived "the prison house of language." We will go into this more deeply in our later chapters on language. Suffice it to say for now that loosely speaking, the idea that everything is relative, invented, and therefore permeated with a controlling motive led at once to new forms of analytical suspicion directed at every aspect of human activity from poetry to politics. All social phenomena, in particular, would become targeted as explicit or implicit power structures justifying one or another form of moral, social, political, or economic control. So in rapid succession we got schools of structuralism, poststructuralism, deconstructionism, postmodernism, post-postmodernism, antifoundationalism, and much more. With each phase we got a more and more stringent insistence on the essential sleaziness and political - which is self-serving - nature of all accepted forms of thinking, even the most professedly innocent. That is why we now live in an age of extreme skepticism and the almost total privatization of the idea of truth, which has taken cover within the isolated self.

What all these ideologies share is a reliance on the many variations of relativism - although many practical people have suspected that those professing such beliefs also share a need to maintain job security by creating unfalsifiable theories in otherwise exhausted fields of thought. At any rate, it is hard to say what will be next. But a reaction has been forming for some time because so many serious thinkers have by now grown very tired of misleading and self-refuting claims that there is nothing of value to know or to teach because nothing is true, fixed, or stable. Recently, Renato Rosaldo, a professor of anthropology at Stanford University, went public with the opinion that today, "in academic debate, calling someone a
relativist is a mild form of verbal abuse.” That is certainly new and indicative not only of a philosophical rift in his field of study but also of the hunger being felt once again for what is known, what can be known, and above all for what is common, universal, constant, or absolute.

To summarize, we began by outlining a key distinction between relationism and relativism and then proceeded to a brief history of relativism in Western civilization. After its first appearance in the ancient world, soon to be demolished by the powerfully persuasive logical force of both Platonic and Aristotelian philosophy, relativism did not arise again in a serious way until the Renaissance. At this point, after the philosophical and theological exhaustions of the Middle Ages, we begin to see the waning of public faith in religious and moral authority. This was soon combined with the Reformation’s insistence on the spark of inner truth as something available to all, with the powerful effects of rationalism, and with the objective discoveries of science. The result was that the findings of reason and science began to embarrass religious authority. The new concept of the cosmos as a Newtonian machine running according to its own fixed laws of which the earth was but a lonely part began to replace the old earth-centred idea that the cosmos has a purpose to which human existence is central. This new objectivism soon led to more skepticism and doubt and therefore to a general subjectivism in morals. It was not a great step from this subjectivism to the birth of modern relativism. There were many genteel thinkers who used very sophisticated arguments to hone the relativist view of human knowledge and perception. By the nineteenth century, however, we begin to see a more angry and defiant repudiation of the old belief that reason would or could lead us to the truth. There were also a lot of calm but persistent theories in America and England about the relativism of human knowledge and therefore of the difficulty in establishing moral standards. Mill, above all, reduced the idea of morality to a vague subjective ideal. The result was that by the early twentieth century, relativism had become our new public orthodoxy, and Einstein’s theory of relativity, for all the wrong reasons, as we shall see, seemed to give it a foundation in physical reality. The ensuing postwar intellectual movements can be said to have only further entrenched the modern relativist revival, each in its own way, such that relativist orthodoxy in many shapes and forms is more or less pervasive in almost all educational and intellectual departments, disciplines, and spheres of influence.

Against the Grain

This is so despite the existence of a sizable community of thinkers, researchers, and scientists from a wide variety of fields who have refused to follow the relativist trend for the reason that they find it both logically incoherent and falsified by actual experience. They also know that the professional fields in which they work would simply not exist but for the presence of a great number of absolutes, constants, and universals of the kind it will be our pleasure to explore in the rest of this book.

Many of these imposing thinkers, from Plato and Aristotle to modern critics of relativism such as Einstein himself, Sir Roger Penrose, and just about every serious philosopher, have put relativism in the stand and examined it thoroughly to see whether it could stand up to scrutiny, only to conclude it is a seriously flawed worldview.

Despite this, relativism remains a public force. It is a radical philosophical and moral claim that tends toward the indeterminate and the mystical and that gives satisfaction to believers by undermining any absolute truths, universals, and certainties they dislike and find uncomfortable. Due to its current omnipresence, however, it deserves to be taken seriously and examined on its own merits. For in the end,

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each of us must decide if relativism should be embraced as a satisfying and complete public philosophy or be dropped once again into the dustbin of historical triviality.

What follows next is a brief survey of the main types of relativism, followed by a chapter giving some of the reasons why so many important thinkers in history have concluded that relativism richly deserves the latter fate. In none of this do I bother to defend relativism, for the reason that it needs no defence. It is already almost everywhere believed, defended, and promoted, however unsubtly. What it has needed, rather, is a well-rounded expose and critique, of which there are very few to be found, and this I hope the reader, after reading what follows, will agree I have supplied.
WORK, SPARE TIME, AND LEISURE
This talk was the keynote address at the opening of an art exhibition
in conjunction with the Ruhrfestspiele (1953).
First published in Die Zeit, June 25, 1953.

These three concepts, at first sight, do not give any indication that they hide a deeply challenging problem, and no mere theoretical problem either. No, they rather give the impression of being entirely innocuous; they could easily be understood, approvingly or with reservations, as an invitation “to take it easy”. Our title seems to project an uncomplicated, even cheerful, serenity, progressing from one concept to the next. “Work”, it is true, may still be part of life’s burden, but it is already alleviated and forgotten as it leads to “spare time” and finally to “leisure”, with its vision of the solitary fisherman who in utter contentment sits on a summer lakeshore, less intent on catching a fish than simply on relaxing and daydreaming. Where, pray, should the problem be lurking?

The term and concept of “work” are entirely familiar to us. Work is that which gives man’s workday its name; it satisfies our basic needs and procures our daily bread; it constitutes the active effort to provide those things indispensable in order to stay alive. Nothing is more obvious.

And why should the meaning of “spare time” not be equally obvious? Spare time is a multi-layered concept. As long as it is defined negatively, as a span of time not filled with work, no problem arises. Similarly, if we consider the concept of spare time only in its relationship to the concept of “workday”, if we define spare time as a mere break from work in order to recover, a time after work to restore one’s strength for more work, then again, no particular problem will arise.

But some second thought might stir us up as soon as we consider that we do not really succeed in defining spare time only in this way. A moment ago I used, in all innocence, the term “workday”. The notion of workday immediately evokes one other notion, closely related, which provides a rather fresh and now positive definition of spare time—a definition indicating that here we are discussing something beyond a mere break in working time or a pause to gather new strength. This other notion is “holiday”. On the one hand, we have not succeeded—rather: not yet!—in eliminating the notion of holiday from our thinking (which shows the persistence of Western tradition.) On the other hand, this notion of holiday has generally lost for us its clarity, depth, and unquestioned inner meaning (which indicates how weakened and threatened our Western standards have become). A holiday, a feast day—what is this, anyway, and what in essence does it mean?

How does the spirit of celebration originate in the heart of man, how can it be fostered and preserved? And how can we possibly observe a feast day on a truly existential level without such a spirit of celebration? I very much fear that the typical modern man may no longer be able to draw answers to these questions from immediate awareness and inner experience. Of course, we still have some vague notion that the seventh day of the week is not simply the “weekend” but has a deeper significance. We still are receptive to the reminder implied in that uniquely German term Feierabend [meaning, “quitting time,” but literally, “evening for celebration”—the reminder that more is meant here than a mere break to catch one’s breath. And we still have not entirely forgotten that the German word Ferien (vacation time) literally means “festive time.” All of which, taken together, means one thing: the concept of spare time is by no means so simple and innocuous.
ous as at first it may have appeared. It springs from some profound dimension where it merges, lacking precise bounds, with the third concept, that of "leisure."

About this concept we confidently dare to affirm that we do not know what it means. More to the point: we are ignorant of how the concept of "leisure" is understood in the accumulated wisdom of our Western cultural and existential tradition as expressed, say, by Plato, Aristotle, or the great teachers of Christianity. Granted, one could say: but why should we know that? What difference does this particular ignorance make? The way we see the human person and therefore the meaning of our existence has, after all, changed considerably since the time of antiquity and the Middle Ages!

Such an objection must not be taken lightly. At any rate, however, even should we agree with it (and then especially), we have to realize what in truth this discussion is all about. We must understand that a total and final disintegration of the concept of "leisure", a basic concept of traditional Western thinking, will have a clear historical consequence; namely, the totalitarian work state. If we dislike this consequence, we must understand that there can be only one valid objection against the idolizing of labor, an objection based on some ultimate truth about human nature and therefore of sole and lasting relevance. To identify such an objection, we must discover anew, and appropriate again, the meaning of the statement, "We work so we can have leisure."

What indeed is declared here? A veritable thicket of misconceptions must be cleared away before the true meaning of this statement can appear. For this purpose, it is indispensable to spell out certain simple basics. It seems the German language is no help in this, since Musse (leisure) and Müßiggang (loafing) distressingly are such close neighbors, though in terminology only. Looking at the factual content, "loafing" is the exact opposite of "engaging in leisure" (as the ancient Greeks put it, scholén agein). "We work so we can have leisure", would therefore, as a preliminary approach, declare this: we work in order to do—to enable us to do—something other than work. What is this "something other"? Recreation, entertainment, amusement, play—all this is not meant here. Wouldn't it be quite nonsensical to think of work as drawing its justification from play? No, this "something other" indicates an activity meaningful in itself. But is not work equally meaningful? Meaningful indeed! Yet not meaningful in itself. This precisely defines the concept of work: it has a practical purpose, it produces utilitarian goods, it contributes to the common useful wealth (and "useful" always means "good for something else"). To serve some other purpose is the essential characteristic of work. In this context also belongs the old and rather offensive expression, "servile work". The terms alone do not at all imply any contempt for work, much less for the worker. We can say the opposite is true.

But then, traditional wisdom has always understood that there are also human activities that do not serve some other purpose and so are not servile. These are forms of activities to which everybody, including the working man, is entitled, even as a fundamental right and necessity (in the same way as the servile activity, namely work, which satisfies basic needs and serves a practical purpose, is as a rule required of everybody).

At this point it seems advisable to mention the old distinction—some would say, the old-fashioned and only historically relevant distinction between "servile arts" and "liberal arts", artes serviles and artes liberales. This distinction, in fact, is anything but old-fashioned; it can claim a contemporary political relevance. Translated into the jargon of a world defined by work alone, it says: not only do production quotas and the implementation of planning goals exist, but in addition and by right, there are human activities that by their very nature lie beyond the standards of any five-year plan. This means that there are human actions that need not be justified by a society's yardstick of economical usefulness, and absolutely so. All we have to do is use such terms to bring out the
radical challenge to the domain of absolute work. This challenge is contained in the traditional Western tenet: there do exist "liberal arts", there do exist human activities that are meaningful without being either work or mere respite (from work, for more work). This too, I hope, has become clear: it is an insidiously dangerous and consequential undertaking to deny that work is characterized by its "usefulness-for-something-else", even—yes!—by its "servile" dimension. It is a fiction to declare work, the production of useful things, to be meaningful in itself. Such fiction leads to the exact opposite of what it seems to accomplish. It brings about the exact opposite of "liberation", "elevation", or "rehabilitation" for the worker. It brings about precisely that inhuman dimension so typical of the world of absolute work: it accomplishes the final bondage of man within the process of work, it explicitly makes everybody a proletarian. This is happening openly and explicitly in those totalitarian "Workers' States", but it is also infecting all other parts of the world, at least as a danger and temptation. It shows, for instance, in the difficulty we experience in answering this question: of what, then, might such activity "meaningful in itself", such "liberal" activity, consist? How should we conceive of such an activity that does not need something other for its justification that is not defined as producing useful goods and objective results? An activity that does not bring forth the means for our existence but is existential realization itself, an activity in which man's true and proper good, his genuine richness, fullest life, and most perfect happiness is attained?

Obviously, an answer here is possible only if a specific concept of the human person is accepted. For nothing less is at stake here than the ultimate fulfillment of human existence. We are really asking how such fulfillment may come about. Originality, or the lack of it, seems to me quite irrelevant in this regard. I am only trying to express the teaching found in the Western philosophical tradition. The most important element in this teaching declares: the ultimate fulfillment, the absolutely meaningful activity, the most perfect expression of being alive, the deepest satisfaction, and the fullest achievement of human existence must needs happen in an instance of beholding, namely in the contemplating awareness of the world's ultimate and intrinsic foundations. Thus would Plato express the sum total of his insights:

Here, if anywhere at all—so spoke the foreign maiden from Mantineia (Diotima)—here man's life becomes fully worth living; for here he beholds the divine revealed in the purity of beauty itself: through this he becomes immortal.

A rather small step will bring us back again to the realm of concrete things. The reader may already have wondered, with some misgivings or even dismay, how many more abstruse philosophical subtleties he must endure. Fear not; we have returned to our entirely practical question: What constitutes, here and now, an activity meaningful in itself? I have stated it before: if we are unable to answer this question, then we will also be unable to resist convincingly the claims of a world absolutely defined by work. The answer contained in our Western philosophical tradition could be summed up in this way. Whenever in reflective and receptive contemplation we touch, even remotely, the core of all things, the hidden, ultimate reason of the living universe, the divine foundation of all that is, the purest form of all archetypes (and the act of perception, immersed in contemplation, is the most intensive form of grasping and owning), whenever and wherever we thus behold the very essence of reality—there is an activity that is meaningful in itself taking place.

Such reaching out in contemplation to the root and foundation of all that is, to the archetypes of all things, this activity that is meaningful in itself can happen in countless actual forms. A particularly venerable form, particularly neglected as well, is religious meditation, the contemplative immersion
of the self into the divine mysteries. Another form is philosophical reflection, which should indeed not be conceived as limited to some specialized academic discipline. Anybody can ponder human deeds and happenings and thus gaze into the unfathomable depths of destiny and history; anybody can get absorbed in the contemplation of a rose or human face and thus touch the mystery of creation; everybody, therefore, participates in the quest that has stirred the minds of the great philosophers since the beginning. We see still another form of such activity in the creation of the artist, who does not so much aim at presenting copies of reality as rather making visible and tangible in speech, sound, color, and stone, the archetypical essences of all things as he was privileged to perceive them. But those, too, who experience the spark of poetry while listening to a poem, who behold a sculpture and perceive the artist's intention—yes, those who only listen and observe, as long as the conditions are right, can also touch, in contemplation, the core of all reality, the domain of the eternal archetypes. "If the conditions are right"—here lies the difficulty. It is specifically the difficulty already mentioned: to be aware of those different forms of touching the core of reality and to acknowledge them as "meaningful in themselves", to experience them and simply to live them as such. Could it be that this difficulty represents the deeper reason for the increasing isolation today surrounding artists and poets, but also philosophers and certainly those dedicated to the contemplative life?

We ought to mention here certain conditions and premises intimately tied, it seems, to the activity that is meaningful in itself. Not much more than a brief enumeration is possible, though. An activity which is meaningful in itself, first, cannot be accomplished except with an attitude of receptive openness and attentive silence—which, indeed, is the exact opposite of the worker's attitude marked by concentrated exertion. One of the fundamental human experiences is the realization that the truly great and uplifting things in life come about perhaps not without our own efforts but nevertheless not through those efforts. Rather, we will obtain them only if we can accept them as free gifts.

With this, we touch on a second precondition, even more fundamental than the first and more removed from any willful manipulation. If this other condition is not fulfilled, we cannot expect to accomplish any action meaningful in itself. Rather, we cannot expect that the meditative perception of the world's foundations will be experienced as meaningful in itself, whether it happens in the form of poetry, music, the fine arts, philosophy, or religious contemplation. This second condition, in a nutshell, is this: the ability to celebrate a feast. What, then, is required to celebrate a feast? Obviously more than a day off from work. This requirement includes man's willing acceptance of the ultimate truth, in spite of the world's riddles, even when this truth is beheld through the veil of our own tears; it includes man's awareness of being in harmony with these fundamental realities and surrounded by them. To express such acceptance, such harmony, such unity in non-ordinary ways—this has been called since time immemorial: to celebrate a feast. And at this point we realize that there can be no feast without gods; indeed, that the cultic celebration is the primordial form of any feast. This, however, is a different topic. And yet, this much shall be stated here: only such a fundamental attitude of acceptance can create, within the flow of workdays, the liberal breathing space that allows us, oblivious of life's more basic necessities, to do what is meaningful in itself. It is for this reason, on the other hand, that all forms of "liberal" activities, above all in the area of the arts, are essentially of a festive nature as long as they contain at least some remote echo of that fundamental attitude of acceptance. Wherever this attitude becomes entirely defunct, there all endeavors to organize "relaxation" surely turn into an even more hectic, indeed an outright desperate, form of work. This is not such a farfetched notion and hardly requires concrete proof. And one further aspect, I think, is not foreign to our personal experience. It is artistic activity especially
that can degenerate—either into idle and empty game playing or into some novel and sophisticated form of busy-ness, profiteering, and nervous distraction—if it does not simply sink to the level of crass entertainment apt to seduce man to make himself a prisoner of his workdays with no thought of escaping.

Wherever the arts are nourished through the festive contemplation of universal realities and their sustaining reasons, there in truth something like a liberation occurs: the stepping-out into the open under an endless sky, not only for the creative artist himself but for the beholder as well, even the most humble. Such liberation, such foreshadowing of the ultimate and perfect fulfillment, is necessary for man, almost more necessary than his daily bread, which is indeed indispensable and yet insufficient.

In this precisely do I see the meaning of that statement in Aristotle’s *Nicomachean Ethics*, “We work so we can have leisure”.

**Centesimus Annus**

Encyclical Letter  
His Holiness Pope John Paul II  
On the Hundredth Anniversary of *Rerum Novarum*  
May 1, 1991

*Venerable Brothers, Beloved Sons and Daughters, Health and the Apostolic Blessing!*

**Introduction**

1. The Centenary of the promulgation of the encyclical which begins with the words *"Rerum Novarum,"*[1] by my predecessor of venerable memory Pope Leo XIII, is an occasion of great importance for the present history of the Church and for my own pontificate. It is an encyclical that has the distinction of having been commemorated by solemn papal documents from its fortieth anniversary to its ninetieth. It may be said that its path through history has been marked by other documents which paid tribute to it and applied it to the circumstances of the day.[2]

In doing likewise for the hundredth anniversary, in response to requests from many bishops, Church institutions, and study centers, as well as business leaders and workers, both individually and as members of associations, I wish first and foremost to satisfy the debt of gratitude which the whole Church owes to this great Pope and his "immortal document."[3] I also mean to show that the vital energies rising from that root have not been spent with the passing of the years, but rather have increased even more. This is evident from the various initiatives which have preceded, and which are to accompany and follow the celebration, initiatives promoted by episcopal conferences, by international agencies, universities and academic institutes, by professional associations and by other institutions and individuals in many parts of the world.

2. The present encyclical is part of these celebrations, which are meant to thank God—the origin of "every good endowment and every perfect gift" (Jan 1:17)—for having used a document published a century ago by the See of Peter to achieve so much good and to radiate so much light in the Church and in the world. Although the commemoration at hand is meant to honor *Rerum Novarum*, it also honors those encyclicals and other documents of my predecessors which have helped to make Pope Leo’s encyclical present and alive in history, thus constituting what would come to be called the Church’s "social doctrine," "social teaching" or even "social magisterium."

The validity of this teaching has already been pointed out in two encyclicals published during my pontificate: *Laborem Exercens* on human work, and *Sollicitudo Rei Socialis* on current problems regarding the development of individuals and peoples.[4]

3. I now wish to propose a "rereading" of Pope Leo’s encyclical by issuing an invitation to "look back" at the text itself in order to discover anew the richness of the fundamental principles which it formulated for dealing with the question of the condition of workers. But this is also an invitation to "look around" at the "new things" which surround us and in which we find ourselves caught up, very different from the "new things" which characterized the final decade of the last century. Finally, it is an invitation to "look to the future" at a time when we can already glimpse the third millennium of the Christian era, so filled with uncertainties but also with promises—uncertainties and promises which appeal to our imagination and

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creativity, and which reawaken our responsibility, as disciples of the "one teacher" (cf. Mt 23:8), to show the way, to proclaim the truth and to communicate the life which is Christ (cf. Jn 14:6).

A rereading of this kind will not only confirm the permanent value of such teaching, but will also manifest the true meaning of the Church's Tradition which, being ever living and vital, builds upon the foundation laid by our fathers in the faith, and particularly upon what "the Apostles passed down to the Church"[5] in the name of Jesus Christ, who is her irreplaceable foundation (cf. 1 Cor 3:11).

It was out of an awareness of his mission as the successor of Peter that Pope Leo XIII proposed to speak out, and Peter’s successor today is moved by that same awareness. Like Pope Leo and the popes before and after him, I take my inspiration from the Gospel image of "the scribe who has been trained for the kingdom of heaven," whom the Lord compares to "a householder who brings out of his treasure what is new and what is old" (Mt 13:52). The treasure is the great outpouring of the Church’s Tradition, which contains "what is old"—received and passed on from the very beginning—and which enables us to interpret the “new things” in the midst of which the life of the Church and the world unfolds.

Among the things which become "old" as a result of being incorporated into Tradition, and which offer opportunities and material for enriching both Tradition and the life of faith, there is the fruitful activity of many millions of people, who, spurred on by the social Magisterium, have sought to make that teaching the inspiration for their involvement in the world. Acting either as individuals or joined together in various groups, associations and organizations, these people represent a great movement for the defense of the human person and the safeguarding of human dignity. Amid changing historical circumstances, this movement has contributed to the building up of a more just society or at least to the curbing of injustice.

The present encyclical seeks to show the fruitfulness of the principles enunciated by Leo XIII, which belong to the Church’s doctrinal patrimony and, as such, involve the exercise of her teaching authority. But pastoral solicitude also prompts me to propose an analysis of some events of recent history. It goes without saying that part of the responsibility of pastors is to give careful consideration to current events in order to discern the new requirements of evangelization. However, such an analysis is not meant to pass definitive judgments, since this does not fall per se within the Magisterium’s specific domain.

Chapter 1
Characteristics of Rerum Novarum

4. Towards the end of the last century the Church found herself facing an historical process which had already been taking place for some time, but which was by then reaching a critical point. The determining factor in this process was a combination of radical changes which had taken place in the political, economic and social fields, and in the areas of science and technology, to say nothing of the wide influence of the prevailing ideologies. In the sphere of politics, the result of these changes was a new conception of society and of the State, and consequently of authority itself. A traditional society was passing away and another was beginning to be formed—one which brought the hope of new freedoms but also the threat of new forms of injustice and servitude.

In the sphere of economics, in which scientific discoveries and their practical application come together, new structures for the production of consumer goods had progressively taken shape. A new form of property had appeared—capital; and a new form of labor—labor for wages, characterized by high rates of
production which lacked due regard for sex, age or family situation, and were determined solely by efficiency, with a view to increasing profits.

In this way labor became a commodity to be freely bought and sold on the market, its price determined by the law of supply and demand, without taking into account the bare minimum required for the support of the individual and his family. Moreover, the worker was not even sure of being able to sell “his own commodity,” continually threatened as he was by unemployment, which, in the absence of any kind of social security, meant the specter of death by starvation.

The result of this transformation was a society “divided into two classes, separated by a deep chasm.”[6] This situation was linked to the marked change taking place in the political order already mentioned. Thus the prevailing political theory of the time sought to promote total economic freedom by appropriate laws, or, conversely, by a deliberate lack of any intervention. At the same time, another conception of property and economic life was beginning to appear in an organized and often violent form, one which implied a new political and social structure.

At the height of this clash, when people finally began to realize fully the very grave injustice of social realities in many places and the danger of a revolution fanned by ideals which were then called “socialist,” Pope Leo XIII intervened with a document which dealt in a systematic way with the “condition of the workers.” The encyclical had been preceded by others devoted to teachings of a political character; still others would appear later.[7] Here, particular mention must be made of the encyclical Libertas Praestantissimum, which called attention to the essential bond between human freedom and truth, so that freedom which refused to be bound to the truth would fall into arbitrariness and end up submitting itself to the vilest of passions, to the point of self-destruction. Indeed, what is the origin of all the evils to which Rerum Novarum wished to respond, if not a kind of freedom which, in the area of economic and social activity, cuts itself off from the truth about humanity?

The Pope also drew inspiration from the teaching of his predecessors, as well as from the many documents issued by bishops, from scientific studies promoted by members of the laity, from the work of Catholic movements and associations and from the Church’s practical achievements in the social field during the second half of the nineteenth century.

5. The “new things” to which the Pope devoted his attention were anything but positive. The first paragraph of the encyclical describes in strong terms the “new things” (rerum novarum) which gave it its name: “That the spirit of revolutionary change which has long been disturbing the nations of the world should have passed beyond the sphere of politics and made its influence felt in the related sphere of practical economics is not surprising. Progress in industry, the development of new trades, the changing relationship between employers and workers, the enormous wealth of a few as opposed to the poverty of the many, the increasing self reliance of the workers and their closer association with each other, as well as a notable decline in morality: all these elements have led to the conflict now taking place.”[8]

The Pope and the Church with him were confronted, as was the civil community, by a society which was torn by a conflict all the more harsh and inhumane because it knew no rule or regulation. It was the conflict between capital and labor, or—as the encyclical puts it—the worker question. It is precisely about this conflict, in the very pointed terms in which it then appeared, that the Pope did not hesitate to speak.
Here we find the first reflection for our times as suggested by the encyclical. In the face of a conflict which set man against man, almost as if they were "wolves," a conflict between the extremes of mere physical survival on the one side and opulence on the other, the Pope did not hesitate to intervene by virtue of his "apostolic office,"[9] that is, on the basis of the mission received from Jesus Christ himself to "feed his lambs and tend his sheep" (cf. Jn 21:15-17), and to "bind and loose" on earth for the kingdom of heaven (of. Mt 16:19). The Pope's intention was certainly to restore peace, and the present-day reader cannot fail to note his severe condemnation, in no uncertain terms, of the class struggle.[10] However, the Pope was very much aware that peace is built on the foundation of justice: what was essential to the encyclical was precisely its proclamation of the fundamental conditions for justice in the economic and social situation of the time.[11]

In this way, Pope Leo XIII, in the footsteps of his predecessors, created a lasting paradigm for the Church. The Church, in fact, has something to say about specific human situations, both individual and communal, national and international. She formulates a genuine doctrine for these situations, a corpus which enables her to analyze social realities, to make judgments about them and to indicate directions to be taken for the just resolution of the problems involved.

In Pope Leo XIII's time such a concept of the Church's right and duty was far from being commonly admitted. Indeed, a twofold approach prevailed: one directed to this world and this life, to which faith ought to remain extraneous; the other directed towards a purely other-worldly salvation, which neither enlightens nor directs existence on earth. The Pope's approach in publishing Rerum Novarum gave the Church "citizenship status" as it were, amid the changing realities of public life, and this standing would be more fully confirmed later on. In effect, to teach and to spread her social doctrine pertains to the Church's evangelizing mission and is an essential part of the Christian message, since this doctrine points out the direct consequences of that message in the life of society and situates daily work and struggles for justice in the context of bearing witness to Christ the Savior. This doctrine is likewise a source of unity and peace in dealing with the conflicts which inevitably arise in social and economic life. Thus it is possible to meet these new situations without degrading the human person's transcendent dignity, either in oneself or in one's adversaries, and to direct those situations towards just solutions.

Today, at a distance of a hundred years, the validity of this approach affords me the opportunity to contribute to the development of Christian social doctrine. The "new evangelization," which the modern world urgently needs and which I have emphasized many times, must include among its essential elements a proclamation of the Church's social doctrine. As in the days of Pope Leo XIII, this doctrine is still suitable for indicating the right way to respond to the great challenges of today, when ideologies are being increasingly discredited. Now, as then, we need to repeat that there can be no genuine solution of the "social question" apart from the Gospel, and that the "new things" can find in the Gospel the context for their correct understanding and the proper moral perspective for judgment on them.

6. With the intention of shedding light on the conflict which had arisen between capital and labor, Pope Leo XIII affirmed the fundamental rights of workers. Indeed, the key to reading the encyclical is the dignity of the worker as such, and, for the same reason, the dignity of work, which is defined as follows: "to exert oneself for the sake of procuring what is necessary for the various purposes of life, and first of all for self-preservation."[12] The Pope describes work as "personal, inasmuch as the energy expended is bound up with the personality and is the exclusive property of him who acts, and, furthermore, was given to him for his advantage."[13] Work thus belongs to the vocation of every person; indeed, a human being expresses
and fulfills himself by working. At the same time, work has a "social" dimension through its intimate relationship not only to the family, but also to the common good, since "it may truly be said that it is only by the labor of working men that states grow rich."[14] These are themes that I have taken up and developed in my encyclical Laborem Exercens.[15]

Another important principle is undoubtedly that of the right to "private property."[16] The amount of space devoted to this subject in the encyclical shows the importance attached to it. The Pope is well aware that private property is not an absolute value, nor does he fail to proclaim the necessary complementary principles, such as the universal destination of the earth's goods.[17]

On the other hand, it is certainly true that the type of private property which Leo XIII mainly considers is land ownership.[18] But this does not mean that the reasons adduced to safeguard private property or to affirm the right to possess the things necessary for one's personal development and the development of one's family, whatever the concrete form which that right may assume, are not still valid today. This is something which must be affirmed once more in the face of the changes we are witnessing in systems formerly dominated by collective ownership of the means of production, as well as in the face of the increasing instances of poverty or, more precisely, of hindrances to private ownership in many parts of the world, including those where systems predominate which are based on an affirmation of the right to private property. As a result of these changes and of the persistence of poverty, a deeper analysis of the problem is called for, an analysis which will be developed later in this document.

7. In close connection with the right to private property, Pope Leo XIII's encyclical also affirms other rights as inalienable and proper to the human person. Prominent among these, because of the space which the Pope devotes to it and the importance which he attaches to it, is the "natural human right" to form private associations. This means above all the right to establish professional associations of employers and workers, or of workers alone.[19] Here we find the reason for the Church's defense and approval of the establishment of what are commonly called trade unions: certainly not because of ideological prejudices or in order to surrender to a class mentality, but because the right of association is a natural right of the human being, which therefore precedes his or her incorporation into political society. Indeed, the formation of unions "cannot be prohibited by the State," because "the State is bound to protect natural rights, not to destroy them; and if it forbids its citizens to form associations, it contradicts the very principle of its own existence."[20]

Together with this right, which—it must be stressed—the Pope explicitly acknowledges as belonging to workers, or, using his own language, to "the working class," the encyclical affirms just as clearly the right to the "limitation of working hours," the right to legitimate rest and the right of children and women [21] to be treated differently with regard to the type and duration of work.

If we keep in mind what history tells us about the practices permitted or at least not excluded by law regarding the way in which workers were employed, without any guarantees as to working hours or the hygienic conditions of the workplace, or even regarding the age and sex of apprentices, we can appreciate the Pope's severe statement: "It is neither just nor human so to grind men down with excessive labor as to stupefy their minds and wear out their bodies." And referring to the "contract" aimed at putting into effect "labor relations" of this sort, he affirms with greater precision that "in all agreements between employers and workers there is always the condition expressed or understood" that proper rest be allowed,
proporionate to "the wear and tear of one’s strength." He then concludes: "To agree in any other sense would be against what is right and just."[22]

8. The Pope immediately adds another right which the worker has as a person. This is the right to a "just wage," which cannot be left to the "free consent of the parties, so that the employer, having paid what was agreed upon, has done his part and seemingly is not called upon to do anything beyond."[23] It was said at the time that the State does not have the power to intervene in the terms of these contracts, except to ensure the fulfillment of what had been explicitly agreed upon. This concept of relations between employers and employees, purely pragmatic and inspired by a thoroughgoing individualism, is severely censured in the encyclical as contrary to the twofold nature of work as a personal and necessary reality. For if work as something personal belongs to the sphere of the individual’s free use of his own abilities and energy, as something necessary it is governed by the grave obligation of every individual to ensure "the preservation of life." "It necessarily follows," the Pope concludes, "that every individual has a natural right to procure what is required to live; and the poor can procure that in no other way than by what they can earn through their work."[24]

A workman’s wages should be sufficient to enable him to support himself, his wife and his children. "If through necessity or fear of a worse evil the workman accepts harder conditions because an employer or contractor will afford no better, he is made the victim of force and injustice."[25]

Would that these words, written at a time when what has been called "unbridled capitalism" was pressing forward, should not have to be repeated today with the same severity. Unfortunately, even today one finds instances of contracts between employers and employees which lack reference to the most elementary justice regarding the employment of children or women, working hours, the hygienic condition of the workplace and fair pay; and this is the case despite the international declarations and conventions on the subject [26] and the internal laws of states. The Pope attributed to the "public authority" the "strict duty" of providing properly for the welfare of the workers, because a failure to do so violates justice; indeed, he did not hesitate to speak of "distributive justice."[27]

9. To these rights Pope Leo XIII adds another right regarding the condition of the working class, one which I wish to mention because of its importance: namely, the right to discharge freely one’s religious duties. The Pope wished to proclaim this right within the context of the other rights and duties of workers, notwithstanding the general opinion, even in his day, that such questions pertained exclusively to an individual’s private life. He affirms the need for Sunday rest so that people may turn their thoughts to heavenly things and to the worship which they owe to Almighty God.[28] No one can take away this human right, which is based on a commandment; in the words of the Pope: "no man may with impunity violate that human dignity which God himself treats with great reverence," and consequently, the State must guarantee to the worker the exercise of this freedom.[29]

It would not be mistaken to see in this clear statement a springboard for the principle of the right to religious freedom, which was to become the subject of many solemn international declarations and conventions,[30] as well as of the Second Vatican Council’s well-known declaration and of my own repeated teaching.[31] In this regard, one may ask whether existing laws and the practice of industrialized societies effectively ensure in our own day the exercise of this basic right to Sunday rest.
10. Another important aspect, which has many applications to our own day, is the concept of the relationship between the State and its citizens. *Rerum Novarum* criticizes two social and economic systems: socialism and liberalism. The opening section, in which the right to private property is reaffirmed, is devoted to socialism. Liberalism is not the subject of a special section, but it is worth noting that criticisms of it are raised in the treatment of the duties of the State.[32] The State cannot limit itself to "favoring one portion of the citizens," namely the rich and prosperous, nor can it "neglect the other," which clearly represents the majority of society. Otherwise, there would be a violation of that law of justice which ordains that every person should receive his due. "When there is question of defending the rights of individuals, the defenseless and the poor have a claim to special consideration. The richer class has many ways of shielding itself, and stands less in need of help from the State; whereas the mass of the poor have no resources of their own to fall back on, and must chiefly depend on the assistance of the State. It is for this reason that wage-earners, since they mostly belong to the latter class, should be specially cared for and protected by the government."[33]

These passages are relevant today, especially in the face of the new forms of poverty in the world, and also because they are affirmations which do not depend on a specific notion of the State or on a particular political theory. Leo XIII is repeating an elementary principle of sound political organization, namely, the more that individuals are defenseless within a given society, the more they require the care and concern of others, and in particular the intervention of governmental authority.

In this way what we nowadays call the principle of solidarity, the validity of which both in the internal order of each nation and in the international order I have discussed in the encyclical *Sollicitudo Rei Socialis*,[34] is clearly seen to be one of the fundamental principles of the Christian view of social and political organization. This principle is frequently stated by Pope Leo XIII, who uses the term "friendship," a concept already found in Greek philosophy. Pope Pius XI refers to it with the equally meaningful term "social charity." Pope Paul VI, expanding the concept to cover the many modern aspects of the social question, speaks of a "civilization of love."[35]

11. Rereading the encyclical in the light of contemporary realities enables us to appreciate the Church’s constant concern for and dedication to categories of people who are especially beloved to the Lord Jesus. The contents of the text is an excellent testimony to the continuity within the Church of the so-called "preferential option for the poor," an option which I defined as a "special form of primacy in the exercise of Christian charity."[36] Pope Leo’s encyclical on the "condition of the workers" is thus an encyclical on the poor and on the terrible conditions to which the new and often violent process of industrialization had reduced great multitudes of people. Today, in many parts of the world, similar processes of economic, social and political transformation are creating the same evils.

If Pope Leo XIII calls upon the State to remedy the condition of the poor in accordance with justice, he does so because of his timely awareness that the State has the duty of watching over the common good and of ensuring that every sector of social life, not excluding the economic one, contributes to achieving that good, while respecting the rightful autonomy of each sector. This should not however lead us to think that Pope Leo expected the State to solve every social problem. On the contrary, he frequently insists on necessary limits to the State’s intervention and on its instrumental character, inasmuch as the individual, the family and society are prior to the State, and inasmuch as the State exists in order to protect their rights and not stifle them.[37]
The relevance of these reflections for our own day is inescapable. It will be useful to return later to this important subject of the limits inherent in the nature of the State. For now, the points which have been emphasized (certainly not the only ones in the encyclical) are situated in continuity with the Church’s social teaching, and in the light of a sound view of private property, work, the economic process, the reality of the State and, above all, of the person himself. Other themes will be mentioned later when we examine certain aspects of the contemporary situation. From this point forward it will be necessary to keep in mind that the main thread and, in a certain sense, the guiding principle of Pope Leo’s encyclical, and of all of the Church’s social doctrine, is a correct view of the human person and of the person’s unique value, insomuch as the human being “...is the only creature on earth which God willed for itself.” [38] God has imprinted his own image and likeness on human beings (cf. Gen 1:26), conferring upon them an incomparable dignity, as the encyclical frequently insists. In effect, beyond the rights which one acquires by one’s own work, there exist rights which do not correspond to any work performed, but which flow from one’s essential dignity as a person.

12. The commemoration of Rerum Novarum would be incomplete unless reference were also made to the situation of the world today. The document lends itself to such a reference, because the historical picture and the prognosis which it suggests have proved to be surprisingly accurate in the light of what has happened since then.

This is especially confirmed by the events which took place near the end of 1989 and at the beginning of 1990. These events, and the radical transformations which followed, can only be explained by the preceding situations which, to a certain extent, crystallized or institutionalized Leo XIII’s predictions and the increasingly disturbing signs noted by his successors. Pope Leo foresaw the negative consequences—political, social and economic—of the social order proposed by “socialism,” which at that time was still only a social philosophy and not yet a fully structured movement. It may seem surprising that “socialism” appeared at the beginning of the Pope’s critique of solutions to the “question of the working class” at a time when “socialism” was not yet in the form of a strong and powerful State, with all the resources which that implies, as was later to happen. However, he correctly judged the danger posed to the masses by the attractive presentation of this simple and radical solution to the “question of the working class” of the time—all the more so when one considers the terrible situation of injustice in which the working classes of the recently industrialized nations found themselves.

Two things must be emphasized here: first, the great clarity in perceiving, in all its harshness, the actual condition of the working class—men, women and children; secondly, equal clarity in recognizing the evil of a solution which, by appearing to reverse the positions of the poor and the rich, was in reality detrimental to the very people whom it was meant to help. The remedy would prove worse than the sickness. By defining the nature of the socialism of his day as the suppression of private property, Leo XIII arrived at the crux of the problem.

His words deserve to be reread attentively: “To remedy these wrongs [the unjust distribution of wealth and the poverty of the workers], the socialists encourage the poor man’s envy of the rich and strive to do away with private property, contending that individual possessions should become the common property of all...; but their contentions are so clearly powerless to end the controversy that, were they carried into effect, the working man himself would be among the first to suffer. They are moreover emphatically unjust, for they would rob the lawful possessor, distort the functions of the State, and create utter confusion in the
community."[39] The evils caused by the setting up of this type of socialism as a state system—what would later be called "Real Socialism"—could not be better expressed.

13. Continuing our reflections, and referring also to what has been said in the encyclicals Laborem Exercens and Sollicitudo Rei Socialis, we have to add that the fundamental error of socialism is anthropological in nature. Socialism considers the individual person simply as an element, a molecule within the social organism, so that the good of the individual is completely subordinated to the functioning of the socioeconomic mechanism. Socialism likewise maintains that the good of the individual can be realized without reference to his free choice, to the unique and exclusive responsibility which he exercises in the face of good or evil. Man is thus reduced to a series of social relationships, and the concept of the person as the autonomous subject of moral decision disappears, the very subject whose decisions build the social order. From this mistaken conception of the person there arise both a distortion of law, which defines the sphere of the exercise of freedom, and an opposition to private property. A person who is deprived of something he can call "his own," and of the possibility of earning a living through his own initiative, comes to depend on the social machine and on those who control it. This makes it much more difficult for him to recognize his dignity as a person, and hinders progress towards the building up of an authentic human community.

In contrast, from the Christian vision of the human person there necessarily follows a correct picture of society. According to Rerum Novarum and the whole social doctrine of the Church, the social nature of man is not completely fulfilled in the State, but is realized in various intermediary groups, beginning with the family and including economic, social, political and cultural groups which stem from human nature itself and have their own autonomy, always with a view to the common good. This is what I have called the "subjectivity" of society which, together with the subjectivity of the individual, was cancelled out by "Real Socialism."[40]

If we then inquire as to the source of this mistaken concept of the nature of the person and the "subjectivity" of society, we must reply that its first cause is atheism. It is by responding to the call of God contained in the being of things that man becomes aware of his transcendent dignity. Every individual must give this response, which constitutes the apex of his humanity, and no social mechanism or collective subject can substitute for it. The denial of God deprives the person of his foundation, and consequently leads to a reorganization of the social order without reference to the person's dignity and responsibility.

The atheism of which we are speaking is also closely connected with the rationalism of the Enlightenment, which views human and social reality in a mechanistic way. Thus there is a denial of the supreme insight concerning man's true greatness, his transcendence in respect to earthly realities, the contradiction in his heart between the desire for the fullness of what is good and his own inability to attain it and, above all, the need for salvation which results from this situation.

14. From the same atheistic source, socialism also derives its choice of the means of action condemned in Rerum Novarum, namely, class struggle. The Pope does not, of course, intend to condemn every possible form of social conflict. The Church is well aware that in the course of history conflicts of interest between different social groups inevitably arise, and that in the face of such conflicts Christians must often take a position, honestly and decisively. The encyclical Laborem Exercens moreover clearly recognized the positive role of conflict when it takes the form of a "struggle for social justice";[41] Quadragesimo Anno had
already stated that "if the class struggle abstains from enmities and mutual hatred, it gradually changes into an honest discussion of differences founded on a desire for justice."[42]

However, what is condemned in class struggle is the idea that conflict is not restrained by ethical or juridical considerations, or by respect for the dignity of others (and consequently of oneself); a reasonable compromise is thus excluded, and what is pursued is not the general good of society, but a partisan interest which replaces the common good and sets out to destroy whatever stands in its way. In a word, it is a question of transferring to the sphere of internal conflict between social groups the doctrine of "total war," which the militarism and imperialism of that time brought to bear on international relations. As a result of this doctrine, the search for a proper balance between the interests of the various nations was replaced by attempts to impose the absolute domination of one's own side through the destruction of the other side's capacity to resist, using every possible means, not excluding the use of lies, terror tactics against citizens, and weapons of utter destruction (which precisely in those years were beginning to be designed). Therefore class struggle in the Marxist sense and militarism have the same root, namely, atheism and contempt for the human person, which place the principle of force above that of reason and law.

15. *Rerum Novarum* is opposed to state control of the means of production, which would reduce every citizen to being a "cog" in the state machine. It is no less forceful in criticizing a concept of the State which completely excludes the economic sector from the State's range of interest and action. There is certainly a legitimate sphere of autonomy in economic life which the State should not enter. The State, however, has the task of determining the juridical framework within which economic affairs are to be conducted, and thus of safeguarding the prerequisites of free economy, which presumes a certain equality between the parties, such that one party would not be so powerful as practically to reduce the other to subservience.[43]

In this regard, *Rerum Novarum* points the way to just reforms which can restore dignity to work as the free activity of man. These reforms imply that society and the State will both assume responsibility, especially for protecting the worker from the nightmare of unemployment. Historically, this has happened in two converging ways: either through economic policies aimed at ensuring balanced growth and full employment, or through unemployment insurance and retraining programs capable of ensuring a smooth transfer of workers from crisis sectors to those in expansion.

Furthermore, society and the State must ensure wage levels adequate for the maintenance of the worker and his family, including a certain amount for savings. This requires a continuous effort to improve workers' training and capability so that their work will be more skilled and productive, as well as careful controls and adequate legislative measures to block shameful forms of exploitation, especially to the disadvantage of the most vulnerable workers, of immigrants and of those on the margins of society. The role of trade unions in negotiating minimum salaries and working conditions is decisive in this area.

Finally, "humane" working hours and adequate free-time need to be guaranteed, as well as the right to express one's own personality at the workplace without suffering any affront to one's conscience or personal dignity. This is the place to mention once more the role of trade unions, not only in negotiating contracts, but also as "places" where workers can express themselves. They serve the development of an authentic culture of work and help workers to share in a fully human way in the life of their place of employment.[44]
The State must contribute to the achievement of these goals both directly and indirectly. Indirectly and according to the principle of subsidiarity, by creating favorable conditions for the free exercise of economic activity, which will lead to abundant opportunities for employment and sources of wealth. Directly and according to the principle of solidarity, by defending the weakest, by placing certain limits on the autonomy of the parties who determine working conditions, and by ensuring in every case the necessary minimum support for the unemployed worker.\textsuperscript{[45]}

The encyclical and the related social teaching of the Church had far-reaching influence in the years bridging the nineteenth and twentieth centuries. This influence is evident in the numerous reforms which were introduced in the areas of social security, pensions, health insurance and compensation in the case of accidents, within the framework of greater respect for the rights of workers.\textsuperscript{[46]}

16. These reforms were carried out in part by states, but in the struggle to achieve them the role of the workers’ movement was an important one. This movement, which began as a response of moral conscience to unjust and harmful situations, conducted a widespread campaign for reform, far removed from vague ideology and closer to the daily needs of workers. In this context its efforts were often joined to those of Christians in order to improve workers’ living conditions. Later on, this movement was dominated to a certain extent by the Marxist ideology against which Rerum Novarum had spoken.

These same reforms were also partly the result of an open process by which society organized itself through the establishment of effective instruments of solidarity, which were capable of sustaining an economic growth more respectful of the values of the person. Here we should remember the numerous efforts to which Christians made a notable contribution in establishing producers’, consumers’ and credit cooperatives, in promoting general education and professional training, in experimenting with various forms of participation in the life of the workplace and in the life of society in general.

Thus, as we look at the past, there is good reason to thank God that the great encyclical was not without an echo in human hearts and indeed led to a generous response on the practical level. Still, we must acknowledge that its prophetic message was not fully accepted by people at the time. Precisely for this reason there ensued some very serious tragedies.

17. Reading the encyclical within the context of Pope Leo’s whole magisterium,\textsuperscript{[47]} we see how it points essentially to the socioeconomic consequences of an error which has even greater implications. As has been mentioned, this error consists in an understanding of human freedom which detaches it from obedience to the truth, and consequently from the duty to respect the rights of others. The essence of freedom then becomes self-love carried to the point of contempt for God and neighbor, a self-love which leads to an unbridled affirmation of self-interest and which refuses to be limited by any demand of justice.\textsuperscript{[48]}

This very error had extreme consequences in the tragic series of wars which ravaged Europe and the world between 1914 and 1945. Some of these resulted from militarism and exaggerated nationalism, and from related forms of totalitarianism; some derived from the class struggle; still others were civil wars or wars of an ideological nature. Without the terrible burden of hatred and resentment which had built up as a result of so many injustices both on the international level and within individual states, such cruel wars would not have been possible, in which great nations invested their energies and in which there was no hesitation to
violate the most sacred human rights, with the extermination of entire peoples and social groups being planned and carried out. Here we recall the Jewish people in particular, whose terrible fate has become a symbol of the aberration of which man is capable when he turns against God.

However, it is only when hatred and injustice are sanctioned and organized by the ideologies based on them, rather than on the truth about the human person, that they take possession of entire nations and drive them to act.[49] Rerum Novarum opposed ideologies of hatred and showed how violence and resentment could be overcome by justice. May the memory of those terrible events guide the actions of everyone, particularly the leaders of nations in our own time, when other forms of injustice are fueling new hatreds and when new ideologies which exalt violence are appearing on the horizon.

18. While it is true that since 1945 weapons have been silent on the European continent, it must be remembered that true peace is never simply the result of military victory, but rather implies both the removal of the causes of war and genuine reconciliation between peoples. For many years there has been in Europe and the world a situation of non-war rather than genuine peace. Half of the continent fell under the domination of a Communist dictatorship, while the other half organized itself in defense against this threat. Many peoples lost the ability to control their own destiny and were enclosed within the suffocating boundaries of an empire in which efforts were made to destroy their historical memory and the centuries-old roots of their culture. As a result of this violent division of Europe, enormous masses of people were compelled to leave their homeland or were forcibly deported.

An insane arms race swallowed up the resources needed for the development of national economies and for assistance to the less developed nations. Scientific and technological progress, which should have contributed to man’s well-being, was transformed into an instrument of war: science and technology were directed to the production of ever more efficient and destructive weapons. Meanwhile, an ideology, a perversion of authentic philosophy, was called upon to provide doctrinal justification for the new war. And this war was not simply expected and prepared for, but was actually fought with enormous bloodshed in various parts of the world. The logic of power blocs or empires, denounced in various Church documents and recently in the encyclical Sollicitudo Rei Socialis,[50] led to a situation in which controversies and disagreements among Third World countries were systematically aggravated and exploited in order to create difficulties for the adversary.

Extremist groups, seeking to resolve such controversies through the use of arms, found ready political and military support and were equipped and trained for war; those who tried to find peaceful and humane solutions, with respect for the legitimate interests of all parties, remained isolated and often fell victim to their opponents. In addition, the precariousness of the peace which followed the Second World War was one of the principal causes of the militarization of many Third World countries and the fratricidal conflicts which afflicted them, as well as of the spread of terrorism and of increasingly barbaric means of political and military conflict. Moreover, the whole world was oppressed by the threat of an atomic war capable of leading to the extinction of humanity. Science used for military purposes had placed this decisive instrument at the disposal of hatred, strengthened by ideology. But if war can end without winners or losers in a suicide of humanity, then we must repudiate the logic which leads to it: the idea that the effort to destroy the enemy, confrontation and war itself are factors of progress and historical advancement.[51] When the need for this repudiation is understood, the concepts of "total war" and "class struggle" must necessarily be called into question.
19. At the end of the Second World War, however, such a development was still being formed in people's consciences. What received attention was the spread of Communist totalitarianism over more than half of Europe and over other parts of the world. The war, which should have reestablished freedom and restored the right of nations, ended without having attained these goals. Indeed, in a way, for many peoples, especially those which had suffered most during the war, it openly contradicted these goals. It may be said that the situation which arose has evoked different responses.

Following the destruction caused by the war, we see in some countries and under certain aspects a positive effort to rebuild a democratic society inspired by social justice, so as to deprive Communism of the revolutionary potential represented by masses of people subjected to exploitation and oppression. In general, such attempts endeavor to preserve free market mechanisms, ensuring, by means of a stable currency and the harmony of social relations, the conditions for steady and healthy economic growth in which people through their own work can build a better future for themselves and their families. At the same time, these attempts try to avoid making market mechanisms the only point of reference for social life, and they tend to subject them to public control which upholds the principle of the common destination of material goods. In this context, an abundance of work opportunities, a solid system of social security and professional training, the freedom to join trade unions and the effective action of unions, the assistance provided in cases of unemployment, the opportunities for democratic participation in the life of society—all these are meant to deliver work from the mere condition of "a commodity," and to guarantee its dignity.

Then there are the other social forces and ideological movements which oppose Marxism by setting up systems of "national security," aimed at controlling the whole of society in a systematic way, in order to make Marxist infiltration impossible. By emphasizing and increasing the power of the State, they wish to protect their people from Communism, but in doing so they run the grave risk of destroying the freedom and values of the person, the very things for whose sake it is necessary to oppose Communism.

Another kind of response, practical in nature, is represented by the affluent society or the consumer society. It seeks to defeat Marxism on the level of pure materialism by showing how a free market society can achieve a greater satisfaction of material human needs than Communism, while equally excluding spiritual values. In reality, while on the one hand it is true that this social model shows the failure of Marxism to contribute to a humane and better society, on the other hand, insofar as it denies an autonomous existence and value to morality, law, culture and religion, it agrees with Marxism, in the sense that it totally reduces man to the sphere of economics and the satisfaction of material needs.

20. During the same period a widespread process of "decolonization" occurred, by which many countries gained or regained their independence and the right freely to determine their own destiny. With the formal reacquisition of state sovereignty, however, these countries often find themselves merely at the beginning of the journey towards the construction of genuine independence. Decisive sectors of the economy still remain de facto in the hands of large foreign companies which are unwilling to commit themselves to the long-term development of the host country. Political life itself is controlled by foreign powers, while within the national boundaries there are tribal groups not yet amalgamated into a genuine national community. Also lacking is a class of competent professional people capable of running the state apparatus in an honest and just way, nor are there qualified personnel for managing the economy in an efficient and responsible manner.
Given this situation, many think that Marxism can offer a sort of shortcut for building up the nation and the State; thus many variants of socialism emerge with specific national characteristics. Legitimate demands for national recovery, forms of nationalism and also of militarism, principles drawn from ancient popular traditions (which are sometimes in harmony with Christian social doctrine) and Marxist-Leninist concepts and ideas—all these mingle in the many ideologies which take shape in ways that differ from case to case.

21. Lastly, it should be remembered that after the Second World War, and in reaction to its horrors, there arose a more lively sense of human rights, which found recognition in a number of international documents[52] and, one might say, in the drawing up of a new "right of nations," to which the Holy See has constantly contributed. The focal point of this evolution has been the United Nations Organization. Not only has there been a development in awareness of the rights of individuals, but also in awareness of the rights of nations, as well as a clearer realization of the need to act in order to remedy the grave imbalances that exist between the various geographical areas of the world. In a certain sense, these imbalances have shifted the center of the social question from the national to the international level.[53]

While noting this process with satisfaction, nevertheless one cannot ignore the fact that the overall balance of the various policies of aid for development has not always been positive. The United Nations, moreover, has not yet succeeded in establishing, as alternatives to war, effective means for the resolution of international conflicts. This seems to be the most urgent problem which the international community has yet to resolve.

Chapter III
The Year 1989

22. It is on the basis of the world situation just described, and already elaborated in the encyclical Sollicitudo Rei Socialis, that the unexpected and promising significance of the events of recent years can be understood. Although they certainly reached their climax in 1989 in the countries of Central and Eastern Europe, they embrace a longer period of time and a wider geographical area. In the course of the 80s, certain dictatorial and oppressive regimes fell one by one in some countries of Latin America and also of Africa and Asia. In other cases there began a difficult but productive transition towards more participatory and more just political structures. An important, even decisive, contribution was made by the Church’s commitment to defend and promote human rights. In situations strongly influenced by ideology, in which polarization obscured the awareness of a human dignity common to all, the Church affirmed clearly and forcefully that every individual—whatever his or her personal convictions—bears the image of God and therefore deserves respect. Often, the vast majority of people identified themselves with this kind of affirmation, and this led to a search for forms of protest and for political solutions more respectful of the dignity of the person.

From this historical process new forms of democracy have emerged which offer a hope for change in fragile political and social structures weighed down by a painful series of injustices and resentments, as well as by a heavily damaged economy and serious social conflicts. Together with the whole Church, I thank God for the often heroic witness borne in such difficult circumstances by many pastors, entire Christian communities, individual members of the faithful, and other people of good will; at the same time I pray that he will sustain the efforts being made by everyone to build a better future. This is, in fact, a responsibility which falls not only to the citizens of the countries in question, but to all Christians and
people of good will. It is a question of showing that the complex problems faced by those peoples can be resolved through dialogue and solidarity, rather than by a struggle to destroy the enemy through war.

23. Among the many factors involved in the fall of oppressive regimes, some deserve special mention. Certainly, the decisive factor which gave rise to the changes was the violation of the rights of workers. It cannot be forgotten that the fundamental crisis of systems claiming to express the rule and indeed the dictatorship of the working class began with the great upheavals which took place in Poland in the name of solidarity. It was the throngs of working people which foreswore the ideology which presumed to speak in their name. On the basis of a hard, lived experience of work and of oppression, it was they who recovered and, in a sense, rediscovered the content and principles of the Church’s social doctrine.

Also worthy of emphasis is the fact that the fall of this kind of “bloc” or empire was accomplished almost everywhere by means of peaceful protest, using only the weapons of truth and justice. While Marxism held that only by exacerbating social conflicts was it possible to resolve them through violent confrontation, the protests which led to the collapse of Marxism tenaciously insisted on trying every avenue of negotiation, dialogue, and witness to the truth, appealing to the conscience of the adversary and seeking to reawaken in him a sense of shared human dignity.

It seemed that the European order resulting from the Second World War and sanctioned by the Yalta Agreements could only be overturned by another war. Instead, it has been overcome by the non-violent commitment of people who, while always refusing to yield to the force of power, succeeded time after time in finding effective ways of bearing witness to the truth. This disarmed the adversary, since violence always needs to justify itself through deceit, and to appear, however falsely, to be defending a right or responding to a threat posed by others.[54] Once again I thank God for having sustained people’s hearts amid difficult trials, and I pray that this example will prevail in other places and other circumstances. May people learn to fight for justice without violence, renouncing class struggle in their internal disputes, and war in international ones.

24. The second factor in the crisis was certainly the inefficiency of the economic system, which is not to be considered simply as a technical problem, but rather a consequence of the violation of the human rights to private initiative, to ownership of property and to freedom in the economic sector. To this must be added the cultural and national dimension: it is not possible to understand the human person on the basis of economics alone, nor to define the person simply on the basis of class membership. A human being is understood in a more complete way when situated within the sphere of culture through language, history, and the position one takes towards the fundamental events of life, such as birth, love, work and death. At the heart of every culture lies the attitude a person takes to the greatest mystery: the mystery of God. Different cultures are basically different ways of facing the question of the meaning of personal existence. When this question is eliminated, the culture and moral life of nations are corrupted. For this reason the struggle to defend work was spontaneously linked to the struggle for culture and for national rights.

But the true cause of the new developments was the spiritual void brought about by atheism, which deprived the younger generations of a sense of direction and in many cases led them, in the irressible search for personal identity and for the meaning of life, to rediscover the religious roots of their national cultures, and to rediscover the person of Christ himself as the existentially adequate response to the desire in every human heart for goodness, truth and life. This search was supported by the witness of those who, in difficult circumstances and under persecution, remained faithful to God. Marxism had promised to
uproot the need for God from the human heart, but the results have shown that it is not possible to succeed in this without throwing the heart into turmoil.

25. The events of 1989 are an example of the success of willingness to negotiate and of the Gospel spirit in the face of an adversary determined not to be bound by moral principles. These events are a warning to those who, in the name of political realism, wish to banish law and morality from the political arena. Undoubtedly, the struggle which led to the changes of 1989 called for clarity, moderation, suffering and sacrifice. In a certain sense, it was a struggle born of prayer, and it would have been unthinkable without immense trust in God, the Lord of history, who carries the human heart in his hands. It is by uniting their own sufferings for the sake of truth and freedom to the sufferings of Christ on the cross that people are able to accomplish the miracle of peace and are in a position to discern the often narrow path between the cowardice which gives in to evil and the violence which, under the illusion of fighting evil, only makes it worse.

Nevertheless, it cannot be forgotten that the manner in which the individual exercises freedom is conditioned in innumerable ways. While these certainly have an influence on freedom, they do not determine it; they make the exercise of freedom more difficult or less difficult, but they cannot destroy it. Not only is it wrong from the ethical point of view to disregard human nature, which is made for freedom, but in practice it is impossible to do so. Where society is so organized as to reduce arbitrarily or even suppress the sphere in which freedom is legitimately exercised, the result is that the life of society becomes progressively disorganized and goes into decline.

Moreover, humankind, created for freedom, bears within itself the wound of original sin which constantly draws persons toward evil and puts them in need of redemption. Not only is this doctrine an integral part of Christian revelation, it also has great hermeneutical value insofar as it helps one to understand human reality. The human person tends towards good, but is also capable of evil. One can transcend one's immediate interest and still remain bound to it. The social order will be all the more stable, the more it takes this fact into account and does not place in opposition personal interest and the interests of society as a whole, but rather seeks ways to bring them into fruitful harmony. In fact where self-interest is violently suppressed, it is replaced by a burdensome system of bureaucratic control which dries up the wellsprings of initiative and creativity. When people think they possess the secret of a perfect social organization which makes evil impossible, they also think that they can use any means, including violence and deceit, in order to bring that organization into being. Politics then becomes a "secular religion" which operates under the illusion of creating paradise in this world. But no political society—which possesses its own autonomy and laws[55] —can ever be confused with the Kingdom of God. The Gospel parable of the weeds among the wheat (cf. Mt 13:24-30; 36-43) teaches that it is for God alone to separate the subjects of the Kingdom from the subjects of the Evil One, and that this judgment will take place at the end of time. By presuming to anticipate judgment here and now, people put themselves in the place of God and set themselves against the patience of God.

Through Christ's sacrifice on the cross, the victory of the Kingdom of God has been achieved once and for all. Nevertheless, the Christian life involves a struggle against temptation and the forces of evil. Only at the end of history will the Lord return in glory for the final judgment (cf. Mt 25:31) with the establishment of a new heaven and a new earth (cf. 2 Pt 3:13; Rev 21:1); but as long as time lasts the struggle between good and evil continues even in the human heart itself.
What Sacred Scripture teaches us about the prospects of the Kingdom of God is not without consequences for the life of temporal societies, which, as the adjective indicates, belong to the realm of time, with all that this implies of imperfection and impermanence. The Kingdom of God, being in the world without being of the world, throws light on the order of human society, while the power of grace penetrates that order and gives it life. In this way the requirements of a society worthy of man are better perceived, deviations are corrected, the courage to work for what is good is reinforced. In union with all people of good will, Christians, especially the laity, are called to this task of imbuing human realities with the Gospel.[56]

26. The events of 1989 took place principally in the countries of Eastern and Central Europe. However, they have worldwide importance because they have positive and negative consequences which concern the whole human family. These consequences are not mechanistic or fatalistic in character, but rather are opportunities for human freedom to cooperate with the merciful plan of God who acts within history.

The first consequence was an encounter in some countries between the Church and the workers’ movement, which came about as a result of an ethical and explicitly Christian reaction against a widespread situation of injustice. For about a century the workers' movement had fallen in part under the dominance of Marxism, in the conviction that the working class, in order to struggle effectively against oppression, had to appropriate its economic and materialistic theories.

In the crisis of Marxism, the natural dictates of the consciences of workers have reemerged in a demand for justice and a recognition of the dignity of work, in conformity with the social doctrine of the Church.[57] The worker movement is part of a more general movement among workers and other people of good will for the liberation of the human person and for the affirmation of human rights. It is a movement which today has spread to many countries, and which, far from opposing the Catholic Church, looks to her with interest.

The crisis of Marxism does not rid the world of the situations of injustice and oppression which Marxism itself exploited and on which it fed. To those who are searching today for a new and authentic theory and praxis of liberation, the Church offers not only her social doctrine and, in general, her teaching about the human person redeemed in Christ, but also her concrete commitment and material assistance in the struggle against marginalization and suffering.

In the recent past, the sincere desire to be on the side of the oppressed and not to be cut off from the course of history has led many believers to seek in various ways an impossible compromise between Marxism and Christianity. Moving beyond all that was short-lived in these attempts, present circumstances are leading to a reaffirmation of the positive value of an authentic theology of integral human liberation.[58] Considered from this point of view, the events of 1989 are proving to be important also for the countries of the Third World, which are searching for their own path to development, just as they were important for the countries of Central and Eastern Europe.

27. The second consequence concerns the peoples of Europe themselves. Many individual, social, regional and national injustices were committed during and prior to the years in which Communism dominated; much hatred and ill will have accumulated. There is a real danger that these will re-explode after the collapse of dictatorship, provoking serious conflicts and casualties, should there be a lessening of the moral commitment and conscious striving to bear witness to the truth which were the inspiration for past efforts.
It is to be hoped that hatred and violence will not triumph in people’s hearts, especially among those who are struggling for justice, and that all people will grow in the spirit of peace and forgiveness.

What is needed are concrete steps to create or consolidate international structures capable of intervening through appropriate arbitration in the conflicts which arise between nations, so that each nation can uphold its own rights and reach a just agreement and peaceful settlement vis-à-vis the rights of others. This is especially needed for the nations of Europe, which are closely united in a bond of common culture and an age-old history. A great effort is needed to rebuild morally and economically the countries which have abandoned Communism. For a long time the most elementary economic relationships were distorted, and basic virtues of economic life, such as truthfulness, trustworthiness and hard work were denigrated. A patient material and moral reconstruction is needed, even as people, exhausted by longstanding privation, are asking their governments for tangible and immediate results in the form of material benefits and an adequate fulfillment of their legitimate aspirations.

The fall of Marxism has naturally had a great impact on the division of the planet into worlds which are closed to one another and in jealous competition. It has further highlighted the reality of interdependence among peoples, as well as the fact that human work, by its nature, is meant to unite peoples, not divide them. Peace and prosperity, in fact, are goods which belong to the whole human race: it is not possible to enjoy them in a proper and lasting way if they are achieved and maintained at the cost of other peoples and nations, by violating their rights or excluding them from the sources of well-being.

28. In a sense, for some countries of Europe the real post-war period is just beginning. The radical reordering of economic systems, hitherto collectivized, entails problems and sacrifices comparable to those which the countries of Western Europe had to face in order to rebuild after the Second World War. It is right that in the present difficulties the formerly Communist countries should be aided by the united effort of other nations. Obviously they themselves must be the primary agents of their own development, but they must also be given a reasonable opportunity to accomplish this goal, something that cannot happen without the help of other countries. Moreover, their present condition, marked by difficulties and shortages, is the result of an historical process in which the formerly Communist countries were often objects and not subjects. Thus they find themselves in the present situation not as a result of free choice or mistakes which were made, but as a consequence of tragic historical events which were violently imposed on them, and which prevented them from following the path of economic and social development.

Assistance from other countries, especially the countries of Europe which were part of that history and which bear responsibility for it, represents a debt in justice. But it also corresponds to the interest and welfare of Europe as a whole, since Europe cannot live in peace if the various conflicts which have arisen as a result of the past are to become more acute because of a situation of economic disorder, spiritual dissatisfaction and desperation.

This need, however, must not lead to a slackening of efforts to sustain and assist the countries of the Third World, which often suffer even more serious conditions of poverty and want.[59] What is called for is a special effort to mobilize resources, which are not lacking in the world as a whole, for the purpose of economic growth and common development, redefining the priorities and hierarchies of values on the basis of which economic and political choices are made. Enormous resources can be made available by disarming the huge military machines which were constructed for the conflict between East and West. These resources could become even more abundant if, in place of war, reliable procedures for the resolution of
conflicts could be set up, with the resulting spread of the principle of arms control and arms reduction, also in the countries of the Third World, through the adoption of appropriate measures against the arms trade.[60] But it will be necessary above all to abandon a mentality in which the poor—as individuals and as peoples—are considered a burden, as irksome intruders trying to consume what others have produced. The poor ask for the right to share in enjoying material goods and to make good use of their capacity for work, thus creating a world that is more just and prosperous for all. The advancement of the poor constitutes a great opportunity for the moral, cultural and even economic growth of all humanity.

29. Finally, development must not be understood solely in economic terms, but in a way that is fully human.[61] It is not only a question of raising all peoples to the level currently enjoyed by the richest countries, but rather of building up a more decent life through united labor, of concretely enhancing every individual’s dignity and creativity, as well as his capacity to respond to his personal vocation, and thus to God’s call. The apex of development is the exercise of the right and duty to seek God, to know him and to live in accordance with that knowledge.[62] In the totalitarian and authoritarian regimes, the principle that force predominates over reason was carried to the extreme. A person was compelled to submit to a conception of reality imposed on him by coercion, and not reached by virtue of his own reason and the exercise of his own freedom. This principle must be overturned and total recognition must be given to the rights of the human conscience, which is bound only to the truth, both natural and revealed. The recognition of these rights represents the primary foundation of every authentically free political order.[63] It is important to reaffirm this latter principle for several reasons:

   a) because the old forms of totalitarianism and authoritarianism are not yet completely vanquished; indeed there is a risk that they will regain their strength. This demands renewed efforts of cooperation and solidarity between all countries;

   b) because in the developed countries there is sometimes an excessive promotion of purely utilitarian values, with an appeal to the appetites and inclinations towards immediate gratification, making it difficult to recognize and respect the hierarchy of the true values of human existence;

   c) because in some countries new forms of religious fundamentalism are emerging which covertly, or even openly, deny to citizens of faiths other than that of the majority the full exercise of their civil and religious rights, preventing them from taking part in the cultural process, and restricting both the Church’s right to preach the Gospel and the rights of those who hear this preaching to accept it and to be converted to Christ. No authentic progress is possible without respect for the natural and fundamental right to know the truth and live according to that truth. The exercise and development of this right includes the right to discover and freely to accept Jesus Christ, who is humanity’s true good.[64]

Chapter IV
Private Property and the Universal Destination of Material Goods

30. In Rerum Novarum, Leo XIII strongly affirmed the natural character of the right to private property, using various arguments against the socialism of his time.[65] This right, which is fundamental for the autonomy and development of the person, has always been defended by the Church up to our own day. At the same time, the Church teaches that the possession of material goods is not an absolute right, and that its limits are inscribed in its very nature as a human right.
While the Pope proclaimed the right to private ownership, he affirmed with equal clarity that the "use" of goods, while marked by freedom, is subordinated to their original common destination as created goods, as well as to the will of Jesus Christ as expressed in the Gospel. Pope Leo wrote: "those whom fortune favors are admonished...that they should tremble at the warnings of Jesus Christ...and that a most strict account must be given to the Supreme Judge for the use of all they possess"; and quoting Saint Thomas Aquinas, he added: "But if the question be asked, how must one's possessions be used? the Church replies without hesitation that man should not consider his material possessions as his own, but as common to all..." because "above the laws and judgments of men stands the law, the judgment of Christ."[66]

The Successors of Leo XIII have repeated this twofold affirmation: the necessity and therefore the legitimacy of private ownership, as well as the limits which are imposed on it.[67] The Second Vatican Council likewise clearly restated the traditional doctrine in words which bear repeating: "In making use of the exterior things we lawfully possess, we ought to regard them not just as our own but also as common, in the sense that they can profit not only the owners but others too"; and a little later we read: "Private property or some ownership of external goods affords each person the scope needed for personal and family autonomy, and should be regarded as an extension of human freedom.... Of its nature private property also has a social function which is based on the law of the common purpose of goods."[68] I have returned to this same doctrine, first in my address to the Third Conference of the Latin American Bishops at Puebla, and later in the encyclicals Laborem Exercens and Sollicitudo Rei Socialis.[69]

31. Rereading this teaching on the right to property and the common destination of material wealth as it applies to the present time, the question can be raised concerning the origin of the material goods which sustain human life, satisfy people's needs and are an object of their rights.

The original source of all that is good is the very act of God, who created both the earth and humankind, and who gave the earth to humankind, so that we might have dominion over it by our work and enjoy its fruits (Gen 1:28). God gave the earth to the whole human race for the sustenance of all its members, without excluding or favoring anyone. This is the foundation of the universal destination of the earth's goods. The earth, by reason of its fruitfulness and its capacity to satisfy human needs, is God's first gift for the sustenance of human life. But the earth does not yield its fruits without a particular human response to God's gift, that is to say, without work. It is through work that we, using our intelligence and exercising our freedom, succeed in dominating the earth and making it a fitting home. In this way, one makes part of the earth one's own, precisely the part which one has acquired through work; this is the origin of individual property. Obviously, one also has the responsibility not to hinder others from having their own part of God's gift; indeed, one must cooperate with others so that together all can dominate the earth.

In history, these two factors—work and the land—are to be found at the beginning of every human society. However, they do not always stand in the same relationship to each other. At one time the natural fruitfulness of the earth appeared to be, and was in fact, the primary factor of wealth, while work was, as it were, the help and support for this fruitfulness. In our time, the role of human work is becoming increasingly important as the productive factor both of nonmaterial and of material wealth. Moreover, it is becoming clearer how a person's work is naturally interrelated with the work of others. More than ever, work is work with others and work for others: it is a matter of doing something for someone else. Work becomes ever more fruitful and productive to the extent that people become more knowledgeable of the
productive potentialities of the earth and more profoundly cognizant of the needs of those for whom their work is done.

32. In our time, in particular, there exists another form of ownership which is becoming no less important than land: *the possession of know-how, technology and skill*. The wealth of the industrialized nations is based much more on this kind of ownership than on natural resources.

Mention has just been made of the fact that *people work with each other*, sharing in a "community of work" which embraces ever widening circles. A person who produces something other than for his own use generally does so in order that others may use it after they have paid a just price, mutually agreed upon through free bargaining. It is precisely the ability to foresee both the needs of others and the combinations of productive factors most adapted to satisfying those needs that constitutes another important source of wealth in modern society. Besides, many goods cannot be adequately produced through the work of an isolated individual; they require the cooperation of many people in working towards a common goal. Organizing such a productive effort, planning its duration in time, making sure that it corresponds in a positive way to the demands which it must satisfy, and taking the necessary risks—all this too is a source of wealth in today's society. In this way, the *role* of disciplined and creative *human work* and, as an essential part of that work, *initiative and entrepreneurial ability* becomes increasingly evident and decisive.[70]

This process, which throws practical light on a truth about the person which Christianity has constantly affirmed, should be viewed carefully and favorably. Indeed, besides the earth, humankind's principal resource is the *person himself*. His intelligence enables him to discover the earth's productive potential and the many different ways in which human needs can be satisfied. It is his disciplined work in close collaboration with others that makes possible the creation of ever more extensive *working communities* which can be relied upon to transform natural and human environments. Important virtues are involved in this process, such as diligence, industriousness, prudence in undertaking reasonable risks, reliability and fidelity in interpersonal relationships, as well as courage in carrying out decisions which are difficult and painful but necessary, both for the overall working of a business and in meeting possible setbacks.

The modern *business economy* has positive aspects. Its basis is human freedom exercised in the economic field, just as it is exercised in many other fields. Economic activity is indeed but one sector in a great variety of human activities, and like every other sector, it includes the right to freedom, as well as the duty of making responsible use of freedom. But it is important to note that there are specific differences between the trends of modern society and those of the past, even the recent past. Whereas at one time the decisive factor of production was *the land*, and later capital—understood as a total complex of the instruments of production—today the decisive factor is increasingly *the person*, that is, one's knowledge, especially one's scientific knowledge, one's capacity for interrelated and compact organization, as well as one's ability to perceive the needs of others and to satisfy them.

33. However, the risks and problems connected with this kind of process should be pointed out.

The fact is that many people, perhaps the majority today, do not have the means which would enable them to take their place in an effective and humanly dignified way within a productive system in which work is truly central. They have no possibility of acquiring the basic knowledge which would enable them to express their creativity and develop their potential. They have no way of entering the network of
knowledge and intercommunication which would enable them to see their qualities appreciated and utilized. Thus, if not actually exploited, they are to a great extent marginalized; economic development takes place over their heads, so to speak, when it does not actually reduce the already narrow scope of their old subsistence economies. They are unable to compete against the goods which are produced in ways which are new and which properly respond to needs, needs which they had previously been accustomed to meeting through traditional forms of organization. Allured by the dazzle of an opulence which is beyond their reach, and at the same time driven by necessity, these people crowd the cities of the Third World where they are often without cultural roots, and where they are exposed to situations of violent uncertainty, without the possibility of becoming integrated. Their dignity is not acknowledged in any real way, and sometimes there are even attempts to eliminate them from history through coercive forms of demographic control which are contrary to human dignity.

Many other people, while not completely marginalized, live in situations in which the struggle for a bare minimum is uppermost. These are situations in which the rules of the earliest period of capitalism still flourish in conditions of "ruthlessness" in no way inferior to the darkest moments of the first phase of industrialization. In other cases the land is still the central element in the economic process, but those who cultivate it are excluded from ownership and are reduced to a state of quasi-servitude. In these cases, it is still possible today, as in the days of Rerum Novarum, to speak of inhuman exploitation. In spite of the great changes which have taken place in the more advanced societies, the human inadequacies of capitalism and the resulting domination of things over people are far from disappearing. In fact, for the poor, to the lack of material goods has been added a lack of knowledge and training which prevents them from escaping their state of humiliating subjection.

Unfortunately, the great majority of people in the Third World still live in such conditions. It would be a mistake, however, to understand this "world " in purely geographic terms. In some regions and in some social sectors of that world, development programs have been set up which are centered on the use not so much of the material resources available but of the "human resources."

Even in recent years it was thought that the poorest countries would develop by isolating themselves from the world market and by depending only on their own resources. Recent experience has shown that countries which did this have suffered stagnation and recession, while the countries which experienced development were those which succeeded in taking part in the general interrelated economic activities at the international level. It seems therefore that the chief problem is that of gaining fair access to the international market, based not on the unilateral principle of the exploitation of the natural resources of these countries but on the proper use of human resources.

However, aspects typical of the Third World also appear in developed countries, where the constant transformation of the methods of production and consumption devalues certain acquired skills and professional expertise, and thus requires a continual effort of retraining and updating. Those who fail to keep up with the times can easily be marginalized, as can the elderly, the young people who are incapable of finding their place in the life of society and, in general, those who are weakest or part of the so-called Fourth World. The situation of women too is far from easy in these conditions.

34. It would appear that, on the level of individual nations and of international relations, the free market is the most efficient instrument for utilizing resources and effectively responding to needs. But this is true only for those needs which are "solvent," insofar as they are endowed with purchasing power, and for
those resources which are "marketable," insofar as they are capable of obtaining a satisfactory price. But there are many human needs which find no place on the market. It is a strict duty of justice and truth not to allow fundamental human needs to remain unsatisfied, and not to allow those burdened by such needs to perish. It is also necessary to help these needy people to acquire expertise, to enter the circle of exchange, and to develop their skills in order to make the best use of their capacities and resources. Even prior to the logic of a fair exchange of goods and the forms of justice appropriate to it, there exists something which is due to the person because he is a person, by reason of his lofty dignity. Inseparable from that required "something" is the possibility to survive and, at the same time, to make an active contribution to the common good of humanity.

In Third World contexts, certain objectives stated by Rerum Novarum remain valid, and, in some cases, still constitute a goal yet to be reached, if a person's work and very being are not to be reduced to the level of a mere commodity. These objectives include a sufficient wage for the support of the family, social insurance for old age and unemployment, and adequate protection for the conditions of employment.

35. Here we find a wide range of opportunities for commitment and effort in the name of justice on the part of trade unions and other workers' organizations. These defend workers' rights and protect their interests as persons, while fulfilling a vital cultural role, so as to enable workers to participate more fully and honorably in the life of their nation and to assist them along the path of development.

In this sense, it is right to speak of a struggle against an economic system, if the latter is understood as a method of upholding the absolute predominance of capital, the possession of the means of production and of the land, in contrast to the free and personal nature of human work.[73] In the struggle against such a system, what is being proposed as an alternative is not the socialist system, which in fact turns out to be state capitalism, but rather a society of free work of enterprise and of participation. Such a society is not directed against the market, but demands that the market be appropriately controlled by the forces of society and by the State, so as to guarantee that the basic needs of the whole of society are satisfied.

The Church acknowledges the legitimate role of profit as an indication that a business is functioning well. When a firm makes a profit, this means that productive factors have been properly employed and corresponding human needs have been duly satisfied. But profitability is not the only indicator of a firm's condition. It is possible for the financial accounts to be in order, and yet for the people—who make up the firm's most valuable asset—to be humiliated and their dignity offended. Besides being morally inadmissible, this will eventually have negative repercussions on the firm's economic efficiency. In fact, the purpose of a business firm is not simply to make a profit, but is to be found in its very existence as a community of persons who in various ways are endeavoring to satisfy their basic needs, and who form a particular group at the service of the whole of society. Profit is a regulator of the life of a business, but it is not the only one; other human and moral factors must also be considered which, in the long term, are at least equally important for the life of a business.

We have seen that it is unacceptable to say that the defeat of so-called "Real Socialism" leaves capitalism as the only model of economic organization. It is necessary to break down the barriers and monopolies which leave so many countries on the margins of development, and to provide all individuals and nations with the basic conditions which will enable them to share in development. This goal calls for programmed and responsible efforts on the part of the entire international community. Stronger nations must offer weaker ones opportunities for taking their place in international life, and the latter must learn how to use
these opportunities by making the necessary efforts and sacrifices and by ensuring political and economic stability, the certainty of better prospects for the future, the improvement of workers’ skills, and the training of competent business leaders who are conscious of their responsibilities.[74]

At present, the positive efforts which have been made along these lines are being affected by the still largely unsolved problem of the foreign debt of the poorer countries. The principle that debts must be paid is certainly just. However, it is not right to demand or expect payment when the effect would be the imposition of political choices leading to hunger and despair for entire peoples. It cannot be expected that the debts which have been contracted should be paid at the price of unbearable sacrifices. In such cases it is necessary to find—as in fact is partly happening—ways to lighten, defer or even cancel the debt, compatible with the fundamental right of peoples to subsistence and progress.

36. It would now be helpful to direct our attention to the specific problems and threats emerging within the more advanced economies and which are related to their particular characteristics. In earlier stages of development, people always lived under the weight of necessity. Their needs were few and were determined, to a degree, by the objective structures of their physical make-up. Economic activity was directed towards satisfying these needs. It is clear that today the problem is not only one of supplying people with a sufficient quantity of goods, but also of responding to a demand for quality: the quality of the goods to be produced and consumed, the quality of the services to be enjoyed, the quality of the environment and of life in general.

To call for an existence which is qualitatively more satisfying is of itself legitimate, but one cannot fail to draw attention to the new responsibilities and dangers connected with this phase of history. The manner in which new needs arise and are defined is always marked by a more or less appropriate concept of the human person and of the person’s true good. A given culture reveals its overall understanding of life through the choices it makes in production and consumption. It is here that the phenomenon of consumerism arises. In singling out new needs and new means to meet them, one must be guided by a comprehensive picture of the person which respects all the dimensions of his being and which subordinates his material and instinctive dimensions to his interior and spiritual ones. If, on the contrary, a direct appeal is made to human instincts—while ignoring in various ways the reality of the person as intelligent and free—then consumer attitudes and lifestyles can be created which are objectively improper and often damaging to the person’s physical and spiritual health. Of itself, an economic system does not possess criteria for correctly distinguishing new and higher forms of satisfying human needs from artificial new needs which hinder the formation of a mature personality. Thus a great deal of educational and cultural work is urgently needed, including the education of consumers in the responsible use of their power of choice, the formation of a strong sense of responsibility among producers and among people in the mass media in particular, as well as the necessary intervention by public authorities.

A striking example of artificial consumption contrary to the health and dignity of the human person, and certainly not easy to control, is the use of drugs. Widespread drug use is a sign of a serious malfunction in the social system; it also implies a materialistic and, in a certain sense, destructive "reading" of human needs. In this way the innovative capacity of a free economy is brought to a one-sided and inadequate conclusion. Drugs, as well as pornography and other forms of consumerism which exploit the frailty of the weak, tend to fill the resulting spiritual void.
It is not wrong to want to live better; what is wrong is a style of life which is presumed to be better when it is directed towards "having" rather than "being," and which wants to have more, not in order to be more but in order to spend life in enjoyment as an end in itself. It is therefore necessary to create lifestyles in which the quest for truth, beauty, goodness and communion with others for the sake of common growth are the factors which determine consumer choices, savings and investments. In this regard, it is not a matter of the duty of charity alone, that is, the duty to give from one's "abundance," and sometimes even out of one's needs, in order to provide what is essential for the life of a poor person. I am referring to the fact that even the decision to invest in one place rather than another, in one productive sector rather than another, is always a moral and cultural choice. Given the utter necessity of certain economic conditions and of political stability, the decision to invest, that is, to offer people an opportunity to make good use of their own labor, is also determined by an attitude of human sympathy and trust in Providence, which reveal the human quality of the person making such decisions.

37. Equally worrying is the ecological question which accompanies the problem of consumerism and which is closely connected to it. In their desire to have and to enjoy rather than to be and to grow, people consume the resources of the earth and their own lives in an excessive and disordered way. At the root of the senseless destruction of the natural environment lies an anthropological error, which unfortunately is widespread in our day. Humankind, which discovers its capacity to transform and in a certain sense create the world through its own work, forgets that this is always based on God's prior and original gift of the things that are. People think that they can make arbitrary use of the earth, subjecting it without restraint to their wills, as though the earth did not have its own requisites and a prior God-given purpose, which human beings can indeed develop but must not betray. Instead of carrying out one's role as a cooperator with God in the work of creation, a person sets himself up in place of God and thus ends up provoking a rebellion on the part of nature, which is more tyrannized than governed by him.

In all this, one notes first the poverty or narrowness of the human outlook, motivated as people are by a desire to possess things rather than to relate them to the truth, and lacking that disinterested, unselfish and aesthetic attitude that is born of wonder in the presence of being and of the beauty which enables one to see in visible things the message of the invisible God who created them. In this regard, humanity today must be conscious of its duties and obligations towards future generations.

38. In addition to the irrational destruction of the natural environment, we must also mention the more serious destruction of the human environment, something which is by no means receiving the attention it deserves. Although people are rightly worried—though much less than they should be—about preserving the natural habitats of the various animal species threatened with extinction, because they realize that each of these species makes its particular contribution to the balance of nature in general, too little effort is made to safeguard the moral conditions for an authentic "human ecology." Not only has God given the earth to humanity, which must use it with respect for the original good purpose for which it was given, but man too is God's gift to man. A person must therefore respect the natural and moral structure with which he has been endowed. In this context, mention should be made of the serious problems of modern urbanization, of the need for urban planning which is concerned with how people are to live, and of the attention which should be given to a "social ecology" of work.

The human person receives from God its essential dignity and with it the capacity to transcend every social order so as to move towards truth and goodness. But one is also conditioned by the social structure in which one lives, by the education one has received and by the environment. These elements can either help
or hinder a person’s living in accordance with the truth. The decisions which create a human environment can give rise to specific structures of sin which impede the full realization of those who are in any way oppressed by them. To destroy such structures and replace them with more authentic forms of living in community is a task which demands courage and patience.[77]

39. The first and fundamental structure for "human ecology" is the family, in which someone receives his first formative ideas about truth and goodness, and learns what it means to love and to be loved, and thus what it actually means to be a person. Here we mean the family founded on marriage, in which the mutual gift of self by husband and wife creates an environment in which children can be born and develop their potentialities, become aware of their dignity and prepare to face their unique and individual destiny. But it often happens that people are discouraged from creating the proper conditions for human reproduction and are led to consider themselves and their lives as a series of sensations to be experienced rather than as a work to be accomplished. The result is a lack of freedom, which causes a person to reject a commitment to enter into a stable relationship with another person and to bring children into the world, or which leads people to consider children as one of the many "things" which an individual can have or not have, according to taste, and which compete with other possibilities.

It is necessary to go back to seeing the family as the sanctuary of life. The family is indeed sacred: it is the place in which life—the gift of God—can be properly welcomed and protected against the many attacks to which it is exposed, and can develop in accordance with what constitutes authentic human growth. In the face of the so-called culture of death, the family is the heart of the culture of life.

Human ingenuity seems to be directed more towards limiting, suppressing or destroying the sources of life—including recourse to abortion, which unfortunately is so widespread in the world—than towards defending and opening up the possibilities of life. The encyclical Sollicitudo Rei Socialis denounced systematic anti-childbearing campaigns which, on the basis of a distorted view of the demographic problem and in a climate of "absolute lack of respect for the freedom of choice of the parties involved," often subject them "to intolerable pressures...in order to force them to submit to this new form of oppression."[78] These policies are extending their field of action by the use of new techniques, to the point of poisoning the lives of millions of defenseless human beings, as if in a form of "chemical warfare."

These criticisms are directed not so much against an economic system as against an ethical and cultural system. The economy in fact is only one aspect and one dimension of the whole of human activity. If economic life is absolutized, if the production and consumption of goods become the center of social life and society’s only value, not subject to any other value, the reason is to be found not so much in the economic system itself as in the fact that the entire socio-cultural system, by ignoring the ethical and religious dimension, has been weakened, and ends by limiting itself to the production of goods and services alone.[79]

All of this can be summed up by repeating once more that economic freedom is only one element of human freedom. When it becomes autonomous, when man is seen more as a producer or consumer of goods than as a subject who produces and consumes in order to live, then economic freedom loses its necessary relationship to the human person and ends up by alienating and oppressing him.[80]

40. It is the task of the State to provide for the defense and preservation of common goods such as the natural and human environments, which cannot be safeguarded simply by market forces. Just as in the
time of primitive capitalism the State had the duty of defending the basic rights of workers, so now, with the new capitalism, the State and all of society have the duty of defending those collective goods which, among others, constitute the essential framework for the legitimate pursuit of personal goals on the part of each individual.

Here we find a new limit on the market: there are collective and qualitative needs which cannot be satisfied by market mechanisms. There are important human needs which escape its logic. There are goods which by their very nature cannot and must not be bought or sold. Certainly the mechanisms of the market offer secure advantages: they help to utilize resources better; they promote the exchange of products; above all they give central place to the person’s desires and preferences, which, in a contract, meet the desires and preferences of another person. Nevertheless, these mechanisms carry the risk of an “idolatry” of the market, an idolatry which ignores the existence of goods which by their nature are not and cannot be mere commodities.

41. Marxism criticized capitalist bourgeois societies, blaming them for the commercialization and alienation of human existence. This rebuke is of course based on a mistaken and inadequate idea of alienation, derived solely from the sphere of relationships of production and ownership, that is, giving them a materialistic foundation and moreover denying the legitimacy and positive value of market relationships even in their own sphere. Marxism thus ends up by affirming that only in a collective society can alienation be eliminated. However, the historical experience of socialist countries has sadly demonstrated that collectivism does not do away with alienation but rather increases it, adding to it a lack of basic necessities and economic inefficiency.

The historical experience of the West, for its part, shows that even if the Marxist analysis and its foundation of alienation are false, nevertheless alienation—and the loss of the authentic meaning of life—is a reality in Western societies too. This happens in consumerism, when people are ensnared in a web of false and superficial gratifications rather than being helped to experience their personhood in an authentic and concrete way. Alienation is found also in work, when it is organized so as to ensure maximum returns and profits with no concern whether the worker, through his own labor, grows or diminishes as a person, either through increased sharing in a genuinely supportive community or through increased isolation in a maze of relationships marked by destructive competitiveness and estrangement, in which he is considered only a means and not an end.

The concept of alienation needs to be led back to the Christian vision of reality, by recognizing in alienation a reversal of means and ends. When man does not recognize in himself and in others the value and grandeur of the human person, he effectively deprives himself of the possibility of benefitting from his humanity and of entering into that relationship of solidarity and communion with others for which God created him. Indeed, it is through the free gift of self that one truly finds oneself.[81] This gift is made possible by the human person’s essential “capacity for transcendence.” One cannot give oneself to a purely human plan for reality, to an abstract ideal or to a false utopia. As a person, one can give oneself to another person or to other persons, and ultimately to God, who is the author of our being and who alone can fully accept our gift.[82] A person is alienated if he refuses to transcend himself and to live the experience of self-giving and of the formation of an authentic human community oriented towards his final destiny, which is God. A society is alienated if its forms of social organization, production and consumption make it more difficult to offer this gift of self and to establish this solidarity between people.
Exploitation, at least in the forms analyzed and described by Karl Marx, has been overcome in Western society. Alienation, however, has not been overcome as it exists in various forms of exploitation, when people use one another, and when they seek an ever more refined satisfaction of their individual and secondary needs, while ignoring the principal and authentic needs which ought to regulate the manner of satisfying the other ones too. A person who is concerned solely or primarily with possessing and enjoying, who is no longer able to control his instincts and passions, or to subordinate them by obedience to the truth, cannot be free: obedience to the truth about God and humankind is the first condition of freedom, making it possible for a person to order his needs and desires and to choose the means of satisfying them according to a correct scale of values, so that the ownership of things may become an occasion of personal growth. This growth can be hindered as a result of manipulation by the means of mass communication, which impose fashions and trends of opinion through carefully orchestrated repetition, without it being possible to subject to critical scrutiny the premises on which these fashions and trends are based.

42. Returning now to the initial question: can it perhaps be said that, after the failure of Communism, capitalism is the victorious social system, and that capitalism should be the goal of the countries now making efforts to rebuild their economy and society? Is this the model which ought to be proposed to the countries of the Third World which are searching for the path to true economic and civil progress?

The answer is obviously complex. If by "capitalism" is meant an economic system which recognizes the fundamental and positive role of business, the market, private property and the resulting responsibility for the means of production, as well as free human creativity in the economic sector, then the answer is certainly in the affirmative, even though it would perhaps be more appropriate to speak of a "business economy," "market economy" or simply "free economy." But if by "capitalism" is meant a system in which freedom in the economic sector is not circumscribed within a strong juridical framework which places it at the service of human freedom in its totality and sees it as a particular aspect of that freedom, the core of which is ethical and religious, then the reply is certainly negative.

The Marxist solution has failed, but the realities of marginalization and exploitation remain in the world, especially the Third World, as does the reality of human alienation, especially in the more advanced countries. Against these phenomena the Church strongly raises her voice. Vast multitudes are still living in conditions of great material and moral poverty. The collapse of the Communist system in so many countries certainly removes an obstacle to facing these problems in an appropriate and realistic way, but it is not enough to bring about their solution. Indeed, there is a risk that a radical capitalistic ideology could spread which refuses even to consider these problems, in the a priori belief that any attempt to solve them is doomed to failure, and which blindly entrusts their solution to the free development of market forces.

43. The Church has no models to present; models that are real and truly effective can only arise within the framework of different historical situations, through the efforts of all those who responsibly confront concrete problems in all their social, economic, political and cultural aspects, as these interact with one another. For such a task the Church offers her social teaching as an indispensable and ideal orientation, a teaching which, as already mentioned, recognizes the positive value of the market and of enterprise, but which at the same time points out that these need to be oriented towards the common good. This teaching also recognizes the legitimacy of workers' efforts to obtain full respect for their dignity and to gain broader areas of participation in the life of industrial enterprises so that, while cooperating
with others and under the direction of others, they can in a certain sense "work for themselves"[85] through the exercise of their intelligence and freedom.

The integral development of the human person through work does not impede but rather promotes the greater productivity and efficiency of work itself, even though it may weaken consolidated power structures. A business cannot be considered only as a "society of capital goods"; it is also a "society of persons" in which people participate in different ways and with specific responsibilities, whether they supply the necessary capital for the company's activities or take part in such activities through their labor. To achieve these goals there is still need for a broad associated workers' movement, directed towards the liberation and promotion of the whole person.

In the light of today's "new things," we have reread the relationship between individual or private property and the universal destination of material wealth. One fulfills oneself by using one's intelligence and freedom. In so doing a person utilizes the things of this world as objects and instruments and makes them his own. The foundation of the right to private initiative and ownership is to be found in this activity. By means of his work a person commits himself, not only for his own sake but also for others and with others. Each person collaborates in the work of others and for their good. One works in order to provide for the needs of one's family, one's community, one's nation, and ultimately all humanity.[86] Moreover, a person collaborates in the work of his fellow employees, as well as in the work of suppliers and in the customers' use of goods, in a progressively expanding chain of solidarity. Ownership of the means of production, whether in industry or agriculture, is just and legitimate if it serves useful work. It becomes illegitimate, however, when it is not utilized or when it serves to impede the work of others, in an effort to gain a profit which is not the result of the overall expansion of work and the wealth of society, but rather is the result of curbing them or of illicit exploitation, speculation or the breaking of solidarity among working people.[87] Ownership of this kind has no justification, and represents an abuse in the sight of God and humanity.'

The obligation to earn one's bread by the sweat of one's brow also presumes the right to do so. A society in which this right is systematically denied, in which economic policies do not allow workers to reach satisfactory levels of employment, cannot be justified from an ethical point of view, nor can that society attain social peace.[88] Just as the person fully realizes himself in the free gift of self, so too ownership morally justifies itself in the creation, at the proper time and in the proper way, of opportunities for work and human growth for all.

44. Pope Leo XIII was aware of the need for a sound theory of the State in order to ensure the normal development of the human person's spiritual and temporal activities, both of which are indispensable.[89] For this reason, in one passage of Rerum Novarum he presents the organization of society according to the three powers—legislative, executive and judicial—something which at the time represented a novelty in Church teaching.[90] Such an ordering reflects a realistic vision of humankind's social nature, which calls for legislation capable of protecting the freedom of all. To that end, it is preferable that each power be balanced by other powers and by other spheres of responsibility which keep it within proper bounds. This is the principle of the "rule of law," in which the law is sovereign, and not the arbitrary will of individuals.

In modern times, this concept has been opposed by totalitarianism, which, in its Marxist-Leninist form, maintains that some people, by virtue of a deeper knowledge of the laws of the development of society, or through membership of a particular class or through contact with the deeper sources of the collective
consciousness, are exempt from error and can therefore arrogate to themselves the exercise of absolute power. It must be added that totalitarianism arises out of a denial of truth in the objective sense.

If there is no transcendent truth, in obedience to which a person achieves his full identity, then there is no sure principle for guaranteeing just relations between people. Their self-interest as a class, group or nation would inevitably set them in opposition to one another. If one does not acknowledge transcendent truth, then the force of power takes over, and each person tends to make full use of the means at his disposal in order to impose his own interests or his own opinion, with no regard for the rights of others. People are then respected only to the extent that they can be exploited for selfish ends. Thus, the root of modern totalitarianism is to be found in the denial of the transcendent dignity of the human person who, as the visible image of the invisible God, is therefore by his very nature the subject of rights which no one may violate—no individual, group, class, nation or State. Not even the majority of a social body may violate these rights, by going against the minority, by isolating, oppressing, or exploiting it, or by attempting to annihilate it.[91]

45. The culture and praxis of totalitarianism also involve a rejection of the Church. The State or the party which claims to be able to lead history towards perfect goodness, and which sets itself above all values, cannot tolerate the affirmation of an objective criterion of good and evil beyond the will of those in power, since such a criterion, in given circumstances, could be used to judge their actions. This explains why totalitarianism attempts to destroy the Church, or at least to reduce her to submission, making her an instrument of its own ideological apparatus.[92]

Furthermore, the totalitarian State tends to absorb within itself the nation, society, the family, religious groups and individuals themselves. In defending her own freedom, the Church is also defending the human person, who must obey God rather than men (cf. Acts 5:29), as well as defending the family, the various social organizations and nations—all of which enjoy their own spheres of autonomy and sovereignty.

46. The Church values the democratic system inasmuch as it ensures the participation of citizens in making political choices, guarantees to the governed the possibility both of electing and holding accountable those who govern them, and of replacing them through peaceful means when appropriate.[93] Thus she cannot encourage the formation of narrow ruling groups which usurp the power of the State for individual interests or for ideological ends.

Authentic democracy is possible only in a State ruled by law, and on the basis of a correct conception of the human person. It requires that the necessary conditions be present for the advancement both of the individual through education and formation in true ideals, and of the “subjectivity” of society through the creation of structures of participation and shared responsibility. Nowadays there is a tendency to claim that agnosticism and skeptical relativism are the philosophy and the basic attitude which correspond to democratic forms of political life. Those who are convinced that they know the truth and firmly adhere to it are considered unreliable from a democratic point of view, since they do not accept that truth is determined by the majority, or that it is subject to variation according to different political trends. It must be observed in this regard that if there is no ultimate truth to guide and direct political activity, then ideas and convictions can easily be manipulated for reasons of power. As history demonstrates, a democracy without values easily turns into open or thinly disguised totalitarianism.
Nor does the Church close her eyes to the danger of fanaticism or fundamentalism among those who, in the name of an ideology which purports to be scientific or religious, claim the right to impose on others their own concept of what is true and good. Christian truth is not of this kind. Since it is not an ideology, the Christian faith does not presume to imprison changing sociopolitical realities in a rigid schema, and it recognizes that human life is realized in history in conditions that are diverse and imperfect. Furthermore, in constantly reaffirming the transcendent dignity of the person, the Church’s method is always that of respect for freedom.[94]

But freedom attains its full development only by accepting the truth. In a world without truth, freedom loses its foundation and people are exposed to the violence of passion and to manipulation, both open and hidden. The Christian upholds freedom and serves it, constantly offering to others the truth which he has known (cf. Jn 8:31-32), in accordance with the missionary nature of his vocation. While paying heed to every fragment of truth which he encounters in the life experience and in the culture of individuals and of nations, he will not fail to affirm in dialogue with others all that his faith and the correct use of reason have enabled him to understand.[95]

47. Following the collapse of Communist totalitarianism and of many other totalitarian and “national security” regimes, today we are witnessing a predominance, not without signs of opposition, of the democratic ideal, together with lively attention to and concern for human rights. But for this very reason it is necessary for peoples in the process of reforming their systems to give democracy an authentic and solid foundation through the explicit recognition of those rights.[96] Among the most important of these rights, mention must be made of the right to life, an integral part of which is the right of the child to develop in the mother’s womb from the moment of conception; the right to live in a united family and in a moral environment conducive to the growth of the child’s personality; the right to develop one’s intelligence and freedom in seeking and knowing the truth; the right to share in the work which makes wise use of the earth’s material resources, and to derive from that work the means to support oneself and one’s dependents; and the right freely to establish a family, to have and to rear children through the responsible exercise of one’s sexuality. In a certain sense, the source and synthesis of these rights is religious freedom, understood as the right to live in the truth of one’s faith and in conformity with one’s transcendent dignity as a person.[97]

Even in countries with democratic forms of government, these rights are not always fully respected. Here we are referring not only to the scandal of abortion, but also to different aspects of a crisis within democracies themselves, which seem at times to have lost the ability to make decisions aimed at the common good. Certain demands which arise within society are sometimes not examined in accordance with criteria of justice and morality, but rather on the basis of the electoral or financial power of the groups promoting them. With time, such distortions of political conduct create distrust and apathy, with a subsequent decline in the political participation and civic spirit of the general population, which feels abused and disillusioned. As a result, there is a growing inability to situate particular interests within the framework of a coherent vision of the common good. The latter is not simply the sum total of particular interests; rather it involves an assessment and integration of those interests on the basis of a balanced hierarchy of values; ultimately, it demands a correct understanding of the dignity and the rights of the person.[98]

The Church respects the legitimate autonomy of the democratic order and is not entitled to express preferences for this or that institutional or constitutional solution. Her contribution to the political order is
precisely her vision of the dignity of the person revealed in all its fullness in the mystery of the Incarnate Word.\[99\]

48. These general observations also apply to the role of the State in the economic sector. Economic activity, especially the activity of a market economy, cannot be conducted in an institutional, juridical or political vacuum. On the contrary, it presupposes sure guarantees of individual freedom and private property, as well as a stable currency and efficient public services. Hence the principal task of the State is to guarantee this security, so that those who work and produce can enjoy the fruits of their labors and thus feel encouraged to work efficiently and honestly. The absence of stability, together with the corruption of public officials and the spread of improper sources of growing rich and of easy profits deriving from illegal or purely speculative activities, constitutes one of the chief obstacles to development and to the economic order.

Another task of the State is that of overseeing and directing the exercise of human rights in the economic sector. However, primary responsibility in this area belongs not to the State but to individuals and to the various groups and associations which make up society. The State could not directly ensure the right to work for all its citizens unless it controlled every aspect of economic life and restricted the free initiative of individuals. This does not mean, however, that the State has no competence in this domain, as was claimed by those who argued against any rules in the economic sphere. Rather, the State has a duty to sustain business activities by creating conditions which will ensure job opportunities, by stimulating those activities where they are lacking or by supporting them in moments of crisis.

The State has the further right to intervene when particular monopolies create delays or obstacles to development. In addition to the tasks of harmonizing and guiding development, in exceptional circumstances the State can also exercise a substitute function, when social sectors or business systems are too weak or are just getting under way, and are not equal to the task at hand. Such supplementary interventions, which are justified by urgent reasons touching the common good, must be as brief as possible, so as to avoid removing permanently from society and business systems the functions which are properly theirs, and so as to avoid enlarging excessively the sphere of state intervention to the detriment of both economic and civil freedom.

In recent years the range of such intervention has vastly expanded, to the point of creating a new type of state, the so-called "Welfare State." This has happened in some countries in order to respond better to many needs and demands, by remedying forms of poverty and deprivation unworthy of the human person. However, excesses and abuses, especially in recent years, have provoked very harsh criticisms of the Welfare State, dubbed the "Social Assistance State." Malfunctions and defects in the Social Assistance State are the result of an inadequate understanding of the tasks proper to the State. Here again the principle of subsidiarity must be respected: a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to coordinate its activity with the activities of the rest of society, always with a view to the common good.\[100\]

By intervening directly and depriving society of its responsibility, the Social Assistance State leads to a loss of human energies and an inordinate increase of public agencies, which are dominated more by bureaucratic ways of thinking than by concern for serving their clients, and which are accompanied by an enormous increase in spending. In fact, it would appear that needs are best understood and satisfied by
people who are closest to them and who act as neighbors to those in need. It should be added that certain kinds of demands often call for a response which is not simply material but which is capable of perceiving the deeper human need. One thinks of the condition of refugees, immigrants, the elderly, the sick, and all those in circumstances which call for assistance, such as drug abusers: all these people can be helped effectively only by those who offer them genuine fraternal support, in addition to the necessary care.

49. Faithful to the mission received from Christ her Founder, the Church has always been present and active among the needy, offering them material assistance in ways that neither humiliate nor reduce them to mere objects of assistance, but which help them to escape their precarious situation by promoting their dignity as persons. With heartfelt gratitude to God it must be pointed out that active charity has never ceased to be practiced in the Church; indeed, today it is showing a manifold and gratifying increase. In this regard, special mention must be made of volunteer work, which the Church favors and promotes by urging everyone to cooperate in supporting and encouraging its undertakings.

In order to overcome today's widespread individualistic mentality, what is required is a concrete commitment to solidarity and charity, beginning in the family with the mutual support of husband and wife and the care which the different generations give to one another. In this sense the family too can be called a community of work and solidarity. It can happen, however, that when a family does decide to live up fully to its vocation, it finds itself without the necessary support from the State and without sufficient resources. It is urgent therefore to promote not only family policies, but also those social policies which have the family as their principal object, policies which assist the family by providing adequate resources and efficient means of support, both for bringing up children and for looking after the elderly, so as to avoid distancing the latter from the family unit and in order to strengthen relations between generations.[101]

Apart from the family, other intermediate communities exercise primary functions and give life to specific networks of solidarity. These develop as real communities of persons and strengthen the social fabric, preventing society from becoming an anonymous and impersonal mass, as unfortunately often happens today. It is in interrelationships on many levels that a person lives, and that society becomes more "personified." The individual today is often suffocated between two poles represented by the State and the marketplace. At times it seems as though he exists only as a producer and consumer of goods, or as an object of state administration. People lose sight of the fact that life in society has neither the market nor the State as its final purpose, since life itself has a unique value which the State and the market must serve. Man remains above all a being who seeks the truth and strives to live in that truth, deepening his understanding of it through a dialogue which involves past and future generations.[102]

50. From this open search for truth, which is renewed in every generation, the culture of a nation derives its character. Indeed, the heritage of values which has been received and handed down is always challenged by the young. To challenge does not necessarily mean to destroy or reject a priori, but above all to put these values to the test in one's own life, and through this existential verification to make them more real, relevant and personal, distinguishing the valid elements in the tradition from false and erroneous ones, or from obsolete forms which can be usefully replaced by others more suited to the times.

In this context, it is appropriate to recall that evangelization too plays a role in the culture of the various nations, sustaining culture in its progress towards the truth, and assisting in the work of its purification and enrichment.[103] However, when a culture becomes inward looking, and tries to perpetuate obsolete ways
of living by rejecting any exchange or debate with regard to the truth about man, then it becomes sterile and is heading for decadence.

51. All human activity takes place within a culture and interacts with culture. For an adequate formation of a culture, the involvement of the whole person is required, whereby one exercises one’s creativity, intelligence, and knowledge of the world and of people. Furthermore, a person displays his capacity for self-control, personal sacrifice, solidarity and readiness to promote the common good. Thus the first and most important task is accomplished within the heart. The way in which one is involved in building one’s own future depends on the understanding a person has of himself and of his own destiny. It is on this level that the Church’s specific and decisive contribution to true culture is to be found. The Church promotes those aspects of human behavior which favor a true culture of peace, as opposed to models in which the individual is lost in the crowd, in which the role of one’s initiative and freedom is neglected, and in which one’s greatness is posited in the arts of conflict and war. The Church renders this service to human society by preaching the truth about the creation of the world, which God has placed in human hands so that people may make it fruitful and more perfect through their work; and by preaching the truth about the Redemption, whereby the Son of God has saved humankind and at the same time has united all people, making them responsible for one another. Sacred Scripture continually speaks to us of an active commitment to our neighbor and demands of us a shared responsibility for all of humanity.

This duty is not limited to one’s own family, nation or state, but extends progressively to all humankind, since no one can consider himself extraneous or indifferent to the lot of another member of the human family. No one can say that he is not responsible for the well-being of his brother or sister (cf. Gen 4:9; Lk 10:29-37; Mt 25:31-46). Attentive and pressing concern for one’s neighbor in a moment of need—made easier today because of the new means of communication which have brought people closer together—is especially important with regard to the search for ways of resolving international conflicts other than by war. It is not hard to see that the terrifying power of the means of destruction—to which even medium and small-sized countries have access—and the ever closer links between the peoples of the whole world make it very difficult or practically impossible to limit the consequences of a conflict.

52. Pope Benedict XV and his successors clearly understood this danger.[104] I myself, on the occasion of the recent tragic war in the Persian Gulf, repeated the cry: “War—never again!” No, never again war, which destroys the lives of innocent people, teaches how to kill, throws into upheaval even the lives of those who do the killing and leaves behind a trail of resentment and hatred, thus making it all the more difficult to find a just solution of the very problems which provoked the war. Just as the time has finally come when in individual states a system of private vendetta and reprisal has given way to the rule of law, so too a similar step forward is now urgently needed in the international community. Furthermore, it must not be forgotten that at the root of war there are usually real and serious grievances: injustices suffered, legitimate aspirations frustrated, poverty, and the exploitation of multitudes of desperate people who see no real possibility of improving their lot by peaceful means.

For this reason, another name for peace is development.[105] Just as there is a collective responsibility for avoiding war, so too there is a collective responsibility for promoting development. Just as within individual societies it is possible and right to organize a solid economy which will direct the functioning of the market to the common good, so too there is a similar need for adequate interventions on the international level. For this to happen, a great effort must be made to enhance mutual understanding and knowledge, and to increase the sensitivity of consciences. This is the culture which is hoped for, one which fosters trust in the
human potential of the poor, and consequently in their ability to improve their condition through work or to make a positive contribution to economic prosperity. But to accomplish this, the poor—be they individuals or nations—need to be provided with realistic opportunities. Creating such conditions calls for a concerted worldwide effort to promote development, an effort which also involves sacrificing the positions of income and of power enjoyed by the more developed economies.[106]

This may mean making important changes in established lifestyles, in order to limit the waste of environmental and human resources, thus enabling every individual and all the peoples of the earth to have a sufficient share of those resources. In addition, the new material and spiritual resources must be utilized which are the result of the work and culture of peoples who today are on the margins of the international community, so as to obtain an overall human enrichment of the family of nations.

53. Faced with the poverty of the working class, Pope Leo XIII wrote: "We approach this subject with confidence, and in the exercise of the rights which manifestly pertain to us.... By keeping silence we would seem to neglect the duty incumbent on us."[107] During the last hundred years the Church has repeatedly expressed her thinking, while closely following the continuing development of the social question. She has certainly not done this in order to recover former privileges or to impose her own vision. Her sole purpose has been care and responsibility for the human person, who has been entrusted to her by Christ himself: for this person, whom, as the Second Vatican Council recalls, is the only creature on earth which God willed for its own sake, and for which God has his plan, that is, a share in eternal salvation. We are not dealing here with humanity in the "abstract," but with the real, "concrete," "historical" person. We are dealing with each individual, since each one is included in the mystery of Redemption, and through this mystery Christ has united himself with each one forever.[108] It follows that the Church cannot abandon humanity, and that "this human person is the primary route that the Church must travel in fulfilling her mission...the way traced out by Christ himself, the way that leads invariably through the mystery of the Incarnation and the Redemption."[109]

This, and this alone, is the principle which inspires the Church’s social doctrine. The Church has gradually developed that doctrine in a systematic way, above all in the century that has followed the date we are commemorating, precisely because the horizon of the Church’s whole wealth of doctrine is the human being in his concrete reality as sinful and righteous.

54. Today, the Church’s social doctrine focuses especially on the person as he is involved in a complex network of relationships within modern societies. The human sciences and philosophy are helpful for interpreting the person ‘s central place within society and for enabling one to understand oneself better as a "social being." However, a person’s true identity is only fully revealed to him through faith, and it is precisely from faith that the Church’s social teaching begins. While drawing upon all the contributions made by the sciences and philosophy, her social teaching is aimed at helping everyone on the path of salvation.

The encyclical *Rerum Novarum* can be read as a valid contribution to socio-economic analysis at the end of the nineteenth century, but its specific value derives from the fact that it is a document of the Magisterium and is fully a part of the Church’s evangelizing mission, together with many other documents of this nature. Thus the Church’s social teaching is itself a valid instrument of evangelization. As such, it proclaims God and his mystery of salvation in Christ to every human being, and for that very reason reveals man to himself. In this light, and only in this light, does it concern itself with everything else: the human rights of
the individual, and in particular of the “working class,” the family and education, the duties of the State, the ordering of national and international society, economic life, culture, war and peace, and respect for life from the moment of conception until death.

55. The Church receives “the meaning of the person” from Divine Revelation. “In order to know man, authentic man, man in his fullness, one must know God,” said Pope Paul VI, and he went on to quote Saint Catherine of Siena, who, in prayer, expressed the same idea: “In your nature, O eternal Godhead, I shall know my own nature.”[110]

Christian anthropology therefore is really a chapter of theology, and for this reason, the Church’s social doctrine, by its concern for the person and by its interest in him and in the way he conducts himself in the world, “belongs to the field...of theology and particularly of moral theology.”[111]

The theological dimension is needed both for interpreting and solving present-day problems in human society. It is worth noting that this is true in contrast both to the “atheistic” solution, which deprives humankind of one of its basic dimensions, namely the spiritual one, and to permissive and consumerist solutions, which under various pretexts seek to convince man that he is free from every law and from God himself, thus imprisoning him within a selfishness which ultimately harms both him and others.

When the Church proclaims God’s salvation to humanity, when she offers and communicates the life of God through the sacraments, when she gives direction to human life through the commandments of love of God and neighbor, she contributes to the enrichment of human dignity. But just as the Church can never abandon her religious and transcendent mission on behalf of humankind, so too she is aware that today her activity meets with particular difficulties and obstacles. That is why she devotes herself with ever new energies and methods to an evangelization which promotes the whole human being. Even on the eve of the third millennium she continues to be "a sign and safeguard of the transcendence of the human person,"[112] as indeed she has always sought to be from the beginning of her existence, walking together with the human race through history. The encyclical Rerum Novarum itself is a significant sign of this.

56. On the hundredth anniversary of that encyclical I wish to thank all those who have devoted themselves to studying, expounding and making better known Christian social teaching. To this end, the cooperation of the local Churches is indispensable, and I would hope that the present anniversary will be a source of fresh enthusiasm for studying, spreading and applying that teaching in various contexts.

In particular, I wish this teaching to be made known and applied in the countries which, following the collapse of “Real Socialism,” are experiencing a serious lack of direction in the work of rebuilding. The Western countries, in turn, run the risk of seeing this collapse as a one-sided victory of their own economic system, and thereby failing to make necessary corrections in that system. Meanwhile, the countries of the Third World are experiencing more than ever the tragedy of underdevelopment, which is becoming more serious with each passing day.

After formulating principles and guidelines for the solution of the worker question, Pope Leo XIII made this incisive statement: "Everyone should put his hand to the work which falls to his share, and that at once and straightway, lest the evil which is already so great become through delay absolutely beyond remedy," and he added, "in regard to the Church, her cooperation will never be found lacking."[113]
57. As far as the Church is concerned, the social message of the Gospel must not be considered a theory, but above all else a basis and a motivation for action. Inspired by this message, some of the first Christians distributed their goods to the poor, bearing witness to the fact that, despite different social origins, it was possible for people to live together in peace and harmony. Through the power of the Gospel, down the centuries monks tilled the land, men and women religious founded hospitals and shelters for the poor, confraternities as well as individual men and women of all states of life devoted themselves to the needy and to those on the margins of society, convinced as they were that Christ’s words “as you did it to one of the least of these my brethren, you did it to me” (Mt 25:40) were not intended to remain a pious wish, but were meant to become a concrete life commitment.

Today more than ever, the Church is aware that her social message will gain credibility more immediately from the witness of actions than as a result of its internal logic and consistency. This awareness is also a source of her preferential option for the poor, which is never exclusive or discriminatory towards other groups. This option is not limited to material poverty, since it is well known that there are many other forms of poverty, especially in modern society—not only economic but cultural and spiritual poverty as well. The Church's love for the poor, which is essential for her and a part of her constant tradition, impels her to give attention to a world in which poverty is threatening to assume massive proportions in spite of technological and economic progress. In the countries of the West, different forms of poverty are being experienced by groups which live on the margins of society, by the elderly and the sick, by the victims of consumerism, and even more immediately by so many refugees and migrants. In the developing countries, tragic crises loom on the horizon unless internationally coordinated measures are taken before it is too late.

58. Love for others, and in the first place love for the poor, in whom the Church sees Christ himself, is made concrete in the promotion of justice. Justice will never be fully attained unless people see in the poor person, who is asking for help in order to survive, not an annoyance or a burden, but an opportunity for showing kindness and a chance for greater enrichment. Only such an awareness can give the courage needed to face the risk and the change involved in every authentic attempt to come to the aid of another. It is not merely a matter of "giving from one's surplus," but of helping entire peoples which are presently excluded or marginalized to enter into the sphere of economic and human development. For this to happen, it is not enough to draw on the surplus goods which in fact our world abundantly produces; it requires above all a change of lifestyles, of models of production and consumption, and of the established structures of power which today govern societies. Nor is it a matter of eliminating instruments of social organization which have proved useful, but rather of orienting them according to an adequate notion of the common good in relation to the whole human family. Today we are facing the so-called "globalization" of the economy, a phenomenon which is not to be dismissed, since it can create unusual opportunities for greater prosperity. There is a growing feeling, however, that this increasing internationalization of the economy ought to be accompanied by effective international agencies which will oversee and direct the economy to the common good, something that an individual state, even if it were the most powerful on earth, would not be in a position to do. In order to achieve this result, it is necessary that there be increased coordination among the more powerful countries, and that in international agencies the interests of the whole human family be equally represented. It is also necessary that in evaluating the consequences of their decisions, these agencies always give sufficient consideration to peoples and countries which have little weight in the international market, but which are burdened by the most acute and desperate needs, and are thus more dependent on support for their development. Much remains to be done in this area.
59. Therefore, in order that the demands of justice may be met, and attempts to achieve this goal may succeed, what is needed is the gift of grace, a gift which comes from God. Grace, in cooperation with human freedom, constitutes that mysterious presence of God in history which is Providence.

The newness which is experienced in following Christ demands to be communicated to other people in their concrete difficulties, struggles, problems and challenges, so that these can then be illuminated and made more human in the light of faith. Faith not only helps people to find solutions; it makes even situations of suffering humanly bearable, so that in these situations people will not become lost or forget their dignity and vocation.

In addition, the Church's social teaching has an important interdisciplinary dimension. In order better to incarnate the one truth about man in different and constantly changing social, economic and political contexts, this teaching enters into dialogue with the various disciplines concerned with humankind. It assimilates what these disciplines have to contribute, and helps them to open themselves to a broader horizon, aimed at serving the individual person who is acknowledged and loved in the fullness of his or her vocation.

Parallel with the interdisciplinary aspect, mention should also be made of the practical and as it were experiential dimension of this teaching, which is to be found at the crossroads where Christian life and conscience come into contact with the real world. This teaching is seen in the efforts of individuals, families, people involved in cultural and social life, as well as politicians and statesmen to give it a concrete form and application in history.

60. In proclaiming the principles for a solution of the worker question, Pope Leo XIII wrote: "This most serious question demands the attention and the efforts of others."[114] He was convinced that the grave problems caused by industrial society could be solved only by cooperation between all forces. This affirmation has become a permanent element of the Church's social teaching, and also explains why Pope John XXIII addressed his encyclical on peace to "all people of good will."

Pope Leo, however, acknowledged with sorrow that the ideologies of his time, especially Liberalism and Marxism, rejected such cooperation. Since then, many things have changed, especially in recent years. The world today is ever more aware that solving serious national and international problems is not just a matter of economic production or of juridical or social organization, but also calls for specific ethical and religious values, as well as changes of mentality, behavior and structures. The Church feels a particular responsibility to offer this contribution and, as I have written in the encyclical Sollicitudo Rei Socialis, there is a reasonable hope that the many people who profess no religion will also contribute to providing the social question with the necessary ethical foundation."[115]

In that same encyclical I also addressed an appeal to the Christian Churches and to all the great world religions, inviting them to offer the unanimous witness of our common convictions regarding the dignity of the human person, created by God.[116] In fact I am convinced that the various religions, now and in the future, will have a preeminent role in preserving peace and in building a society worthy of humanity.
Indeed, openness to dialogue and to cooperation is required of all people of good will, and in particular of individuals and groups with specific responsibilities in the areas of politics, economics and social life, at both the national and international levels.

61. At the beginning of industrialized society, it was “a yoke little better than that of slavery itself” which led my predecessor to speak out in defense of the human person. Over the past hundred years the Church has remained faithful to this duty. Indeed, she intervened in the turbulent period of class struggle after the First World War in order to defend people from economic exploitation and from the tyranny of the totalitarian systems. After the Second World War, she put the dignity of the person at the center of her social messages, insisting that material goods were meant for all, and that the social order ought to be free of oppression and based on a spirit of cooperation and solidarity. The Church has constantly repeated that the person and society need not only material goods but spiritual and religious values as well. Furthermore, as she has become more aware of the fact that too many people live, not in the prosperity of the Western world, but in the poverty of the developing countries amid conditions which are still “a yoke little better than that of slavery itself,” she has felt and continues to feel obliged to denounce this fact with absolute clarity and frankness, although she knows that her call will not always win favor with everyone.

One hundred years after the publication of Rerum Novarum, the Church finds herself still facing "new things" and new challenges. The centenary celebration should therefore confirm the commitment of all people of good will and of believers in particular.

62. The present encyclical has looked at the past, but above all it is directed to the future. Like Rerum Novarum, it comes almost at the threshold of a new century, and its intention, with God’s help, is to prepare for that moment.

In every age the true and perennial "newness of things" comes from the infinite power of God, who says: "Behold, I make all things new" (Rev 21:5). These words refer to the fulfillment of history, when Christ "delivers the Kingdom to God the Father...that God may be everything to everyone" (1 Cor 15:24, 28). But the Christian well knows that the newness which we await in its fullness at the Lord's second coming has been present since the creation of the world, and in a special way since the time when God became man in Jesus Christ and brought about a "new creation" with him and through him (2 Cor 5:17; Gal 6:15).

In concluding this encyclical I again give thanks to Almighty God, who has granted his Church the light and strength to accompany humanity on its earthly journey towards its eternal destiny. In the third millennium too, the Church will be faithful in making humanity’s way her own, knowing that she does not walk alone, but with Christ her Lord. It is Christ who made man’s way his own, and who guides him, even when he is unaware of it.

Mary, the Mother of the Redeemer, constantly remained beside Christ in his journey towards the human family and in its midst, and she goes before the Church on the pilgrimage of faith. May her maternal intercession accompany humanity towards the next millennium, in fidelity to him who "is the same yesterday and today and for ever" (cf. Heb 13:8), Jesus Christ our Lord, in whose name I cordially impart my blessing to all.
Given in Rome, at Saint Peter’s, on May 1, the Memorial of Saint Joseph the Worker, in the year 1991, the thirteenth of my pontificate.

Joannes Paulus PP. II

NOTES

12. Ibid.: loc. cit., 130; ef. also 114f.
17. Cf. ibid.: loc. cit., 102f.
22. Ibid.: loc. cit., 129.
23. Ibid.: loc. cit., 129.
24. Ibid. loc. cit., 130f.
28. Cf. ibid. loc. cit., 127.
29. Ibid. loc. cit., 126f.
30. Cf Universal Declaration of Human Rights; Declaration on the elimination of every form of intolerance and discrimination based on religion or convictions.
33. Ibid.: loc. cit., 125.
74. Cf. ibid., 8: loc. cit., 594-598.
82. Cf. ibid., 41.
87. Ibid., 14: loc. cit., 612-616.
90. Ibid., 121f.
93. Cf. ibid., 29; Pius XII, Christmas Radio Message on December 24, 1944:AAS 37(1945),10-20.
99. Cf. ibid., 22.
114. Ibid., 107.
116. Ibid., 47: loc. cit., 582.
By any measure, the future for this Asian country looked bleak. Enormously overcrowded, its normal population had skyrocketed, increased not just by a naturally high birthrate but also by revolution in a neighboring country - forcing thousands of desperate refugees upon its borders. Lacking natural resources and utterly dependent upon its unpleasant neighbor for water and food, the country’s situation had deteriorated so badly that a local UN official declared the only way for it to survive would be with massive Western aid. An American newspaper proclaimed the country to be "dying," and the government itself inclined to despair. Its own annual report painted a graphic picture:

Virtually every sizable vacant site . . . was occupied, and when there was no flat land remaining, [people] moved up to the hillsides and colonized the ravines and slopes which were too steep for normal development. The huts were constructed of such material as they could lay hands on at little or no cost - flattened sheets of tin, woodened boarding, cardboard, sacking slung on frames . . . Land was scarce even for the squatters and the huts were packed like dense honeycombs or irregular warrens at different levels, with little ventilation and no regular access. The shacks themselves were crowded beyond endurance . . . Density was at a rate of two thousand persons to an acre in single-story huts. There was, of course, no sanitation.

"The problem of a rapidly increasing population," the government lamented, "lies at the core of every problem facing the administration."

These words might describe dozens of countries around the world today. In fact, they were written in the 1950s about Hong Kong - the same British colony that today has become a synonym for dynamism and development, with a per capita gross domestic product eclipsing Mother England’s. Indeed, at the very moment these government reports were being written, Hong Kong was on the cusp of a general Asian economic boom that would see real income per capita in Japan and the Four Tigers (Hong Kong, Singapore, Taiwan, and South Korea) quadruple from 1960 to 1985. Though many observers felt as the American journalist John Robbins did in 1959, when he asserted that "Hong Kong’s state of supersaturation" may be "a portent of things to come throughout Asia," the apocalypse they predicted never came to pass. Instead, Hong Kong witnessed the greatest economic boom of its history, and now boasts a population of more than six million people - about five times the number the Hong Kong government in 1954 declared to be its carrying "capacity."

Though there are parts of Hong Kong that rank among the most densely packed areas in the world, it remains a peaceable and safe city - a fact not unrelated to the tangible sense of opportunity granted by its (presently) open economic system. The lesson Hong Kong teaches is that there is no fixed level of resources, no natural capacity, no predefined limit to what people might do if given the opportunity to exercise the real factors in development: enterprise, creativity, and risk.

For the Catholic Church in particular, Hong Kong stands as a sharp rebuke to the reigning zero sum ethos of the day, and brings us back to the core of Catholic social teaching: the value of human life not only to its possessors but to their neighbors as well. In the dismal abacus of our day, when a pig is born in China, national wealth goes up; when a child is born, it goes down.

Almost all the fervor for population control traces back to this premise, which reflects a theological confusion as much as an economic one, and it derives from the historical tendency of Western experts to see Asian peoples as mouths and not minds.
When the push for reducing population growth began in the 1950s and 1960s, it owed much to this reduction of the human being to a collection of animal appetites and urges. The philosophical father to this school of thought is, of course, Thomas Malthus, who argued in his *Essay on the Principle of Population* (1798) that "the perpetual tendency in the race of man to increase beyond the means of subsistence is one of the great general laws of animated nature which we can have no reason to expect will change." The catastrophes Malthus predicted never came to pass, but his brand of pessimism nonetheless continues.

In 1968 Paul Ehrlich opened his seminal work *The Population Bomb* with the declaration that "the battle to feed all of humanity is over. In the 1970s the world will undergo famines - hundreds of millions of people are going to starve to death." In 1977 Robert McNamara, as head of the World Bank, saw in population growth the "gravest issue" short of nuclear war and in a particularly prophetic statement lamented that the decisions that had led to this growth were "not in the exclusive control of a few governments but rather in the literally hundreds of millions of individual parents who will determine the outcome." Back in the 1950s William Vogt, in his best-selling book, *Road to Survival*, attributed Asia's population growth to "untrammeled copulation" by "the backward billion," while A. J. Carlson warned in a 1955 article in the *Journal of the American Medical Association* that "if we breed like rabbits, in the long run we have to live and die like rabbits." Everywhere the distaste for human beings was on display - joined to the notion that the poorer parts of the world were dragging down richer.

"It is easy to imagine the United States or Canada or Brazil, or even - with somewhat more effort - France supporting twice its 1960 population on a reasonably decent standard of living," observed John Robbins in his 1959 book, *Too Many Asians*. But how, he asked, "can twice as many Asians hope to live on even today's miserable scale?" As it turned out, of course, Asia more than doubled in size and set off a new industrial revolution whose impact on human welfare has been of revolutionary proportions by virtually any measure: infant mortality, literacy, life expectancy, caloric intake, etc. The Indian economist Amartya Sen notes, moreover, that the growth in per capita income has been about one-third greater in countries at the bottom of the economic heap than those at the high end, and that the figures would be even higher if sub-Saharan Africa were excluded.

There is no way to deny this achievement. In his recent book *Asia Rising*, the economist Jim Rohwer points out that from 1970 to 1990 the number of desperately poor East Asians fell from 400 million to 180 million, even while the population of those countries was rising by 425 million - in other words, East Asia achieved a net rescue from poverty of almost 650 million people. It was done, moreover Shimura, the Japanese, in places with few natural resources and against all expectations.

A few observers did foresee this at the time. Amid all the headlines predicting famine and chaos, there appears an astounding paragraph written in a 1957 by Isamu managing director of Toyo Menka Kaisha. Inverting the usual way of looking at population and economics, he showed himself far more astute than many experts when he wrote:

Instead of thinking our population is too large for our economy; I believe it is more correct to say the scale of our economy is too small for our population. Instead of surplus, unwanted persons, we should view our people as our most valuable natural resource. This is not only the humane but the realistic view. The Japanese people are hard working, energetic and resourceful, with a high level of education, skills, and competence. We are at the beginning of revolutionary industrial changes among which the recent achievements in synthetic chemistry and the potentialities in the peaceful use of atomic energy are mere portents. These new discoveries indicate clearly that in the economy of the future, whose beginnings are already among us, the economic resources which count will not be natural ones but human-intelligence, skill, and foresight.
It was an extraordinary insight at the time (Shimura also predicted that Japan would become a major producer of cars), and it remains telling today as we move toward a globalized economy.

And the thoughts it voices about the relationship between people and wealth are equally applicable to modern China and Indonesia. Not only has China’s embrace of the market ended food shortages, but - in booming Canton - the experiment with markets has been so successful that the province has had to import some ten million Chinese workers from other provinces. Indonesia started to throw off the shackles of socialism in the mid-1960s when President Suharto assumed power, and the result has been one of the fastest sustained economic growth rates in the world.

To be sure, East Asia’s revolution is not much different from that which the Western world experienced two hundred years before. Since the middle of the eighteenth century, the West’s population has more than quadrupled while real income per head increased at least fivefold - an even faster rate than today’s population growth in the Third World.

This is not to say that population control has made no headway in Asia. Pushed incessantly by figures like the World Bank’s McNamara, the idea that nations could become rich only if they moved to control their population rates became an article of faith among Western and Western educated intellectuals in Asia - a faith backed up by aid dollars linked to the willingness of recipient countries to develop control measures. In the Philippines, for example, the U.S. Agency for International Development obtained a provision in the Marcos-era constitution granting the state authority over population levels. The Western missionary fervor once directed at Christianizing Asia has been channeled, in the second half of the twentieth century, into proselytizing for fewer Asians.

Despite its notable failures, moreover, population control has become orthodoxy in a number of states, especially China. Through the 1950s, Maoist doctrine held large populations to be assets, with increased size corresponding to increased output. In this Mao was right, as the subsequent development of its neighbors demonstrates. Where Chinese communism erred was not in its estimation of the Chinese but in its estimation of communism.

This is not the place to discuss the well-documented horrors of population control in Asia: the forced abortions, sterilizations, and even infanticides. I want to suggest, however, that these horrors are a direct consequence of the idea that development requires poor nations to limit their populations - which also explains, I believe, the pronounced indifference in the West to practices that would provoke outrage were they applied to people in Scarsdale or San Francisco instead of Shanghai and Bombay. Without the economic imperative underlying population control, the abuses have no rational motivation. And so long as that dismal imperative is accepted, reservations (such as those expressed so eloquently by Pope John Paul II) are dismissed as a luxury the world literally cannot afford.

It is worth noting that two to three decades of sustained pressure for the suppression of population growth is beginning to have consequences unforeseen by its advocates. Most of the freer Asian countries at one time or another adopted policies penalizing large families or offering incentives to small families, whether through the tax code or through benefits like preferential housing and jobs. And over the years most of these nations have succeeded in lowering their total fertility rates. From 1953 to 1993, the annual number of births per thousand people in Taiwan dropped from forty-five to sixteen and the average number of children in a Taiwanese family dropped from seven to 1.7 (below the number for the U.S., Britain, and even China). With increased average life spans, it means a grayer and grayer Taiwan: In 1994 people over sixty-five years old accounted for only 7 percent of the population; by 2036 the figure will be three times as large - which means a smaller percentage of workers. In response to such trends, Singapore has already shifted from promoting smaller families to promoting larger ones. It is in China, however, where population control has been stringent, that two nasty side effects appear most clearly: the world’s most rapidly aging society and a dangerously skewed ratio between boys and girls.
The demographic shifts are obvious to the most casual visitor. In the Temple of Heaven Park in Beijing, there are legions of adults for each child. The Chinese press regularly reports on the "little emperors," the army of spoilt only-children used to getting their own way. And these children are the same people who as adults will be called upon to make enormous sacrifices to support China’s growing ranks of the elderly - for not only is China graying, it is doing it faster than any population in history. A process that took eighty-five years in Sweden and thirty-two years in Japan will take only twenty-one years in China, according to the Beijing Center of Gerontology. China already has the largest number of elderly in the world, and the projections of the number of workers compared to the number of retirees are stark. The Chinese Statistics Bureau reports that in 1987 the people over sixty years were 13.5 percent. As the effects of the one-child program make themselves felt, however, the numbers leap dramatically: to 23.8 percent in 2020, 36 percent in 2030, and 44.9 percent in 2050 - when more than 400 million Chinese will be over sixty years of age, and there will be almost one retiree for every two workers. The Japanese are already paying higher taxes imposed by leaders worried about their own graying society. But Japan’s problems pale beside China’s, which is nowhere near as wealthy, about ten times more populous, and aging at a much faster clip.

The practice of sex selection creates related problems. Within Asia generally, there exists a strong cultural preference for sons, based on the not irrational idea that sons support their parents in old age and carry on the family name. In China the combination of this bias in favor of sons and the one-child policy has in practice meant the aborting of many fetuses simply because they are girls. The result is that whereas the normal relationship is 104 to 107 boys for every 100 girls born, China now sees 119 boys born for every 100 girls. (Other Asian countries have corresponding figures: 114 in South Korea, 110 in Taiwan, and as many as 112 in India.) This shift too will begin to make itself felt when whole generations of boys suddenly find themselves unable to find wives, with harrowing ramifications for social order.

If the 1995 UN Conference on Population in Cairo demonstrated anything, it is that the Catholic Church remains the chief stumbling block to the true believers in population control. Yet even the Church at times does not seem to realize the strength of its own teaching - its conformity with laws of economics as well as nature and its congruence with what we can now see is the real path to development and opportunity. Unfortunately too the Church can show a keener appreciation of its enemies than its friends, and it needs to express more clearly the fundamental unity of its teachings for individuals and its teachings for societies.

This unity is commonly understood in most areas of Church teaching: Traditional morality has always asserted that both the individuals themselves and society in general will be better off if individuals don’t steal, don’t cheat, and so on down the line. But when it comes to reproduction, the understanding seems to disappear. As a matter of living responsibly, a good case might be made for the bare assertion "no abortion or birth control and damn the consequences." But the Church has faltered in explaining the link between our reproductive behavior as individuals and the health of society. This is why Church leaders who concede the problem of overpopulation find themselves in the losing position of acknowledging a problem for which they must then rule out the obvious solution. Not surprisingly, their position looks arbitrary and unintelligible. And in the West, at least, the result is considerable media pressure for the Church to change its teaching and an expectation that it will once it faces up to the evidence.

In the case of population, the irony is that no serious market economist accepts the problem as defined, much less the proposed solutions. Whatever their personal views on abortion or birth control as an individual preference; neither Milton Friedman nor Gary Becker argue that societies need to curb population growth for development. The freer-market the orientation of economists, the more they recognize that in an open economy individuals produce more than they consume. (It is no coincidence that those thumping the loudest for a state role in controlling population promote a bigger state role in lots of
other things as well: A "Catholics Speak Out" advertisement that appeared just before the Cairo conference called upon the Church’s "male celibate hierarchy" to revise its teachings on sex, and in the very next sentence described the need to "redistribute" resources.

Even John Paul II complicates matters for himself when he concedes "grave and serious problems" caused by overpopulation but then encourages people to have as many children as they see fit given their circumstances. Yet the lines are being drawn. For the real and sustained opposition to Church teaching today is, as the Pope indicated in his encyclical Evangelium Vitae, an ascendant "culture of death" that has turned legitimate concerns (such as the state of the environment) into frankly pagan movements. When these movements find themselves opposed to Rome, as they did so dramatically in recent UN conferences, it is not because they are illogical, but because they are simply following their assumptions to their inevitable conclusions. At its core the argument today is not over how many people a given country should have, or even whether abortion and birth control should be legal. At the core, the real argument has to do with the nature of man. Well before it was popular, Gunnar Myrdal realized that "the population question" held out the potential to become "the most effective argument for a thorough and radical socialist remodeling of society." Today the tactical arguments of this crowd have wisely shifted away from control toward "choice," "public health," and "empowerment," but the impetus remains the same.

In my own profession of journalism it is common enough to deride economists as practitioners of the "dismal science." Yet in most cases it is the economists who have maintained faith in human ingenuity and initiative and who have rejected counsels of despair and control. The majority of them have never been found on the front lines of the movement for population control. And the reason is that the best economists spend their lives emphasizing that economic life is not about numbers, but about the triumph of the human mind when given the freedom to innovate and respond. It is the market economist who argues for hope, who points to creativity when others push for control, who recognizes that people are good, in a fundamental, real sense: assets, not liabilities.

It was this human capital that took a desperate refugee population in Hong Kong and turned it into a world-class financial center; this human capital that saw Japan and South Korea arise from the ashes of war; this human capital whose success in turning around centuries of poverty has led to what the World Bank calls "The East Asian Miracle." And it is this philosophy of freedom that offers an answer, really the only answer, to the challenge posed to us by what John Paul II has so presciently recognized as a culture of death. Certainly in a world where many still go hungry at night there is much to be done. But instead of looking for ways to reduce the number of those seeking to take their place at the table, we should look for ways to eliminate the perverse policies that prevent a bigger banquet. And here Adam Smith will prove a more gracious host than Thomas Malthus.
“Emphasis must be laid on man’s obligations and duties towards his fellow beings as the principle means of securing his own rights, freedom and privileges, for they are the obverse and reverse of the same coin. To the degree to which each of us fulfills and discharges his own duties and obligations towards his fellow beings, he promotes the climate in which human dignity, freedom and equality may flourish and achieve consummation.”

Muhammad Zufralla Khan
*Islam and Human Rights*
Chapter 7 Objectives- International Law and Human Rights

1. Introduce our members to the concepts of national and international law, using the reading by Finnis.

2. Introduce the ideas behind the drafting of the Universal Declaration of Human Rights, using the readings by Glendon and Khan.

3. Historical grounding for the idea of human rights and their origin in the dignity of the human person and a critique of the human rights movement are given in the readings by Glendon and Carozza.

4. In training members for advocacy there are three sections:
   a. A crucial language study to be able to identify troublesome language in legal documents and resolutions at the United Nations, European Union, and all levels of government.
   b. The resolutions and Youth Forum proposals from the Cairo and Beijing +5 Conferences as case studies of the previous section’s information.
   c. WYA declarations.

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Questions

1. Finnis argues that law is based on the relationship between persons. He also argues that this provides us with the only rational, or non-arbitrary basis for the development of legal norms that limit, direct, and condition the actions of individuals under the law. Is this argument valid? Can there be valid legal norms that are not based on an understanding of the dignity of the person? If so, what would be the basis for the development of these norms? If not, why not?

2. Is there evidence that the UDHR represents a view of the dignity of the person that is found and respected in all cultures? Is the Declaration Universal, as it claims, or is it a product of western ideals and experiences?

3. Read through the excerpted language presented from the Cairo Platform for Action. Using the WYA Declarations, WHO technical language, the Beijing + 5 report and any other documents from this chapter, identify ambiguous language in three or more paragraphs. Provide two or more interpretations for each instance of language you have identified as ambiguous. Propose language that would be more adequate and less ambiguous for each of the statements you have identified.

4. The Cairo Platform for Action is a “consensus” document. This consensus holds moral authority among the member states of the UN, in calling all countries to implement and achieve the targets and goals outlined within the document. 22 Countries, plus the Holy See, placed written reservations on this “consensus” document. Some of the reservations are lengthy, and include reservations on the general interpretation of terms, as well as taking exception to entire paragraphs and sections. What significance do the reservations have for the general acceptance of the Programme of Action? How does this change the aspect of UN documents which are supposed to be consensus documents?
The Priority of Persons
John Finnis

*So, since all law is made for the sake of human beings, we should speak first of the status of persons.*

Justian, *Digest* 1. 5. 2

*Knowledge of law amounts to little if it overlooks the persons for whose sake law is made.*

Justian, *Institutes* 1. 2. 12

What it is to be a person, and why it matters that one is, are issues no longer thematic in general accounts of law. But the very concept of law, of an existing and projected reality profoundly, and deliberately, different from both anarchy and tyranny is shaped by the recognition that (i) we human beings are all persons and each other's equals in that respect even if in no other; (ii) persons of sufficient maturity and health can understand and communicate what they and other persons mean, and can intend and choose many other ways of behaving, too; and (iii) persons, their well-being, and their intentions matter in ways that nothing else in our environment does. This essay outlines some reasons for bringing these issues, rather neglected in modern jurisprudence, back into focus.

I LAW IS 'FOR THE SAKE OF . . .'

Hart's rejection of 'the positivist thesis that "law may have any content"' appealed to the 'natural necessity' of 'the minimum forms of protection for persons, property, and promises which are . . . indispensable features of municipal law', 'if it is to serve the minimum purposes of beings constituted as men are'. A 'natural' necessity of this kind is in the first instance a rational necessity. As Hart himself remarks, his discussion of the minimum content of law is trying to identify 'the distinctively rational connection between natural facts and the content of legal and moral rules'. And this 'connection' is 'rational' given the 'minimum purposes' or 'natural aims' of 'beings constituted as men are'. The rationality, then, is that of practical reasoning - reasoning along the following lines (for example): we want to survive; but, given that we are vulnerable and the altruism of others is limited, we cannot survive without rules prohibiting the free use of violence; so such rules are necessary and other rules are worthless without these.

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1 *Cum . . . hominum causa omne ius constitutum sit, primo de personarum statu . . . dicemus* (emphasis added, here and elsewhere unless otherwise indicated).
2 *Nam parum est ius nosse si personae quarum causa statutum est ignorantur.*
3 H.L.A. Hart, *The Concept of Law* (Oxford University Press, Oxford, [1961], 2nd edn. 1994) 199. The word omitted is 'similarly', referring to the same 'setting of natural facts and aims, which make sanctions both possible and necessary in a municipal system' (ibid.). The Postscript, ibid. 248-9, seems to retreat from the book’s clear and well argued rejection of the above-described 'positivist thesis': 'I like other forms of positivism my theory makes no claim to identify the point or purpose of law and legal systems as such . . . In fact I think it quite vain to seek any more specific purpose which law as such serves beyond providing guides to human conduct and standards of criticism of such conduct.' But ibid. 251 reverts to speaking of 'aims [besides certainty] which law should cherish'.
4 He called it 'the minimum content of natural law' but meant, rather, the minimum content of positive law (content which, being necessary, one can call natural law).
5 Ibid. 193, where the treatment of the minimum content begins: 'it is important to observe that in each case the facts mentioned afford a reason why, given survival as an aim, law and morals should include a specific content' (Hart’s emphasis).
Though Hart spoke often enough of human beings’ natural aims, plural, his official list of them famously admitted only the aim just mentioned: ‘survival’. Fortunately for jurisprudence, his real list of the minimum purposes which give law and legal system their complex, shaping point tacitly went wider. It included the aims or purposes relative to which people - not least Hart and the readers he anticipated - count certain aspects of ‘pre-legal’ conditions as ‘defects’, defects to which the minimally adequate response is, as Hart argues, the ‘amenity’ of power-conferring rules and the ‘remedy’ of ‘secondary rules’, the amenities and remedies which make law what it essentially is.7

Law, then, is for the sake of serving certain purposes of ‘beings constituted as men are’, and Hart speaks of serving these purposes as law’s point. For Ronald Dworkin, on the other hand, ‘the most abstract and fundamental point of legal practice’ is: ‘to guide and constrain the power of government [by insisting that] force not be used or withheld . . . except as licensed or required by individual rights and responsibilities flowing from past political decisions about when collective force is justified’.8 And Dworkin favours a specific conception of that point, ‘law as integrity’; ‘law insists’, he holds, that collective force be licensed by rights and responsibilities ‘flowing from’ past decisions, in order that the law will thereby benefit ‘society’ precisely ‘by securing a kind of equality among citizens’.9 And rights and responsibilities only ‘flow from’ a political community’s decisions if that community’s practices ‘show not only concern but an equal concern for all members’.10

So law’s point, on Dworkin’s conception, is to serve the interests of ‘citizens’ or (equivalently, it seems) ‘members of the group’ - and if it fails to try to do so, it lacks legitimacy, authority, and obligatory force, and fails to justify the coercion it pretends to justify. Dworkin’s restriction of the point to citizens or members of the community seems deliberate. True, one of his summaries of the equality condition says that the ‘command of integrity assumes that each person is as worthy as any other, that each must be treated with equal concern’,11 and there is mention of the concept of ‘general duties [a group’s] members owe equally to persons outside it’.12 But no such general duty is affirmed as having a place in the account of law’s empire, and in its context the summary’s reference to ‘persons’ seems to be no more than shorthand for ‘members’. Moreover, membership is said to be a matter of ‘genetic or geographical or other historical conditions identified by social practice’.13 (Some elements of American legal history which I recall in section IV make these restrictions noteworthy.)

Thus there are telling differences in the conceptions of law’s point proposed by Hart and Dworkin as internal to the very idea of law. For Dworkin, ‘securing’ an equality understood as incompatible with counting ‘some members as inherently less worthy than others’14 is central to law’s point and idea. For Hart, concern for any such kind of equality, though ‘deeply embedded in modern man’15 and ‘now

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6 Ibid. 191. On his argument here, see my Natural Law and Natural Rights (Oxford University Press, Oxford, 1980) 30-1, 82.
7 See The Concept of Law, n. 3 above, 28, 41-2, 196-7 (on the ‘huge and distinctive amenity’ conferred by the institution of power-conferring rules, ‘one of the great contributions of law to social life’ and ‘a step forward as important to society as the invention of the wheel’); 91-9 (on the remedies required to overcome the defects of a social structure of primary rules of obligation restricting the free use of violence, theft and deception); and 155 (on the union of primary and secondary rules as ‘the “essence” of law’).
9 Ibid. 95-6.
10 Ibid. 200 (Dworkin’s emphasis).
11 Ibid. 213.
12 Ibid. 199.
13 Ibid. 201.
14 Ibid. 201.
15 The Concept of Law, n. 3 above, 162.
generally accepted as a statement of an ideal of obvious relevance in me criticism of law', is extrinsic to the concept of law, and the question whether such concern or criticism is warranted 'cannot be investigated' in his book on that concept. But the contrast between these two theorists is softened by Dworkin’s noticeable unwillingness to affirm that the equality intrinsic to law’s point is the equality of all human beings or of all persons or of any other class of beings identifiable prior to a social practice - a practice, such as the law's, of defining the membership whereby moral and legal rights are 'given'.

II ON LAW AS FOR THE SAKE OF ALL

To the thought that the primary element in law's point is not merely promoting 'survival' but respecting and appropriately promoting the survival of all human beings within its jurisdiction, Hart has a simple response, tirelessly deployed throughout his work. Legal systems, he reminds us, 'have long endured though they have flouted these principles of justice'. Moreover, 'it is conceivable that there might be a moral outlook which did not put individuals on a footing of reciprocal equality'. Well, neither the facts nor the logical possibilities are in doubt. But Hart's own strategy of displaying law as a kind of reason apt for being counted as a common standard for action undercuts this response. Just as fallacious arguments earn a place in a treatise on argumentation only as instances of what, despite appearances and popularity, is really not an argument, so unreasonable kinds of law and legal system should be attended to in legal theory precisely as instances of law diluted with the effluents of what law essentially opposes: the arbitrary exercise of one person's or group's power over other persons and groups. Dworkin is right to hold that 'any full theory of law' will go beyond Hart's explicit and tacit accounts of the benefits which differentiate law from the commands of powerful people, and will include a reference to equality and its moral entailments, 'principles of justice, fairness, and procedural due process'. But, as we have seen, he leaves in shadow the question who is equal, and should be treated as equal, to whom.

Roman law, which long endured though flouting some of the principles of justice, gave its students and practitioners a better account of law's point. The opening sentence of the Institutes directs us towards it: justice, understood precisely as a disposition to act for a certain kind of purpose: 'Justice is the stable and lasting willingness to give to each his right.' 'Each' who? The Birks translation quite properly renders this object as 'to acknowledge all men's rights'. For the closing words of the introductory sections (titles 1-3 of book 1) tell us that law exists 'for the sake of persons', and the following sentence, opening the whole treatise on the law of persons, stakes out the essential position: all men are persons.

Slavery is bluntly defined as the subjection of 'someone' to another's ownership and mastery 'contrary to nature', indeed,
more precisely, 'contrary to natural law/right'.

The requirements of justice-for-persons are thus affirmed and flouted in almost the same breath. No attempt is made to deny that slaves are persons and are their owners’ equals in human nature. The institution is presented not as justified but as a fact of life and a product of the arbitrament of war - of sheer power. The frankness, to be sure, has its limits; the fact is here veiled that slavery as an institution of the law is maintained by sheer power, long after any war or war-captivity, and is imposed upon persons who were never party to war. Law’s point is stated by Roman law’s self-interpretative doctrines, but its implications are not pursued with undeflected practical reasonableness.

Law’s point - what, or better, whom it is for the sake of - is identified in the opening words of Article 1 of the Universal Declaration of Human Rights (1948), adopting the phraseology of the Roman jurists: ‘all human beings are born free and equal in dignity and rights’. Article 1’s subject, ‘all human beings’, is equated with the preamble’s ‘all members of the human family’ and ‘the human person’, so that the reference of the remaining articles, ‘everyone’, ‘all’, and ‘no one’, is clear. So it is all human beings who are ‘equal before the law’ and entitled to its ‘equal protection’ (Article 7); and ‘everyone’ has the ‘right to recognition everywhere as a person before the law’ (Article 6).

III ON RULES AS RELATIONSHIPS OF THE DELIBERATING PERSON TO OTHER PERSONS

What is a rule of law? It is certainly not well defined as an ‘assemblage of signs declarative of a volition’, as Bentham supposed. It is not, indeed, to be defined as any kind of assemblage of signs, for rules of law are no more than evidenced and, in some instances, performatively effected by the assembling of such signs. Nor is it, ultimately, the meaning of a set of signs or of an act of signifying, for, while meaning remains constant, validity and obligatoriness may come and go. In my general account of law, I tried to answer the question:

legal thinking (i.e. the law) brings what precision and predictability it can into the order of human interaction by a special technique: the treating of (usually datable) past acts (whether of enactment, adjudication, or any of the multitude of exercises of public and private ‘powers’) as giving, now, sufficient and exclusionary reason for acting in a way then ‘provided for’. In an important sense the ‘existence’ or ‘validity’ of a legal rule can be explained by saying that it simply is this relationship, this continuing relevance of the ‘content’ of that past juridical act as providing reason to decide and act in the present in the way then specified and provided for.

The explanation is, I think, sound. But we will get still closer to the bottom of the matter if we say that a rule is a relationship between persons. To say that a rule of positive law exists is to say (i) that its subjects (those upon whom it imposes duties or confers powers, etc.) stand in a certain relationship to the class of person who - whose interests - would be served by the rule-subjects’ adherence to their duties or exercise of their powers, etc., and (ii) that those rule-subjects stand in that relationship to persons of that class because they (and in some way also the persons whose interests are thus to be served) stand in a certain

26 Inst. 1. 2. 2.
27 Ibid.: ‘servitutes . . . sunt iuri naturali contrariae - iure enim naturali ab initio omnes homines liberi nascebantur.’
28 There is one exception, Art. 16, which has as its subject ‘men and women of full age’, to signify that marriage is between persons of opposite sex (gender).
29 Natural Law and Natural Rights, n. 6 above, 269 (emphases in original).
relationship to the person(s) whose ‘past juridical act’ therefore provides ‘reason to decide and act in the present in the way then specified and provided for’.

Why give explanatory priority, thus, to the relationship between persons? Well, nothing short of an acknowledgement of the reality and value (‘dignity’) of other persons, as my equals in reality and value, will suffice to make sense of law’s most elementary claims on my attention: its claim to direct certain choices of mine, to override my self-interest in certain respects, to stipulate conditions for lending me its assistance in pursuing my purposes, and so forth.

The history of jurisprudence since Bentham is, in some important respects, the history of failure and regression. The Benthamite strategy of describing, analysing, expounding law as a kind of mechanism supposed to be fully intelligible by reference exclusively to its origin in a ‘volition’ - excluding, that is to say, all reference to its point (i.e. its rationale) - was pursued with unsurpassable pertinacity and ingenuity, across more than half the twentieth century, by Kelsen. Its dénouement was the spectacular debacle in which Kelsen, rightly acknowledging the failure of his legal philosophy from 1911 to 1960 to explain or even coherently describe law’s validity, its normativity, its elementary particle (the norm), and its coherence, severed all links between law and practical reasonableness, embraced even the most open contradiction between legal norms, denied the possibility of legal reasoning even by subsumption of an uncontroversial instance under the corresponding norm, and proposed an admitted fiction as the ‘scientific’ explanation of validity. Kelsen’s lifelong aversion from any resort or reference to practical reasonableness to understand, describe, and interpret law became, in the end, a headlong flight. It was, in the last analysis, an aversion from understanding law as a set of implications of one’s seeing the point of serving - respecting and promoting - other persons, and so their interests or well-being, as equal in dignity and value to oneself and one’s own. But there is, I am suggesting, no other way of understanding law’s claims and directives, their grounds and origins, their force, their limits, and their pathological forms.

IV CONSEQUENCES OF CONSIDERING LAW WITHOUT ACKNOWLEDGING PERSONS AS ITS POINT

Kelsen’s refusal to treat human persons and their interests and well-being as the point of law, a refusal generally shared by analytical jurisprudence from Bentham on, is plainest in his treatment of persons in the law, in the first instance ‘physical (natural) persons’. To say that a human being A has a right ‘means only that certain conduct of the individual A is the object of a legal right . . . that certain conduct of the individual A is, in a specific way, the contents of a legal norm’. Likewise, of course, with A’s duties. Hence: ‘[i]n juristic considerations we are concerned with man only insofar as his conduct enters

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31 Hans Kelsen, General Theory of Norms (trans. Michael Hartney, Oxford University Press, Oxford, 1991) 214 (‘[a]s far as conflicts between general norms are concerned, it is not the case-as I claimed in my Pure Theory of Law- that a conflict of norms which cannot be resolved by the principle Lex posterior derogat legi priori makes no sense . . . Each of the two general norms makes sense and both are valid.’), 223-5.
32 Ibid. 232-8.
33 Ibid. 256 (‘the assumption of a Basic Norm - for instance, . . . the Basic Norm of a legal order, “Everyone is to behave as the historically first constitution specifies” - not only contradicts reality, since there exists no such norm as the meaning of an actual act of will, but is also self-contradictory. . . . The cognitive goal of the Basic Norm . . . can be attained only by means of a fiction.’)
35 Ibid. 94.
into the contents of the legal order.\textsuperscript{36} ‘The person exists only insofar as he “has” duties and rights’ (these rights pertaining, remember, only to that same person’s own conduct); ‘apart from them the person has no existence whatsoever.’\textsuperscript{37} So:

That man and person are two entirely different concepts may be regarded as a generally accepted result of analytical jurisprudence. . . . the physical (natural) person is the personification of a set of legal norms which by constituting duties and rights containing the conduct of one and the same human being regulate the conduct of this being. The relation between the so-called physical (natural) person and the human being with whom the former is often erroneously identified consists in the fact that those duties and rights which are comprehended in the concept of the person all refer to the behavior of that human being.\textsuperscript{38}

In short: juristic thought as such knows nothing of any human person save that person’s conduct as specified in legal norms, and does not have as its primary or any concern the interests and well-being of this or any other person.

In the decades of Kelsen’s greatest influence, judges confronted by the practical problems of identifying law and rights after revolution turned to Kelsen’s account of revolutionary transition. They found no guidance, but some material for rationalizing conclusions reached on other grounds.\textsuperscript{39} So too, Kelsen’s treatment of the person has been called upon to rationalize judicial abdication from such disciplined and critical concern with the interests and well-being of real people.

Of course, such an abdication can and has, from time to time, occurred without the aid or encouragement of analytical jurisprudence. Among the most striking examples is the justly infamous judgment of the Supreme Court of the United States in Scott v. Sandford (1857), holding that members of ‘the African race’ imported into or born in the United States (whether or not they had become free) were not citizens of the United States, and could never be made citizens by Congress even under its undoubted power of naturalization.\textsuperscript{40} The decision rested on the fact that, at the time of the Declaration of Independence (1776) and the founding of the Constitution (1789), public opinion - real enough though the Court vastly exaggerates its unanimity - considered that ‘the negro might justly and lawfully be reduced to slavery’ as ‘beings of an inferior order’.\textsuperscript{41} At the time of the framing and adoption of the Constitution, ‘neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free’ had any ‘rights or privileges but such as those who held the power and the Government might choose to grant them’.\textsuperscript{42} And ‘the duty of the court is . . . to administer [the instrument they have framed] as we find it, according to its true intent and meaning when it was adopted.’\textsuperscript{43} The Court’s radical failure, then, was to approach its duty of doing justice according to law without recognizing that law, the whole legal enterprise, is for the sake of persons, and that the founders’ intentions were therefore to be interpreted - not, as the Court did, so as to promote their background prejudices (from which the Court dissociated itself) against the people they wished to treat as mere property, but rather - in favour of the basic interests and well-being of every person within the jurisdiction so far as was possible without contradicting the Constitution’s provisions.
A post-Kelsenian version of *Dred Scott* can be found in the judgment of the New York Court of Appeals in *Byrn v. New York City Health and Hospitals* (1972). Discussing the status of children before birth, the Court says:

What is a legal person is for the law, including, of course, the Constitution, to say, which simply means that upon according legal personality to a thing the law affords it the rights and privileges of a legal person (e.g. Kelsen, General Theory of Law and State, pp. 93-109; Paton, Jurisprudence [3d ed.], pp. 349-356, esp. pp. 353-354 as to natural persons and unborn children; Friedmann, Legal Theory [5th ed.], pp. 521-523; Gray, The Nature and Sources of the Law [2d ed.] ch. II). The process is, indeed, circular, because it is definitional. Whether the law should accord legal personality is a policy question which in most instances devolves on the Legislature, subject of course to the Constitution as it has been 'legally' rendered... . The point is that it is a policy determination whether legal personality should attach and nor a question of biological or 'natural' correspondence. 44

The judgment concludes: '[t]here are, then, real issues in this litigation, but they are not legal or justiciable. They are issues outside the law unless the Legislature should provide otherwise.' 45 Like the Supreme Court's presumptionless positivism in *Dred Scott*, this New York judgment foreshadows the Supreme Court's holding, six months later, in *Roe v. Wade* (1973), that children *en ventre sa mère* are not persons 'within the meaning of the Fourteenth Amendment'. 46 The Court's reasoning to this holding simply recites the uses of 'person' in the Constitution, remarks that 'none indicates, with any assurance, that it has any possible pre-natal application', adds (quite misleadingly) 47 that 'throughout the major portion of the 19th century prevailing legal abortion practices were far freer than they are today', and then simply says that these two facts 'persuade us' of the conclusion. 48

What we see in these cases is a notable failure of judicial reasoning, of intellectual and moral responsibility in face of the law's most fundamental point and meaning: the service of persons. Here, where juristic thought should be most fully and carefully deployed, we find abrupt ukase. The failure and the abruptness are not peculiar to the court's dealings with the unborn. In 1886 the Supreme Court was asked to settle the question whether the 14th Amendment's provision forbidding any state to deny the equal protection of the laws to any person within its jurisdiction applies to corporations. Its judgment in *Santa Clara County v. Southern Pacific Railroad Co.* is prefaced by the answer: '[t]he court does not wish to hear argument on the question... . We are all of opinion that it does.' 49 As Justices Black and Douglas observed in 1949, 'there was no history, logic, or reason given to support that view. Nor was the result so obvious that exposition was unnecessary.' 50 But though this dissenting judgment of Black and Douglas JJ deploys powerful reasons against that 'result', developing the reasons deployed many years earlier in another dissent by Black J, 51 neither the Court itself nor any Justice supporting the result has ever added even a single sentence of justification to the ukase of 1886. Perhaps we should not be surprised, though we are entitled to be dismayed, that no Justice has ever tried to reconcile the 'conclusion' in *Roe* with the 'result' in *Santa Clara*. 52

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44 286 NE 2d 887 at 889, per Breitel J for the Court (5: 2).
45 286 NE 2d at 890.
46 410 US 113 at 157, per Blackmun J (7: 2). At 162 Blackmun J quotes verbatim, though without acknowledgement, a whole sentence from *Byrn* at 888.
49 118 US 394 at 396.
As Black and Douglas JJ remark, after demonstrating the arbitrariness of the Court’s checkerboard rulings about the application to corporations of the 14th Amendment’s several uses of ‘person’ and ‘citizen’, and the good sense of a finding that the Amendment’s protection is of human beings, natural not artificial persons: ‘[h]istory has gone the other way’. To which they add, however, that it is not too late for the Court to overrule its error on ‘a question of vital concern to the people of the nation’. It is increasingly accepted, by legislative and judicial authorities in most US states, that the unborn child is entitled to protection and remedies in tort even if born dead, and likewise to the protection of the criminal law. These developments, though restricted rather arbitrarily by the constitutional maternal rights declared by the Supreme Court in Roe, mark a retreat from simple refusal to take account of the realities of personal existence before birth.

V ON NATURAL AND ARTIFICIAL PERSONS IN LAW

In a realistic moral, political, or legal analysis of human associations and their actions, ‘personality’ is a distracting metaphor. For it is a metaphor always tugged between its two historic sources. On the one hand, there is persona as mask; to this corresponds the law’s carefree attribution of legal personality to anything that figures as subject (topic) of legal relations, particularly of property and/or litigious relationships: idols, funds, parcels of property on the quayside, the Crown, and so forth. On the other hand, there is persona as individual substance, of a rational nature, to this corresponds nothing (save metaphorically) in the many orderings of human interaction and association which we call groups - nothing except the people who are members. Still, there is a link between these two sources and poles of meaning of ‘person’. For the actor’s mask is or creates an assumed identity. But a being of a rational nature can, with sufficient health and maturity, make choices (because understanding different kinds of benefit and different ways to one and the same benefit), and by making choices one shapes one’s character/identity - one comes to have, and in that sense assumes, a personal identity (one’s character). A day-old baby has - radically, albeit not yet in actually usable form - this capacity to choose (with such self-determining, intransitive effects). A mouse, whether day-old or mature, lacks that radical capacity, though even as a day old embryo it has the radical capacity, unlike an acorn or an oak seedling, to run.

Hart recommended that we ‘put aside the question “What is a corporation?”, and ask instead “Under what types of conditions does the law ascribe liabilities to corporations?”’, since this would, he thought, clarify ‘the precise issues at stake’ in ‘extension to corporate bodies of rules worked out for individuals’. The advice to look for the truth conditions of propositions, to understand analogies, and to seek for the principle upon which rules are extended from one context to another was sound. But it was

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52 337 US at 580, 581.
54 ‘Persona est rationalis naturae individua substantia’: Boethius, De Duabus Naturis c. 3 (Migne, Patrologia Latina 64, 1343); see Aquinas, Summa Theologiae I q. 29 a. 1.
55 Here and elsewhere in this essay I use ‘group’ in the second, more specified sense of that highly ambiguous term, whose two basic poles of meaning are (i) class or category, regardless of cohesiveness, cooperation or interaction, e.g. all women in Pakistan (held to be a ‘particular social group’ for the purposes of the Art. 1A(2) of the Convention relating to the Status of Refugees (1951): R. v. Immigration Appeal Tribunal, ex parte Shah [1999] 2 WLR 1015), and (ii) a number of persons who coordinate their activity over an appreciable span of time by interactions with a view to a shared objective (see Tony Honoré, ‘What is a Group” in his Making Law Bind: Essays Legal and Philosophical (Oxford University Press, Oxford, 1987), Finnis Natural Law and Natural Rights, n. 6 above, 150-3).
mistaken to assume that such techniques of analysis would dissolve the underlying question whether corporations are entities in the same plane of reality as the human persons whom Hart referred to by his term ‘individuals’. The suppression of that question, a suppression implicitly defended if not proposed by Hart, opens the way to the agnosticism, arbitrariness, and consequent injustice of cases such as Byrn v. New York City Health and Hospitals.

Without doubting or challenging the legal rules which distinguish a corporation’s rights and liabilities from those of its members, one can make more progress in understanding the relevant realities and interests by first going beyond and behind Hart, to Hohfeld’s masterly demonstration that ‘transacting business under the forms, methods, and procedure pertaining to so-called corporations is simply another mode by which individuals or natural persons can enjoy their property and engage in business’. One does not well understand corporate liability (or rights, duties, etc.) until one understands how the liabilities etc. of human persons, such as shareholders, directors, employees and other agents, are implicated and affected. The same will be true of the rights and liabilities of other juristic entities such as idols, parcels of goods, etc.; these rights and liabilities are not well understood until one can point, directly or through corporate intermediaries, to individuals with control over ascertainable funds, and so forth.

Hohfeld’s more famous analysis of jural relations, though making possible (with a few further specifications) a complete analysis of such relations between persons at any given moment, still leaves something to be explained in terms of the continuity and rationale of rights. Similarly, his demonstration that a corporation’s rights etc., as they exist at any moment, are analysable without remainder into individuals’ rights etc. should not be understood as showing that a group of persons has no reality. A human group or community has all the reality of group action, as well as of the group’s members’-human persons’-acts and dispositions to act, dispositions which are manifested in the members’ readiness to participate in, and emotional responsiveness to, the group’s action, for the sake of the good(s) which give(s) point to that action. That is to say, the reality of a group is the reality of an order of human, truly personal acts, an order brought into being and maintained by the choices (and dispositions to choose, and responses to choices) of persons. A group’s act is defined by its ‘public’ proposal - i.e. by the form in which it is proposed to members of the group, for them to participate in or not. Social acts, though irreducible to the acts of people in the acting group, are constituted exclusively by those acts-acts of individual human persons.

VI ON PERSONS AS PRIMARY BEARERS OF MEANING AND OBJECTS OF INTERPRETATION

58 Note that, as Hohfeld incidentally makes clear, the distinction between bodies formally incorporated and unincorporated associations is in many respects much less clear-cut than is often supposed. There is evidence of this in the provisions of the Interpretation Act 1978, s. 5 and Sched. (adapted from the Interpretation Act 1889 s. 19): ‘[i]n any Act, unless the contrary intention appears . . . “Person” includes a body of persons corporate or unincorporate.’ Notice also that this definition would be mired in an infinite regress but for the fact that the term ‘person’ also ‘includes’ individual persons such as those who are the paradigmatic members of bodies, corporate or unincorporated, of persons.
59 See e.g. Finnis, Natural Law and Natural Rights, n. 6 above, 201-2.
Interpretation is primarily and focally a matter of trying to understand the person or persons whose utterance or other significant performance is under consideration. Decided entirely by Oxford members of the House of Lords, Mannai Investment Co. Ltd. v. Eagle Star Life Investment Co. might be deemed an Oxford essay in jurisprudence. Does ‘12th’ mean 13th? At large, it clearly does not. But someone who uses the word ‘12th’ may in fact mean 13th, and a proper interpretation of that person’s use of the word, in the relevant and properly admissible circumstances of the utterance, may determine that that, being what the person meant to convey and would reasonably have been understood to mean to convey, was the utterance’s real meaning, properly construed. As Lord Hoffmann says, ‘It is a matter of constant experience that people can convey their meaning unambiguously although they have used the wrong words.’ It is true, he adds, that:

The law is not concerned with the speaker’s subjective intentions. But the notion that the law’s concern is therefore with the ‘meaning of his words’ conceals an important ambiguity. The ambiguity lies in the failure to distinguish between the meaning of words and the question of what would be understood as the meaning of a person who uses words. . . . When . . . lawyers say that they are concerned, not with subjective meaning but with the meaning of the language which the speaker has used, what they mean is that they are concerned with what he would objectively have been understood to mean. This involves examining not only the words and the grammar but the background as well. So, for example, in Doe d. Corv. Roe (1802) 4 Esp 185, 170 ER 685 the landlord of a public house in Limehouse gave notice to quit ‘the premises which you hold of me . . . commonly called . . . the Waterman’s Arms’. The evidence showed that the tenant held no premises called the Waterman’s Arms; indeed, there were no such premises in the parish of Limehouse. But the tenant did hold premises of the landlord called the Bricklayer’s Arms. By reference to the background, the notice was construed as referring to the Bricklayer’s Arms. The meaning was objectively clear to a reasonable recipient, even though the landlord had used the wrong name. . . .There was no need to resort to subjective meaning.

In an academic essay in jurisprudence, there is no need to employ the rather misleading lawyers’ jargon of ‘subjective’ and ‘objective’. But Lord Hoffmann’s meaning emerges clearly despite that lawyerly opacity. As he put it later: ‘words do not in themselves refer to anything; it is people who use words to refer to things’. And again: ‘[i]n this area [commercial contracts] we no longer confuse the meaning of words with the question of what meaning the use of the words was intended to convey’. The decision of the House was that, similarly, a notice to terminate a lease ‘on 12 January 1995’ unambiguously conveyed, in all the circumstances of the giving of the notice (including such circumstances as the terms of the lease itself) - as they would have been apparent to and considered relevant by a reasonable bystander at the time - the intention to terminate the lease on 13 January 1995. For that was what a reasonable person aware of the relevant background would have understood to have been the intention and therefore the meaning of the person giving the notice. Since the law is for the sake of persons, and its rules are fundamentally relationships between persons, it is a mistake to try to understand legal interpretation on the model of the creation and representation, recital, or rendering of works of art. So, if jurists seeking to understand the

61 [1997] AC 749, [1997] 3 All ER352. The Lords divided 3:2, with the two University College judges in the majority (supported by a Scot from Corpus Christi College).
62 At 376. Lord Goff, dissenting, accepts that Doe d Corv. Roe was rightly decided - i.e. that the court in that case ‘properly construed’ the notice - and he does not succeed in explaining satisfyingly why the majority’s construction of the notice in Mannai itself is not equally ‘proper’.
63 At 378 (his emphasis).
64 At 380. On interpreting commercial contracts, see also Investors’ Compensation Scheme Ltd v. West Bromwich Building Society[1998] 1 WLR 896, [1998] 1 All ER 98 at 114e-116f, per Lord Hoffmann.

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place of interpretation in law were obliged to choose between ‘conversational’ and ‘artistic’ models, they
would be well advised to choose the conversational. But the alternatives are not exhaustive.

Like participants in conversation, legal interpreters seek to understand the author who, in making
some statement, has exercised a private power or public authority. But legal interpreters are entitled and
required to treat that statement, especially when made in the exercise of the public powers of legislation or
adjudication, as taking its place in the legal system as a whole - in a complex of persons and their
institutions, as well as of principles and rules, including techniques and conventions of drafting and
interpreting, all presumptively oriented towards justice and common good.

Dworkin has proposed that the political, legally organized community be personified, so that such cohering
with a larger whole, like integrity of personal character, be taken as axiomatically required.\(^{66}\) The proposal
shows vividly enough that his general assimilation of legal with artistic rather than conversational
interpretation is a choice of the less fitting of the two models he puts forward as the alternatives. True, in
legal interpretation as in conversation the intent of the author really matters, as the very concept of
authority to make or declare law entails.\(^{67}\) But a properly juridical interpretation will not be as ready to
consider authoritative an unjust as it will a just meaning. Thus it differs from sensible conversationalists,
who like good historians are quick to detect, and not too ready to overlook, their interlocutors' perhaps
vicious purposes and deficiencies of personal character.

VII ON THE NATURE OF PERSONS AND THE GROUND OF THEIR RADICAL EQUALITY

What, then, are the ‘natural facts’ which should inform juristic thought about the persons whom
law exists to serve? What is this human nature, which in its bodiliness is known to lawyers as injured in
crimes and torts, and sustained by the resources always somehow disposed of in property rights
(howsoever artificial); and which in its irreducible intellectuality is known to us as the maker of signs,
signatures, and meanings, and subject of intentions? Here jurisprudential reflection can helpfully go back
to its origins, perhaps in Plato’s reflections on the trial and execution of Socrates. In the act of (say)
speaking to my partner in discourse - perhaps, the court I am addressing as advocate, or the client I am
advising as jurisconsult - I understand my utterance as the carrying our of a choice which I made, and in
the same act I am aware of my audible uttering, see the hearers register their comprehension, feel (say)
confidence or anxiety, remember a past misunderstanding, and hope my statement will make my point.
This experience of the unity (including continuity) of my being - as a feeling, willing, observing,
remembering, understanding, physically active and effective mover or cause of physical effects and equally
an undergoer and recipient of such effects - is a datum which philosophical exploration of human and
other natural realities can adequately account for only with great difficulty and many a pitfall. Still, prior to
all accounts of it, this intelligible presence of my many - faceted acting self to myself is a datum of
understanding, one and the same I - this human being - who am understanding and choosing and carrying
out my choice and sensing, etc., is a reality I already truly understand, albeit not yet fully (explanatorily,
with elaboration). (Indeed, it is only given this primary understanding of one’s understanding, willing, and
so forth, that one can and typically does value such understanding, freedom, voluntariness, unity of being,
and so forth.)

\(^{66}\) Law’s Empire, n. 8 above, 167-75; see also e.g. 225: ‘[t]he adjudicative principle of integrity instructs judges to identify legal
rights and duties, so far as possible, on the assumption that they were created by a single author - the community personified -
expressing a coherent conception of justice and fairness.’

\(^{67}\) See Joseph Raz, ‘Intention in Interpretation’ in Robert P. George (ed.), The Autonomy of Law
So, as Aristotle and (plainly) Aquinas argue more or less explicitly, any account proposing to explain these realities must be consistent with the complex data it seeks to explain, data which include the proposer's performance, outward and inward, in proposing it. It will not do to propose (as many today propose) an account of personhood such that spirit-person and mere living body are other and other, for 'spirit-person' and 'mere living body' are philosophical constructs neither of which refers to the unified self, the person who had set out to explain his or her own reality. Both of these constructs purport to refer to realities which are other than the unified self yet somehow, inexplicably, related to it.

The only account which meets the condition of consistency with the explainer's own reality and performances will be an account along the lines argued for by Aristotle and Aquinas: the very form and lifelong act(uality) by which the matter of my bodily make-up is constituted the unified and active subject (me myself) is a factor, a reality, which Aristotle (after Plato) calls psyche and Aquinas calls soul (anima). In the human animal - the very same animal whose interests in every individual case are to be taken equally into account, in Plato's as in present-day ethics aspiring to be 'postmetaphysical' - from the very outset of his or her existence as human, it is this one essentially unchanging factor, unique to each individual, which explains (1) the unity and complexity of the individual's activities, (2) the dynamic unity in complexity - in one dimension, the programme - of the individual's growth as embryo, foetus, neonate, infant . . . and adult, (3) the relatively mature individual's understanding of universal (e.g. generic) immaterial objects of thought (e.g. classes of entities, or truth and falsity of propositions, or soundness/unsoundness in reasoning), and (4) this unique individual's generic unity with every other member of the species. In members of our species the one factor unifying and activating the living reality of each individual is at once vegetative, animal (sentient and self-locomotive), and intellectual (understanding, self-understanding, and, even in thinking, self-determining by judging and choosing). Of course, the manifold activations of these bodily and rational powers are variously dependent upon the physical maturity and health of the individual. But the essence and powers of the soul seem to be given to each individual complete (as wholly undeveloped, radical capacities) at the outset of his or her existence as such. And this is the root of the dignity we all have as human beings. Without it claims of equality of right would be untenable in face of the many ways in which people are unequal.

This metaphysics of the activity of discourse, advocacy, adjudication, lecturing, and writing enables jurisprudence to stabilize its most fundamental concepts: the good which, because it is the good of members of a group who all are persons, can and should be a common good, and the rights which justice essentially consists in respecting and promoting unyieldingly.

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70 On personal unity and identity as actuated in the activity of writing, see Finnis, 'Persons and their Associations', n. 58 above, at 267-8.
Life is dynamic, and so are man and human society. One characteristic of dynamism is that it generates friction, and in terms of social values that means difference and very often dispute. Difference, or, let us say, the right to differ, lies at the root of all knowledge, inquiry, investigation, research and progress. While, therefore, we must strive to safeguard the right to differ, to question, to dissent and on occasion even to protest, we must at the same time strive to secure that our differences, in every sphere - religious, philosophical, scientific, social, economic, political or whatever, should act and react beneficently and not destructively. When they threaten to become acute they must be regulated, and must be sought to be resolved or adjusted through the adoption of agreed peaceful procedures. This means, broadly, that we must all submit voluntarily or, if needed, reluctantly and even under constraint, to what has come to be described as the rule of law.

The Declaration of Human Rights does not, in the accepted juristic sense of the term, constitute a “law”. It stands, nevertheless, as a shining milestone along the long, and often difficult and weary, path trodden by Man down the corridors of History, through centuries of suffering and tribulation, towards the goal of freedom, justice and equality. Man’s struggle for freedom, justice and equality has been waged in all ages and in many fields and theatres, with varying fortunes. Each of these battles, and the ground won in each, have, in turn, forwarded the cause of Man and have contributed towards the formulation and adoption of the Declaration, which is entitled to rank with the great historical documents and Charters directed towards the same objective.

Some of the written Constitutions, more particularly those of certain newly independent States, have incorporated the substance of several of the articles of the Declaration as substantive provisions, and others have set forth some of them as Directives of State policy. In the former case the relevant provisions have become justiciable and are thus enforceable through judicial process. This is encouraging, so far as it goes; but it is only a beginning. Much remains to be achieved in that regard, as well as in other respects.

At this stage the main effort must continue to be directed towards obtaining wider recognition of the need to insure that human rights shall carry with them sanctions which would serve to make these rights enforceable through judicial process. For this purpose, the principal instrument which should be availed of is the national legislature of each State, which should, through appropriate constitutional and legislative processes, invest human rights with legal sanctions enforceable through the national judicial system. This process would, however, prove effective only in the case of States in which resort to judicial process is not unduly restricted and the process is guaranteed to take its due course without let or hindrance. In other words, a free and independent judiciary is a sine qua non for the effective safeguarding of human rights and for guaranteeing freedom, justice and equality.

Legislative action at the national level, supported by a free and independent judiciary, would go a very long way towards securing the desired objective, but would need to be supplemented by provision for recourse, by way of appeal or review, and in suitable cases even by original motion, to regional tribunals and ultimately to an International Tribunal. Recourse to a regional or to the International Tribunal at the initial stage should, however, be available only in cases where no remedy has been provided for at the national level. Exhaustion of remedies available at the national level must be a condition precedent without fulfilment of which recourse should not be open to a regional or International Tribunal. In the absence of such a provision, the harmonious working of a system of national, regional and International Tribunals might prove both cumbersome and difficult.
Regarding legislative provisions embodying human rights, it must be remembered that the Declaration of Human Rights is not a draft Bill and cannot serve that purpose. While some of the articles of the Declaration embody clear-cut, concrete provisions and could, with slight verbal alterations, be incorporated in a draft Bill, the rest only give expression to the ideal or objective to be achieved through administrative action, possibly in stages, supported and strengthened by legislative authority. The pace and tempo in each region and country would be dependent upon many and varying factors - social, cultural, economic - and uniformity could not reasonably be insisted upon. Nor would it be wise to call for literal compliance with every article of the Declaration. Some of these, pertaining to the social and cultural fields, may, in certain systems and disciplines, be acceptable in the spirit, while calling for some modification, limitation or explanation of their scope, meaning and operation before they could be cast in the legislative mould. So long as the purpose underlying them could be carried into effect, adaptation to particular social and cultural systems and patterns would be beneficent rather than harmful. This is the Age of Man. Man is beginning to be conscious of his own position in the universe and demands that his personality and dignity shall be accorded due recognition and respect. He is beginning to take note of that which his fellow beings, society and the State owe to him and of that which, in turn, he owes to them. This process needs to be stimulated and accelerated. This consciousness needs to be aroused where it may still be lacking and to be sharpened where it has been awakened. In this context emphasis must be laid on man's obligations and duties towards his fellow beings as the principal means of securing his own rights, freedom and privileges, for they are the obverse and reverse of the same coin. To the degree to which each of us fulfils and discharges his own duties and obligations towards his fellow beings, he promotes the climate in which human dignity, freedom and equality may flourish and achieve their consummation.

How is it that in the last half of the twentieth century, after having passed through the shattering and devastating experience of two world wars and in the shadow of a nuclear holocaust, despite all the effort that has so far been put forth to the contrary, man continues to be the victim of discrimination, intolerance and cruelty at the hands of his fellow man? One would have thought that man's daily increasing knowledge of the working of the laws of nature and his growing mastery over the forces of nature, which have opened for everyone of us the prospect of a richer, fuller and happier life, would have brought in their wake an era in which man could dispense with the weapons of greed, selfishness, exploitation and dominance which had so far been regarded, albeit utterly erroneously, as contributing towards the welfare and prosperity of those who were, from time to time, in a position to employ them. For, indeed, the truth is daily becoming more manifest, as experience in every field continues to furnish fresh confirmation, that the prosperity of all is promoted through mutual sharing and co-operation rather than through the exploitation and domination of some by others. It must be our constant endeavour to bring this home to all in every corner of the globe.

While, therefore, it is not only necessary but essential that we should intensify and multiply our efforts towards the safeguarding of human rights through executive, administrative, legislative and judicial processes, we must all, individually and collectively, strive continuously to deepen our consciousness of the duties we owe to each other at the moral and spiritual levels.

For the Muslims, and indeed for all mankind, Islam seeks to stimulate and deepen that consciousness. It emphasizes our duties and obligations, so that each of us, by due discharge of them, should help to safeguard freedom, justice and equality for all and should promote and foster human welfare and prosperity in all spheres - social, economic, moral and spiritual. It seeks to establish a pattern of society which, in all the changing and developing circumstances of a dynamic world, would maintain its character of beneficence in all spheres of life - individual, domestic, national and international. For this purpose it furnishes us with a framework of beliefs, duties, obligations, exhortations and sanctions. It also provides us with guidance at all levels and in all fields.
The Prophet’s functions are described in the Quran as, the creation and strengthening of faith through drawing attention to Divine Signs, the moral and physical uplift of the people, teaching them the Law and furnishing them with guidance and expounding the philosophy underlying the Law and the guidance (62:3).

It should be noted that the Quran prescribes only those details which are essential. It thus leaves considerable room for development and safeguards against restrictive rigidity. Indeed, it warns against seeking the regulation of everything by express Divine command, as that might make the framework rigid and inelastic and therefore burdensome. "O ye who believe, do not keep asking about things which, if they were expounded to you, would become troublesome for you . . . Allah has left them out. Allah is Most Forgiving, Forbearing. A people before you made such demands, and when they received the directions they repudiated them" (5:102-3).

That which Allah has "left out" is meant to be devised, in accord with the prescribed standards and values and in consonance with the framework, through mutual consultation (3:100; 42:39) to meet the need when it should arise, always bearing in mind that the overall standard is that ma’roof, equity, is to be fostered and munkar, iniquity, is to be eschewed.

When the Prophet appointed Mu’az as Qazi of Yemen, he asked him what rule he would follow when he had to make a decision. Mu’az said he would look for the rule in the Book of Allah. "And if you do not find the answer in the Book?" queried the Prophet. "I shall seek for it in the example of the Prophet." "And if you still lack an answer?" "I shall exercise my own judgment." "That is the right way," he was assured by the Prophet.

The whole vast, elaborate system of Muslim jurisprudence has been developed along those lines. In fact Islam stimulated and released so effervescent and variegated an intellectual ferment that, to confine oneself to the field of jurisprudence alone, within a very brief period several Schools of Jurisprudence flourished within the rapidly widening expanse of the Islamic State. Four of them, the Hanafi, Maliki, Shafei and Hanbali (all of the Sunni persuasion) still maintain their pre-eminence and hold their sway in regions where Islamic Law is administered.

The great Imams of Jurisprudence, Sunni and Shii alike, and also those of other persuasions, together with their eminent disciples and a host of those who followed after them have, through their unremitting labours sustained through centuries, not only enriched and embellished Muslim Jurisprudence, but made an invaluable contribution to the development of the Science of Law and to what that eminent international jurist, C. Wilfred Jenks, has called the Common Law of Mankind. They have thus laid the juristic world under a heavy debt of gratitude.
Much of the day today will be dedicated to the extraordinary generation of men and women of 1948, and the immensely important contribution that was made by Latin Americans to the birth of the modern international human rights project in the 20th century. The depth and breadth of their commitment, and the particular accent that they gave to the understanding of human rights, are all remarkable – so much so that one is naturally led to ask where it came from. Such traditions do not emerge overnight. My brief reflection on the historical roots of the human rights idea in Latin America is not intended merely to be an academic exercise, however; it is a form of memory in the sense of a recollection of the past that makes it present and living again, and that anticipates the future. As T.S. Eliot put it, “Time present and time past/ Are both perhaps present in time future,/ And time future contained in time past.”

This way of thinking about the relevance of history to the contemporary human rights project and its future can perhaps be captured more concretely by considering the example of a fascinating novella by the 20th century German author Reinhold Schneider. In English, the book was published under the title Imperial Mission, although a more literal translation of the German title would be something like Las Casas before Charles V. In it, Schneider tells the story of Bartolomé de las Casas, the 16th century missionary and later bishop of Chiapas who championed the cause of justice for the indigenous peoples of the Americas. But the story is really about much more than that. It is a story about conscience, power, and justice, told through the intersection of the lives of Las Casas and the Emperor Charles V, before whom Las Casas pleads his case against enslavement and exploitation. It is also the story of an old soldier, Bernardino, whom Las Casas meets on the transatlantic voyage. Bernardino is sorrowful and repentant for his role in the abuse of the Indians. But of particular poignancy is Bernardino’s description of the way that he first came to realize how deeply he had betrayed the native people. He began to see and understand the world through the eyes of a young Indian girl, Lucaya, whom he had taken as a slave. The definitive turn of conscience comes when Bernardino sees her praying in the chapel. He remarks, “From that day on, I was no longer able to look upon Lucaya merely as a woman I had brought to live with me as was then customary with my compatriots. I understood that there was something in her that I could never possess and that I had to respect.” It was his realization, in a human encounter, of the meaning and inviolability of human dignity.

What makes the book significant to the discussion today is not its status as a great work of literature – though it is certainly a good read. Nor is it even a particularly accurate history of Las Casas – in fact it is somewhat imprecise and jumbled in its facts and chronology, and is rather anachronistic in some of the ways that Schneider has his characters speak (for example, referring to the difference between “natural

rights” and “the rights of the State”). Yet, that anachronism is the key to what is more interesting about the book. It was written in 1938, and it is clearly meant as a meditation on what Schneider saw happening around him in Nazi Germany. Two years later, the Nazi regime prohibited Schneider from writing or publishing, though he continued to do so illegally as part of the Catholic resistance movement.

It is this sort of history that is necessary to human rights today and in the future. Without it, principles of law become simply artifacts or else pure abstractions, not a living tradition, concrete and connected to the story of a people, and their communities. It is in this spirit that I would like to trace in broad strokes the historical development of the idea of human rights in Latin America. Obviously, five centuries of the history of a continent provide much too much data to pretend to be exhaustive. Rather, I would like to focus merely on three key historical antecedents of the generation of 1948 — moments that I believe were critical watersheds in giving the Latin American human rights tradition its particular cast.

The first is the same one with which Reinhold Schneider undertook his critique of Nazism. Although the modern idea of human rights had a period of gestation lasting millennia, it would be fair to say — even if it is not commonly recognized — that its birth was in the encounter between sixteenth century Spanish neoscholasticism and the New World. If that encounter were embodied in a single person, it would be Bartolomé de Las Casas. Las Casas had first come to the Indies from Spain in 1502, at age 18, and after returning to Spain four years later to continue his studies, he was ordained to the priesthood. He spent two years after his ordination studying canon law (which would prove to be extremely important for his contribution to the incipient language of human rights later in his life). He then returned to the New World as a chaplain on the Spanish conquest of Cuba, and took up residence on Hispaniola. Like many other Spaniards in the West Indies, including clerics, he lived off the toil of the Indians of his encomienda — the system by which Spanish colonists were given tracts of land and the rights to the forced labor of the native people in return for a promise to instruct them in the faith. But after a profound conversion of conscience, Las Casas arranged to free his slaves and began instead a lifelong, passionate devotion to the cause of just and humane treatment of the indigenous people.

After an early experiment in founding a model community of peaceful farmers and traders turned out to be a spectacular failure, Las Casas entered the Order of Preachers — at the time, the foremost critics of Spanish brutality in the Indies — and turned toward the more characteristically Dominican habits of study and reflection. He spent most of the next decade and a half serving the cause of the Indians by producing a flood of treatises, memorials and testimonies before emerging from this self-described “slumber” to become active again as the “Protector of the Indians,” the official state office to which he was appointed by the crown. He crisscrossed Spanish America, campaigning against conquest, and traveled on many occasions to Europe to plead his case before the court. Las Casas’ arguments against the encomienda system and the sensational accounts of the cruelty and neofeudalism of the conquistadores in his History of the Indies persuaded Charles V to promulgate the New Laws in 1542. These were supposed to ensure that no more Indians would be enslaved, and were intended to deprive officials of their encomiendas, although the implementation and enforcement of the New Laws proved to be next to impossible from the start.

In a brief, troubled tenure as bishop of the poor see of Chiapas, Las Casas became ever more enmeshed in scandal and controversy. He had his Confesionario — the rules for confessors that he had composed — confiscated because it insisted that every penitent be required to free his Indian slaves and make full restitution of all the Spaniards’ unjustly acquired wealth in the New World. This seemed to call into question the very legitimacy of Spain’s claim to rule the Indies, and Las Casas was accused of treason. Everything came to a head when in 1550 the emperor halted all conquests and instructed a panel of theologians and jurists to hear both Las Casas and his principal intellectual enemy, Juan de Sepúlveda, debate the justice and lawfulness of the Spanish occupation of the Americas. These famous debates in
Valladolid in 1550 and ’51 were in a sense the climax of Las Casas’ advocacy, even though ultimately inconclusive in their outcome.

What is most interesting for our purposes here is the way that Las Casas succeeded in articulating and advocating a set of ideas that in many senses represent one of the earliest clear announcements of the modern language of human rights. To be sure, as a philosopher and theologian Las Casas was not up to the standard of his brilliant senior Dominican brother in the School of Salamanca, Francisco de Vitoria. By comparison, Las Casas has been criticized as too polemical in rhetoric, too unsystematic and undisciplined in thought, and a demagogue in practice. And some of those criticisms are quite just, including of his tendency to condemn his countrymen while overlooking the vast atrocities committed by some of the native peoples at the same time. But what distinguishes Las Casas from his more theoretically sophisticated contemporaries is his combination of speculation and experience, his engagement in practice with the struggle for justice. He never set out to reason in the abstract about the duties and rights associated with the Spanish presence in the Indies, but instead formed his understanding of the requirements of justice in the crucible of action and in the face of a lived necessity. In doing so, he became the first notable American proponent of the idea of human rights.

Admittedly, the way he meshed theory and practice can make it a little difficult to synthesize Las Casas’ views. Nevertheless, there are a few core ideas that persist throughout his work. First, Las Casas consistently framed the requirements of justice in terms of the rights of the Indians. We should not undervalue the importance and novelty of this simply because that way of talking is so familiar to us moderns. Brian Tierney’s careful study of the origins of the idea of natural rights shows us that Las Casas’ “essential achievement, on a theoretical level, was to graft, quite consciously, a juridical doctrine of natural rights onto Aquinas’ teaching on natural law.” This may have been a reflection of Las Casas’ early studies in canon law, and was almost certainly related to his style of advocacy: Las Casas drew broadly from law, philosophy, theology, and his direct experience, and one finds his arguments strewn with juridical sources and language in a manner more overt and persistent than even Vitoria and other contemporaries. The result, Tierney argues, was a language of natural rights that was certainly not found in Aquinas, but that could be said to be a recognizable and natural extension of the Thomistic tradition. This pragmatic interplay between law and philosophy in his work exemplified the characteristic development of subsequent natural rights theories.

As for his understanding of the foundations of the rights of the Indians, many of Las Casas’ voluminous polemics on behalf of the Indians can be contained in one of his most famous statements: “All the races of the World are men, and of all men and of each individual there is but one definition, and this is that they are rational. All have understanding and will and free choice, as all are made in the image and likeness of God.... Thus the entire human race is one.” Even more simple and eloquent is the phrase he used to conclude his rebuttal of Sepúlveda in the Valladolid debates. While his rival argued that the Indians were beast-like “natural slaves,” Las Casas affirmed “They are our brothers, and Christ gave His life for them.” In sum, his case for the rights of the native peoples were based always on the first principles of the unity of human nature and the unity of the human family. Put another way, the rights that he sought for the native peoples were due to them simply in virtue of their humanity, a humanity common to all of God’s children.

This had several consequences. First of all, Las Casas was deeply committed to affirming equality among all human beings, “one of the themes dearest to his heart.” Second, it also put his notion of rights on a decidedly universal plane, vindicating the equal rights not only of Europeans but of indigenous peoples as well. Third, the Indians’ fundamental humanity meant that they were created with freedom. His early treatise entitled On the Only Way of Attracting All Peoples to the True Religion, which was dedicated to condemning forcible Christianization of the Indians by military means, was an extended
appeal to the liberty of the indigenous peoples. He understood freedom to be more than just a reflection of an individual’s external, social conditions; it is, for Las Casas, constitutive of human nature and realized in the exercise of human understanding and will. Coercion in matters of conscience therefore does violence to the basic humanity of the native people of the Americas; they needed to be persuaded to accept truth, he argued, only by the peaceful methods of reason, love and the living example of practiced virtue.

This conception of freedom is, implicitly, more than just an individualistic liberty. Las Casas begins with an Aristotelian-Thomist understanding of the natural sociability of human persons, and thus for him individual freedom is rooted in and expressed through the beliefs, practices and authority of the community. This allows Las Casas to have a conception of human rights that integrates the recognition of individual rights with social or collective ones, and to perceive the Indians both as individuals and also as peoples, as communities. It is striking to see, for instance, how much attention Las Casas paid to questions of collective health care and labor rights in his proposals for alternatives to the encomienda system.

In the centuries since his death, Las Casas is not simply a remote historical figure but has been since his death part of a continuous narrative of the idea of human dignity, rights and freedom—as Reinhold Schneider’s novel illustrates. Today, biographies of Las Casas offer his life as a witness of how Latin America should confront its “unresolved problems and wounds not yet healed.” In the years just before the drafting and adoption of the Universal Declaration, there was a scholarly and political revival of appreciation for Las Casas as representative of the conscience of America. And the ideals of Las Casas were certainly present a century and a half before that, during the struggles for independence of the new Latin American republics. Simón Bolívar, for instance, referred to Las Casas as the “Apostle of the Americas,” and “a humane hero,” and suggested naming the new capital city of his proposed Pan-American Union “Las Casas.”

Bolívar himself, of course, lies at the epicenter of the continental upheavals associated with the second historical “moment” I want to explore: the birth of the first constitutional republics in Latin America. Most conventional histories of the idea of human rights in Latin America, including by Latin Americans themselves, tend to identify the intellectual and political roots of the continent’s commitment to rights language with the importation of European Enlightenment ideologies and the inspiration of the revolutionary movements of France and North America. This is not unreasonable, but it is too simplistic. There is also good reason to understand the seed of European and North American rights talk to have produced a distinctive fruit in the Latin American experience.

Take, for instance, the role of the French Declaration of the Rights and Duties of Man. On the one hand, after it was first circulated, knowledge of and commitment to the principles of the French Declaration were tremendous—to the point that one Venezuelan author described it as “a yearning, one could almost say an obsession” to make the French Declaration into “the gospel of the new era that humanity was beginning to live.” At the same time, the ideology with which the French and North American revolutionary creeds were received and redeployed in Latin America differed significantly from that of their original contexts. The Enlightenment was not a uniform phenomenon, and that current of its waters that reached Latin America through Spain was a somewhat more restrained one, appealing to the more socially and politically conservative Creoles, whose nationalism was the driving ideological force of independence. And in any event, even the more radical strains of revolutionary ideology in the era were filtered through the educated minority, which did not accept them uncritically.

Among other things, this meant that the French Declaration in Latin America often was not understood to have the same strongly anticlerical orientation that it did in France. Many of the same revolutionaries who carried the banner of the Declaration considered it fundamental to their constitutional
ideas that the state would be a confessional one. More generally, the Declaration’s principles typically do not seem to have been regarded as expressing a fundamental break with the Latin Americans’ prevailing precepts of political ethics as taught in the great colonial universities, preached from the pulpit and published in books. Working from Aquinas, Suarez and Vitoria, Juan de Mariana and Luis Molina, and others primarily in the scholastic tradition, it was commonplace to teach doctrines such as the priority of natural law over written law, the legitimacy of resistance to tyranny and unjust laws, and the existence of certain imprescriptible rights and guarantees due to every man by virtue of his humanity. As a result, it was not uncommon to affirm that the most important articles of the Declaration were merely reflections of the doctrines of Thomas Aquinas that were being taught in the universities.

When it came time to fashion constitutions for the nascent American republics, the French Declaration uniformly did serve as the principal source for individual rights and guarantees in virtually every early Latin American constitution. But we may reasonably see it as a document with a somewhat different meaning – in the context of Latin America, it represents more of a synthesis of the Enlightenment’s liberal, secularized version of natural law and the Thomist natural law tradition that had preceded it.

The new constitutions and their statements of rights also represent a different sort of convergence of traditions, the knitting together of two separate strands of Western legal thought. Even though the French Declaration did exert such a strong influence on the rights talk of the revolutionary moment, the United States discourse of rights was also well known, from Thomas Paine to the Declaration of Rights of the Constitution of Virginia and the constitutive documents of the U.S. federation. In drafting their constitutions, the new Latin American republics adopted structures that overall strongly reflected the models of their neighbors to the North. Ever since, one of the most notable characteristics of Latin American legal systems has been their fusion of North American concepts of public law onto a base that is fundamentally a part of the Romano-Germanic legal tradition of Continental Europe.

In terms of human rights, this dynamic created a unique confluence of ideas. On the one hand, the dominant genes of the idea of human rights in the early Latin American republics were undoubtedly inherited from Continental Europe, and specifically from Rousseau. Rights discourse in that tradition, when compared to its North American cousin of the same generation, exhibits more concern for equality and fraternity, and less exclusive emphasis on liberty; it highlights the positive role of law as a pedagogical instrument for the cultivation of virtue and therefore is more willing to stress the duties that are correlative to individual rights. For all those reasons, the Rousseauian accent on rights tends to view government intervention much more favorably – it is not just a threat to liberty, but in many cases is essential to the securing of rights together with responsibilities.

Still, as I mentioned, Rousseau’s understandings were not the only tradition of thought at work in the new constitutions of Latin America. The North American examples had their say, too. To begin with, the basic concept of individual constitutional rights, especially in a judicially enforceable form, by itself reflected something of a North American twist. Then the rights were placed in the context of constitutional structures that implicitly drew to some degree from the U.S. example of limited government, separation of powers and more negative understandings of liberty. The end result of this commingling of constitutional traditions was that the early Latin American nations provided strong examples of constitutionalized individual rights long before the countries of Europe, but did so with a substantive understanding of the content of the rights that was rather different from the more Lockean, libertarian, property-based notions dominant in most of the United States (especially at the federal level).

For just one typical example, take the constitution of the Republic of Colombia, from 1812. Its essential similarity with the U.S. constitutive documents is in the affirmation that human individuals, qua human, have certain inalienable rights prior to and above the state, and that the state is obliged to respect those rights. But looking more particularly at the text, we can immediately see serious divergences in
understanding. Chapter XII is entitled “On the Rights of Man and the Citizen,” not only adopting the French title but also closely following the content of its French predecessor. Article 1 begins by declaring that “The rights of man in society are legal equality and liberty, security and property.” But then Article 2 continues, “Freedom has been granted to man not in order to do good or evil without distinction, but in order to choose to do good.” Even more striking is that the next Chapter, XIII, is entitled “On the Duties of the Citizen.” It starts by emphasizing that “The first obligation of the citizen aims at the preservation of society and thus requires that those who constitute it know and fulfill their respective duties.” That is followed by such provisions as Article 4, which specifies that “No one is a good citizen who is not a good son, a good father, a good brother, a good friend, a good husband.” Both the inclusion of duties and even the specific language of Article 4 are also borrowed from France, and to say the least, they are not of the same strain of rights talk as that of the United States Bill of Rights, with its few, restrained and terse injunctions like “Congress shall make no law . . . abridging the freedom of speech.”

Other constitutions of the era were comparable to that Colombian constitution in their understandings of rights and duties, liberty and equality. That model prevailed for the next century of Latin American history (which would see the adoption of almost 150 constitutions Spanish-speaking Latin America alone). Only with the Mexican Revolution of 1910, and the adoption of the Mexican Constitution of 1917 at the constitutional congress of Querétaro, did Latin America begin its second major epoch of constitutional history as a region. The Mexican Constitution of 1917, and its status as the eldest sibling among a new family of early 20th century constitutions, marks the third historical moment of my narrative.

The importance of the Mexican Constitution of 1917 is due most of all to its incorporation of extensive social and economic guarantees and protections. It preserves almost unchanged the traditional complement of classical civil and political liberties of the previous constitution of 1857, but adds to them detailed provisions on labor, agrarian reform and the social dimensions of property rights.

Article 123, for example, runs to several pages with statutory-like detail on labor rights and working conditions, including regulation of maximum working hours, child labor, laborers health and safety, the right to organize and to strike, and the establishment of pension, unemployment and accident insurance. It is the only article that occupies a whole chapter of the Constitution on its own, entitled “Of Labor and Social Welfare”. These social and economic provisions were the first of their kind in any constitutional document, not just in Latin America but in all the world. The principles of the 1917 Constitution were borrowed or imitated in varying degree by virtually every Latin American constitution thereafter, and made themselves felt in the subsequent wave of European constitutionalism too.

The 1917 Constitution is sometimes regarded today as a “socialist” document. Such a view could not be derived merely from the Constitution’s social protections or the social “mortgage” on private property rights – these have been standard constitutional features in most Western free market democracies, and central goals of Christian Democratic political programs in many countries since the Second World War. The socialist label undoubtedly arises in part because of the document’s authorization of expropriation and redistribution of land and state control of certain economic sectors, especially natural resources. That characterization was reinforced by subsequent political developments in Mexico – especially the emergence of the radical left revolutionary ideology of the 1930s.

Nevertheless, it is a misleading reduction merely to see the 1917 Constitution as socialist in its original orientation. Neither the history of the Constitutional Congress nor the resulting text itself support such a view, and in fact it obscures the uniqueness of the Mexican developments. With respect to the Congress, the delegates, although united in their support for the Revolution, came from many different social, economic and professional backgrounds. They showed little inclination to conceive of the Revolution in terms of grand, abstract ideologies, and it is widely agreed that the debates of the constitutional assembly are notable for the nearly complete absence of any single or systematic set of
economic or social theories. This is confirmed by the text of the Constitution itself, which as a whole does not reveal any consistent ideological stance; it is more of a hodgepodge of ideas, many of them even contradictory. Félix Palavicini, one of the principal protagonists of the constitutional process and the author of the first history of the Constitutional Convention, concluded simply that “The Constitution was not a socialist charter, certainly, but neither did it remain within a strictly individualistic system.”

Practically the only philosophical-juridical theme that has been plausibly proposed as a consistent underlying idea of the 1917 Constitution at the time when it was drafted is “the conviction that the human being, as a human person, has rights prior to the state.” It can reasonably be seen as a document about a certain vision of rights, one that encompasses social, economic and cultural spheres as well as political and civil ones. As one author puts it, “the concept of human dignity, called to be protected by law and by social institutions, was enriched by reaching concrete individuals, men in history with hunger and thirst, with material needs that are presuppositions for the exercise of their liberty.”

This immediate, concrete concern for the conditions of the people stands out in the work of the Congress, and must be regarded as the first source of the 1917 Constitution’s innovations. The delegates’ reforms were not the product of a general theory, nor of the mechanical importation of foreign ideas but rather a human solidarity with the poor and the working class prevailed over abstract ideology: one scholar commented that “In the heart of the congress, even on the lips of the distinguished members of the radical group, . . . we observe only . . . an authentic preoccupation for the concrete problems of the fields [campo] and of laborers, problems that were . . . posed as burning realities of life, stripped of all conceptual clothing.”

The second source, which goes more specifically to the actual language of the constitutional provisions of Article 123, was some of the progressive social and labor legislation of other countries. One of the principal drafters of Article 123 was José Natividad Macías, a well-known lawyer from Guanajuato with “one of the best legal minds of the convention.” In 1915, Macías had prepared a proposed new labor code for Mexico, based on his travels and comparative studies of foreign labor legislation, which ended up serving as the principal model for what would eventually be Article 123 of the Constitution.

The interesting additional fact that Macías was also one of the only practicing Catholics in the Constitutional Congress (his nickname among the more anticlerical delegates was “Monsignor”) points toward a third source for the Constitution’s social guarantees as well. There is good reason to conclude that the pervasive presence and influence of Catholic social doctrines that became prominent in the decades preceding 1917 also contributed to the social guarantees of the Constitution. In the first papal encyclical on the “social question,” *Rerum Novarum* in 1891, Pope Leo XIII addressed the conditions of workers, emphasizing the need for state intervention to protect them, guaranteeing for instance a just wage and the freedom to organize for collective bargaining.

The irony, of course, is that Mexico was a paradigmatically anticlerical state throughout most of the 19th century, and during the Revolutionary years between 1910 and 1917 the persecution of the Catholic Church was often extreme. Yet, a closer look at the history shows that the air of Catholic social mobilization had nevertheless been quietly blowing since the turn of the century and had become a prominent part of the public discourse. Without much publicity, the Mexican Catholic Social Action movement began toward the end of the 19th Century, and the next decade witnessed four different National Catholic Congresses, a number of gatherings known as “Catholic social weeks” and “agricultural weeks” and the organization of a confederation of Catholic workers’ societies. The constant theme of these events was a concern for poverty, the conditions of workers, education and agrarian reform. The National Catholic Party, established in 1911, had as one of its explicit goals to promote the principles of *Rerum Novarum*. It sought factory legislation, protection of labor unions, cooperatives, and land distribution to the poor – very radical reforms from the liberal 19th century perspectives of Mexico’s
governing elite. In some states of the federation, including the central and populous state of Jalisco, the National Catholic Party acquired control long enough to actually implement some of its legislative program. These were widely seen as the vanguard of national reform efforts.

Thus, although Catholic social doctrine did not directly shape the social provisions of the Constitution, nevertheless an inference of indirect influence is very reasonable. The whole intellectual and political environment of the first decade of the century was suffused with the ideas and rhetoric of the Catholic social agenda, and the platforms of Catholic Social Action and the National Catholic Party bear remarkably strong resemblances to the provisions incorporated into the Constitution. A side-by-side comparison shows that Article 123 of the Constitution corresponds in almost every clause to some part of the basic texts and principles espoused by the Mexican social Catholic. The parallel is clear enough to have led various Catholic observers justifiably to claim a sort of intellectual paternity over some of the social provisions of the 1917 Constitution. None of this is meant to suggest that the 1917 Constitution and Mexico’s leadership in the development of the Latin American human rights tradition is really just a consequence of Catholic doctrine or culture – that would be just as reductionist as a blunt conclusion that it is “socialist”, tout court. But there are other important reasons for affirming the connection between the two.

First, it helps us see why and how this Mexican constitutional history became so significant as a chapter in the history of the Latin American human rights tradition rather than remaining simply an idiosyncratic, autochthonous story. The fact that the 1917 Constitution did have such a widespread impact on the region, even in many systems that were not necessarily socialist in ideological orientation, attests to the fact that it tapped into the broadly shared understandings of human dignity and society that are the foundation of expressions of human rights. It was located within a history and tradition recognizable throughout Latin America. Second, the parallel between Mexican revolutionary social policies and Catholic social activism highlights the continuation of one of the Latin American tradition’s central themes: seeking to combine and balance the individual and the communal aspects of human rights. We saw that dynamic in Las Casas and the conquest and in the liberal republican revolutions. The basic underlying goal of Mexican social Catholicism was to navigate the narrow way between a brutally atomistic liberal capitalism and a stifling socialist collectivism. The Constitution of 1917 shared that basic aim, accepting the received tradition of individual rights and supplementing it with greater recognition and protection of the social dimensions of the human person.

That is the “social liberalism” that Mexico bequeathed to constitutionalism generally. Like Las Casas and the liberal revolutionaries before them, the architects of the Mexican constitutional moment of 1917 appropriated the existing discourse of rights of their time, subjected it to the test of their experience and emerged with their own metamorphosed contribution. A short thirty years later, Mexico carried that banner with zeal and pride into the arena of international human rights.

The chapter of the story that begins from there will be told by others today. I hope that the quick historical sketch that I have drawn up to this point, however rough and minimal it may have had to be, will be enough to see the outlines of at least three conclusions.

First, the Latin American contributions to the formal birth of international human rights law in 1948 were the reflection of a long and deep tradition of the idea of human rights in the region. Far from being simply derivative of grand European or North American ideas and movements, they have their own distinctive story and character and coherence.

Second, in substance the Latin American tradition of human rights reveals a great integrative ideal, aiming toward a comprehensive humanism, a unity of rights, and a synthesis of different currents of thought that elsewhere were in opposition to one another. From its beginnings, it was strongly universalistic in its orientation, founded on the equal dignity of all members of the family. Continuing to
build on its origins, it absorbed the political and intellectual currents of republican revolution, and produced a constitutional rights language with a strong devotion to both liberty and equality, a distinctively positive conception of freedom and an emphasis on the relationship of rights and responsibilities. When this heritage met the economic and political transformations of the 20th century, the tradition aimed again at synthesizing the individualistic with the social and economic dimensions of human dignity. Throughout its development, one constant characteristic of the Latin American human rights tradition has been its dynamic interrelationship with a fundamentally Catholic philosophical anthropology.

Third, throughout its development one of the consistent characteristics of the Latin American tradition has been its capacity to appropriate, adapt and transform received ideals in the crucible of practical experience. From its relationship to practice comes a concern for and attentiveness to the concreteness of human lives, and especially the awareness of the breadth of human dignity that comes from an openness to and solidarity with human suffering.

The story of the Latin American human rights tradition continues beyond this history, through the generation of 1948, up to today. Whether it will continue, in its rich fullness and integrity, is a question on which the fate of the human rights movement in all the rest of the world may well turn. Toward the end of his novel on Las Casas, Reinhold Schneider has a reflective and apprehensive Charles V say – and one cannot avoid here thinking also of Schneider himself in his struggle for justice at home – that “There is strength in the thought . . . that others will continue to fight by our sides . . . as long as we ourselves persist.”
Introduction to the 1948 UNESCO Philosophers’ Report
Jacques Maritain

Of the tasks assigned to the United Nations Organization, one of those which could and should most nearly affect the conscience of the peoples is the drawing up of an *International Declaration of Human Rights*. The task was committed to the Economic and Social Council of the United Nations. Unesco’s part was to consult philosophers and assemble their replies. This volume is a collection of the most significant texts thus gathered in the course of Unesco’s enquiry into the philosophic bases of Human Rights.

This book then is devoted to the rational interpretation and justification of those rights of the individual which society must respect and which it is desirable for our age to strive to enumerate more fully. Many schools of thought are represented, each of which brings to the whole its particular view and justification of individual rights, leaning in various degrees towards the classical or the revolutionary interpretation: it is not the first time that expert witnesses have quarrelled among themselves. The paradox is that such rational justifications are indispensable yet powerless to bring about agreement between minds. They are indispensable because each one of us believes instinctively in the truth, and will only assent to what he himself has recognized as true and based on reason. They are powerless to bring about a harmony of minds because they are fundamentally different, even antagonistic: and why should this surprise us? The questions they raise are difficult and the philosophical traditions to which they are related have long been divergent.

It is related that at one of the meetings of a Unesco National Commission where Human Rights were being discussed, someone expressed astonishment that certain champions of violently opposed ideologies had agreed on a list of those rights. "Yes", they said, "we agree about the rights but on condition that no one asks us why." That "why" is where the argument begins.

The question of Human Rights offers us an outstanding example of the situation I attempted to outline in an address at the Second General Conference of Unesco, from which I venture to reproduce certain passages.

"How" I asked "can we imagine an agreement of minds between men who are gathered together precisely in order to accomplish a common intellectual task, men who come from the four corners of the globe and who not only belong to different cultures and civilizations, but are of antagonistic spiritual associations and schools of thought . . .? Because, as I said at the beginning of my speech, the goal of Unesco is a practical goal, agreement between minds can be reached spontaneously, not on the basis of common speculative ideas, but on common practical ideas, not on the affirmation of one and the same conception of the world, of man and of knowledge, but upon the affirmation of a single body of beliefs for guidance in action. No doubt, this is little enough, but it is the last resort to intellectual agreement. It is nevertheless, enough to enable a great task to be undertaken and it would do much to crystallize this body of common practical convictions."

"I should like to note here that the word ‘ideology’ and the word ‘principles’ can be interpreted in very different senses. I have shown that the present state of division among minds does not permit of agreement on a common speculative ideology nor on common explicit principles. But, on the other hand, when we are concerned with a basic practical ideology of basic principles of action implicitly recognized today, in a live, even if formulated state, by the consciousness of free peoples, we find that they constitute *grosso modo* a sort of common denominator, a sort of unwritten common law, at the point where in practice the most widely separated theoretical ideologies and mental traditions converge. To understand
this, it is only necessary to make the appropriate distinction between the rational justifications involved in the spiritual dynamism of a philosophic doctrine or religious faith, and the practical conclusions which, although justified in different ways by different persons, are principles of action with a common ground of similarity for everyone. I am quite certain that my way of justifying belief the rights of man and the ideal of liberty, equality and fraternity is the only way with a firm foundation in truth. This does not prevent me from being in agreement on these practical convictions with people who are certain that their way of justifying them, entirely different from mine or opposed to mine, in its theoretical dynamism, is equally the only way founded upon truth. If both believed in the democratic charter, a Christian and a rationalist would still give mutually incompatible justifications for their belief, if their hearts and minds and blood were involved, and they would fight each other for them. And God forbid that I should say it does not matter to know which of the two is right! It matters essentially. The fact remains that, on the practical expression of this charter, they are in agreement and can formulate together common principles of action."

Where it is a question of rational interpretation and justifications of speculation or theory, the problem of Human Rights involves the whole structure of moral and metaphysical (or anti-metaphysical) convictions held by each one of us. So long as minds are not united in faith or philosophy, there will be mutual conflicts between interpretations and justifications.

In the field of practical conclusions, on the other hand, agreement on a joint declaration is possible, given an approach pragmatic rather than theoretical and co-operation in the comparison, recasting and fixing of formulae, to make them acceptable to both parties as points of convergence in practice, however, opposed the theoretic viewpoint. There is nothing to prevent the achievement, in this way, of a new and wider declaration of Human Rights marking a notable stage in the unification of the world, and wherein more especially the concept exclusive to classical individualism of man as a being inherently entitled to rights and liberties for the working out of his personal destiny, and the concept exclusive to Marxism of man as a being with rights and liberties deriving from his role in the historical evolution of the community of which he is a part, would supplement and integrate each other - I mean purely pragmatically and only for the promulgation of a number of principles for action and rules of behaviour. It is not reasonably possible to hope for more than this convergence in practice in the enumeration or articles jointly agreed. The reconciling of theories and a philosophic synthesis in the true sense are only conceivable after an immense amount of investigation and elucidation of fundamentals, requiring a high degree of insight, a systematization and authoritative correction of a number of errors and confusions of thought. For that very reason, and even if it succeeded in influencing culture to any important degree, this synthesis would remain one doctrine among many, accepted by some and rejected by others, with no pretension in fact to universal dominion over the minds of men.

The very diversity of the interpretations and justifications put forth in the essays in this book is in itself an important object lesson for the reader, wherein he will find, I trust, confirmation of the considerations set out above. Is there anything surprising in systems antagonistic in theory converging in their practical conclusions? It is the usual picture which the history of moral philosophy presents to us. The phenomenon proves simply that systems of moral philosophy are the products of reflection by the intellect on ethical concepts which precede and govern them, and which of themselves display, as it were, a highly complex geology of the mind where the natural operation of spontaneous reason, pre-scientific and pre-philosophical is at every stage conditioned by the acquisitions, the constraints, the structure and the evolution of the social group. Thus, if I may be allowed the metaphor, there is a kind of plant-like formation and growth of moral knowledge and moral feeling, in itself independent of philosophical systems and the rational justifications they propound, even though there is a secondary interaction between them and itself. Is it surprising that, while all these systems quarrel over the why and wherefore, yet in their practical conclusions they prescribe rules of behaviour which are in the main and for all practical
purposes identical for a given age and culture? What is chiefly important for the moral progress of humanity is the apprehension by experience which occurs apart from systems and on a different logical basis - assisted by such systems when they awake the conscience to knowledge of itself, hampered by them when they dim the apperceptions of spontaneous reason, or when they cast suspicion on a genuine acquisition of moral experience by linking it with some error of theory or false philosophy.

Finally, it is the speculative and interpretative approach, as such, in the present book, will afford the reader the chief food for thought. For the texts here collected bring us the testimony of men specially well qualified to give an authoritative exposition of the main currents, of contemporary thought. It is profitable to know those currents, however severely we may censure those which that are not our own and however legitimate that censure may sometimes be. Whatever school of thought we belong to, the comparison of our own ideas with those of so many distinguished minds will perfect and broaden our views on the nature and basis of Human Rights, on what enumeration of them should be attempted at our present stage in historical evolution, and on the scope - indeed on the gaps also - of the new declaration being prepared in the councils of the United Nations.

From the point of view of philosophic doctrine it may be said, without over-simplification, that, as regards, the question of Human Rights, men are today divided - as the readers of this collection will easily perceive - into two antagonistic groups: those who to a greater or lesser extent explicitly accept, and those who to a greater or lesser extent explicitly reject "Natural Law" as the basis of those rights.

In the eyes of the first the requirements of his being endow man with certain fundamental and inalienable rights antecedent in nature, and superior to society, and are the source whence social life itself, with duties and rights which that implies, originates and develops. For the second school man's rights are relative to the historical development of society, and are themselves constantly variable and in a state of flux; they are a product of society itself as it advances with the forward march of history.

Such an ideological contrast is irreducible and no theoretical reconciliation is possible; it could however be lessened to some extent, insofar as it was possible for the supporters of "Natural Law" to stress that, although certain fundamental rights meet a prime necessity of that law while others meet only a secondary necessity or are merely desirable, nevertheless our knowledge of both is in all circumstances subject to slow and irregular growth, so that those rights only stand forth as acknowledged rules of conduct as moral consciousness progresses and societies evolve; and insofar as it was possible for the opponents of "Natural Law" to stress that, though many rights are seen to be conditioned on the evolution of society, other more primitive rights stand out as a condition of society's very existence. However, it is by no means certain that the "fundamental rights" of the first group would always coincide with the "more primitive rights" of the second . . .

If thereafter we adopt no practical viewpoint and concern ourselves no longer with seeking the basis and philosophic significance of Human Rights but only their statement and enumeration, we have before us an entirely different picture, where no theoretical simplification is any more in question: then, as I have explained above, not only is agreement possible between the members of opposing philosophic schools, but it must be said that the operative factors in any historical introduction to a joint assertion of Human Rights are less the schools of philosophy themselves than currents of thought, which are doubtless linked more or less closely to those schools, but where the principal part has been played by the lessons of experience and history and by a kind of practical apprehension, bringing with them a dynamically greater force, and simultaneously a wider liberty relative to the principles and logic of abstract systems. In consequence, it cannot be too strongly emphasized that admission of a particular category of rights is not the exclusive possession of one school of thought: it is no more necessary to belong to the school of Rousseau to recognize the rights of the individual than it is to be a Marxist to recognize the "new rights" as they are called, economic and social rights. The gains of the collective intelligence under the influence
of its several cross-currents go far beyond the disputations of the schools.

It is legitimate to suspect that the antagonism which many contemporary authors see fit to postulate between "old" and "new" Human Rights is partly artificial and derived either from the liking of theorists for ideological conflicts or more, perhaps, from the absolutist concept of Human Rights held by the philosophy - or better the rhetoric - of the 18th Century, whose after effects still in some measure give rise to misunderstandings today, and taint certain sacred formulae of the vocabulary of Human Rights. If each of these rights is in itself absolute and not susceptible of any limitation, in the same way as a divine attribute, clearly conflict between them is insoluble. But in practice everyone sees that these rights, being human, are subject, like every other human thing, to modification and limitation. Even where rights are "inalienable", a distinction must be made between possession and exercise, the latter being subject to the modifications and limitations dictated in each instance by justice. If a criminal can justly be condemned to lose his life, it is because he has, by his crime, deprived himself, not of his right to existence, but rather of the possibility of demanding that right with justice: morally he has cut himself off from membership of the human community, as far as concerns the use of that fundamental and "inalienable" right which the penalty imposed prevents his exercising. Again the imparting by teaching and upbringing of the heritage of human culture is a fundamental right: in practice it is subject to the physical capacity of a given society, and justice may forbid its enjoyment by all being demanded 

\textit{hic et nunc}, if such enjoyment is only conceivable through the dissolution of the social body, as in the case of the slave-owning society of ancient Rome, or the feudal society of the middle ages; the claim nevertheless remains a legitimate goal to be achieved in time. It then remains to endeavour to change the social order in question. Incidentally, this instance shows us that at the root of the hidden urge which impels us ever to the transformation of society, there lies the fact that man \textit{possesses} "inalienable" rights and that nevertheless he is deprived of the possibility of justly claiming to \textit{exercise} certain of them by such inhumanities as subsist in the social structure of each age.

It is only normal that the various acknowledged rights of the individual should be mutually limitative, and in particular that economic and social rights, the rights of man as a social animal, cannot take their place in human history without some restrictions upon the freedom and rights of man as an individual. Where the difficulties and arguments begin is in the determination of the scale of values governing the exercise and concrete integration of these various rights. Here we are no longer dealing with the mere enumeration of Human Rights, but with the principle of dynamic unification whereby there are brought into play, with the tone scale, with the specific key in which different kinds of music are played on the same keyboard, music which in the event is in tune with, or harmful to, human dignity.

Conceivably the advocates of the liberal-individualist, of the Communist and of the co-operative type of society might draw up similar, even identical, lists of Human Rights. But their exercise of these rights will differ. All depends on the ultimate value whereon those rights depend and in terms of which they are integrated by mutual limitations. It is, in term of the scale of values which we thus acknowledge that we establish the means whereby, in our eyes, Human Rights, economic and social, as well as individual, shall impinge on life; it is from these different scales of values that spring mutual accusations of misunderstanding certain essential rights of the human being levelled by those for whom the mark of human dignity lies firstly and chiefly in the power to appropriate individually the gifts of nature so that each may be in a position to do freely what pleases him; by those who see it in the power to place those gifts under the collective control of the social body and thus deliver man from the treadmill of labour and gain control of history; or by those who see it in the power of bringing the gifts of nature into service for the joint attainment of an immaterial good and of the free self-determination of the person. It remains to be decided which has a true and which a distorted vision of Man.

By following this line of thought the extent and limits of the practical agreement on Human Rights
so often mentioned in the pages of this Introduction would become clear. It would be understood that to go beyond a mere list or enumeration of rights and to produce a true Charter determining a common way of action, the agreement must also cover the scale of values, the key in which in their practical exercise in social life, the acknowledged rights of man must be harmonized.

Thus, we must not expect too much of an International Declaration of Human Rights. Yet does it not, above all, bear witness to what the peoples await today? The function of language has been so much perverted, the truest words have been pressed into the service of so many lies, that even the noblest and most solemn declarations could not suffice to restore to the peoples faith in Human Rights. It is the implementation of these declarations which is sought from those who subscribe to them; it is the means of securing effective respect for Human Rights from States and Governments that it is desired to guarantee. On this point I should not venture to express more than the most guarded optimism. For to reach agreement, no longer merely on the definition of Human Rights, but on arrangement for their exercise in daily life the first necessity, as I have pointed out above, would be agreement on a scale of values. For the peoples to agree on the means of securing effective respect for Human Rights, they would have to have in common, however implicitly, not necessarily the same speculative concept, but at least the same practical concept, of man and life, the same "philosophy of life" if I may once be allowed to use the word "philosophy" in the outrageously improper sense of the popular pragmatism of today.

Does the testimony collected in this volume give grounds for hope that, despite the clash of theory, a few scanty features of such a practical ideology, sufficiently defined and resolved to be effective, are in the course of taking root in the conscience of the nations? Does it give grounds for hope that one day agreement may be reached throughout the world, not only on the enumeration of Human Rights but also on the key values governing their exercise and on the practical criteria to be used to secure respect for them? We do know that, though the crisis of civilization which rose with this century has offered to our gaze the gravest violations of Human Rights, yet simultaneously it has led the public mind to a keener awareness of those rights, and Government propaganda to pay to them - in words - the most ringing tributes. Pending something better, a Declaration of Human Rights agreed by the nations would be a great thing in itself, a word of promise for the downcast and oppressed throughout all lands, the beginning of changes which the world requires, the first condition precedent for the later drafting of a universal Charter of civilized life.
Foundations of Human Rights: The Unfinished Business
Mary Ann Glendon

The more I learned about the circumstances of the framing of the Universal Declaration of Human Rights, the more I realized that the framers had consciously left a crucial task unfinished: demonstrating that fundamental rights could be grounded in the world’s major philosophical and religious traditions. This essay appeared in 1999 American Journal of Jurisprudence.

Over the two years it took them to draft the 1948 Universal Declaration of Human Rights, the eighteen members of the U.N.’s first Human Rights Commission had surprisingly few discussions of why human beings have rights or why some rights are universal. After the horrors of two world wars, the need for a minimal common standard of decency seemed evident. One of the first tasks assigned to the new Commission chaired by Eleanor Roosevelt was the preparation of an “international bill of rights.” The Commissioners, in haste to complete their work before the deepening Cold War made its acceptance by the General Assembly impossible, left the problem of foundations for another day.

At the Commission’s first session in January 1947, China’s Peng-chun Chang and Lebanon’s Charles Malik did try to initiate a discussion of the premises on which such a document might be based. Chang was a Confucian philosopher and educator who had done post-graduate work with John Dewey, and Malik was a philosopher of science who had studied with Alfred North Whitehead and Martin Heidegger. Their suggestions precipitated the Commission’s first argument. The Yugoslav, French and English delegates began to wrangle over the relation between man and society.

Several other Commissioners became impatient with that sort of discussion. They just wanted to get on with the business at hand. After a time, India’s Hansa Mehta broke in. She was one of two women on the Commission, a pioneering human rights activist, a crusader against British colonialism, and an advocate for women’s equality. She said, “We are here to affirm faith in fundamental human rights. Whether the human person comes first or the society, I do not think we should discuss that problem now. We do not need to enter into this maze of ideology.”

Charles Malik, who had been literally called out of his Beirut classroom and pressed into public service by the government of newly independent Lebanon, had not yet perfected the suave diplomatic style for which he would later become famous. He rebuked Mrs. Mehta as a professor of the old school would chide a student, saying: “Whatever you may say, Madam, must have ideological presuppositions, and no matter how much you may fight shy of them, they are there, and you either hide them or you are brave enough to bring them out in the open and see them and criticize them.”

The Commission’s Chair, Eleanor Roosevelt, quickly realized that the group would have to concentrate on specifics if the project was to stay on course. She steered the discussion back to the problem of organizing the group’s work schedule. Thereafter, the question of foundations surfaced only sporadically. One such occasion was the presentation of a discussion draft by the Secretariat of the U.N. Human Rights Division. Australia’s Colonel Roy Hodgson demanded to know what was the philosophy behind the paper:

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1 For details of the framing of the Universal Declaration, see Mary Ann Glendon, Rights from Wrongs (forthcoming, Random House).
2 Human Rights Commission, First Session, Summary Records (FICN.4/5R7 p. 4).
4 Ibid, 44
“What principles did they adopt; what method did they follow?” John Humphrey, the Canadian head of the Human Rights Division, replied that the draft “was based on no philosophy whatsoever.” It was, he said, merely a collection from existing constitutions of “every conceivable right which the Drafting Committee might want to discuss.”

At the very end of the drafting process, and without much discussion, the Commissioners did make a statement about the basis of human rights in the Preamble to the 1948 Declaration. The Preamble’s opening line recites that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” The word “dignity” appears at so many key points in the Declaration, that many scholars believe it represents the Declaration’s ultimate value. Louis Henkin puts it this way: “Eschewing—in its quest for universality—explicit reliance on Divine inspiration or on Natural Rights, the Declaration provided the idea of human rights with a universally acceptable foundation, an ur-principle, human dignity.”

But inquiring minds must ask what is this “dignity,” and what is its basis? Its proximate source is easy to locate. The U.N. Charter professes “faith in freedom and democracy” which, according to the Charter, is grounded in another “faith”—“in the inherent dignity of men and women.” That is a good deal of faith for a document that eschews divine inspiration. No wonder we find Nobel laureate Czeslaw Milosz musing ruefully about “those beautiful and deeply moving words which pertain to the old repertory of the rights of man and the dignity of the person.” Milosz continues, “I wonder at this phenomenon because maybe underneath there is an abyss. After all, these ideas had their foundation in religion, and I am not over-optimistic as to the survival of religion in a scientific-technological civilization. Notions that seemed buried forever have suddenly been resurrected. But how long will they stay afloat if the bottom is taken out?”

Milosz puts the question neatly as only a poet can. Is the universal rights idea merely based on a kind of existential leap of faith? Or does it have some sturdier basis?

Such questions came to the surface when the Universal Declaration celebrated its fiftieth anniversary in 1998 amidst a barrage of attacks upon its aspiration to universality—mainly in the name of cultural relativism. Typically these assaults describe the Declaration as an attempt to universalize a particular “Western” set of ideas and to impose them upon people who were under colonial rule and thus not represented in its creation. The human rights project is dismissed as an instrument of “cultural imperialism” or “neo-colonialism.”

An equally common retort is that cultural imperialism is the cry of the world’s worst rights violators. That sort of response, however, is obviously inadequate: The allegations of cultural relativism and imperialism could be hypocritical or ideologically motivated, but nevertheless true. I propose therefore to take the accusations seriously.

My conclusions are as follows: (1) The Universal Declaration was an impressively, though imperfectly, multicultural document when it was adopted in 1948. It cannot be dismissed as “Western.” (2) The framers of the Declaration did take account of the diversity of cultures by leaving room for a legitimate pluralism in interpreting and implementing its open-ended principles. (3) The danger of human rights imperialism is real, but its source is in the efforts of special interest groups to commandeer human rights for their own purposes, rather than in the Declaration itself. (4) The human rights project will rest on shaky foundations unless and until philosophers and statespersons collaborate on the business that the framers

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5 Human Rights Commission, Drafting Committee, First Session (E/CN.4.1/SR.1, p.5).
6 Ibid.
left unfinished.

1. **Is the Universal Declaration “Western”?**

Those who label the Universal Declaration "Western" base the claim mainly on two facts: (1) many of the world’s peoples, especially those still living under colonial rule, were not represented in the United Nations in 1948, and (2) most of the Declaration’s rights first appeared in European and North and South American documents. Those statements are correct, but do they destroy the universality of the Declaration?

Contrary to what is often suggested, the participation by developing countries in the framing of the Declaration was by no means negligible. At the U.N.’s founding conference in San Francisco in 1945, it was chiefly the smaller or less-developed nations who were responsible for the prominent position of human rights in the U.N. Charter. Within the eighteen-member Human Rights Commission, China’s Peng-chun Chang, Lebanon’s Charles Malik, the Philippines’ Carlos Romulo, and Chile’s Hernán Santa Cruz were among the most influential and active members. It is sometimes said that the educational backgrounds or professional experiences of widely traveled men like Chang and Malik "westernized" them, but their performance in the Human Rights Commission suggests something rather different. Not only did each contribute significant insights from his own culture, but each possessed an exceptional ability to understand other cultures, and to "translate" concepts from one frame of reference to another. Those skills, which can hardly be acquired without substantial exposure to traditions other than one’s own, are indispensable for effective cross-cultural collaboration and were key to the adoption of the Declaration without a single dissenting vote in 1948.

The Declaration itself was based on extensive comparative study. The first draft, prepared by the U.N. Secretariat, was accompanied by a 408-page document showing the relationship of each article to provisions of the world’s existing and proposed constitutions and declarations. When the Human Rights Commission’s second draft was submitted to U.N. members for comment, responses were received from a group of nations that included Brazil, Egypt, India, Mexico, and Pakistan, South Africa, Sweden, and the United States.

Among the fifty-eight Member States represented on the U.N. General Assembly’s committee which reviewed the near-final draft in the fall of 1948, there was even greater cultural and ideological diversity. This Committee on Social, Cultural and Humanitarian Affairs (known as the Third Committee) was chaired by Charles Malik. It included six members from Asia, four from the African continent (Egypt, Ethiopia, Liberia, and South Africa), plus the large Latin American contingent. Six of the “European” members belonged to the communist bloc; Islamic culture was strong in eleven; and four had large Buddhist populations. Over the course of more than a hundred meetings, the members of this large committee went over every word of the draft. Each country’s representatives were given, and most of them enthusiastically seized, the opportunity to participate.

At the end of this process, Charles Malik could justly say of the Universal Declaration that “All effective cultures in the world had a creative hand in the shaping of the document….” As Malik put it, “The genesis of each article, and each part of each article, was a dynamic process in which many minds, interests, backgrounds, legal systems and ideological persuasions played their respective determining roles.”

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It was, of course, true that much of the world’s population was not represented in the U.N. in 1948. Large parts of Africa and Asia in particular remained under colonial rule. The defeated Axis powers, Japan, Germany and their allies, were excluded. On the other hand, subsequent actions by the non-represented countries suggest that cultural “diversity” has been greatly exaggerated where basic human goods are concerned. Most new nations adopted constitutions resembling the Universal Declaration as soon as they gained independence. Later, nearly all of these countries ratified the two 1966 Covenants based on the Declaration. In 1993, virtually all countries in the world participated in the adoption of the Vienna Human Rights Declaration which reaffirms the Universal Declaration. It is hard to dismiss this overwhelming endorsement of the principles of the Declaration as a mere vestige of the colonial mentality.

It is unlikely that any other political document in history has ever drawn from such diverse sources, or received the same worldwide, sustained consideration and scrutiny as the Declaration underwent over its two years of preparation. Despite all the wrangling that occurred over specifics, moreover, there was remarkably little disagreement regarding its basic substance. At every stage, even the Communist bloc, South Africa, and Saudi Arabia voted in favor of most of the articles when they were taken up one by one. The biggest battles were political, occasioned by Soviet concerns to protect their national sovereignty.

But what of the second objection mentioned above—the fact that several key ideas in the Declaration were initially described as rights in early modern Europe? On this point, the findings of a UNESCO philosophers’ committee that included Jacques Maritain and University of Chicago philosopher Richard McKeon, are instructive. After surveying leading philosophers and religious thinkers the world over, the UNESCO group discovered to its surprise that a few basic practical concepts of humane conduct were so widely shared that they “may be viewed as implicit in man’s nature as a member of society.”

Freedom, dignity, tolerance, and neighborliness, they found, were highly prized in many cultural and religious traditions.

Nevertheless, the elaboration of these concepts as “rights” was a relatively modern, and European, phenomenon. So, does that give human rights a genetic taint that prevents them from being “universal”? Surely, their origin ought not to be decisive. The question should be not who had the idea first, but whether the idea is a good one; not where the idea was born, but whether it is conducive to human flourishing. Moreover, if a legal-political idea originated in one country but was widely adopted and internalized elsewhere, for how long and in what sense does it still “belong” to its country of origin? Do not all vibrant, living cultures constantly borrow from one another?

Consider the civil-law tradition which originated in ancient Rome. That tradition was in 1948, and remains, the most widely distributed legal tradition in the world. The form and style of the Declaration gives it a familial resemblance, not only to rights declarations in many continental European constitutions, but to the constitutions and charters that had appeared or were soon to appear in many Latin American, African and Asian countries. Does that make all these instruments Roman? The French Civil Code of 1804 was widely copied by newly independent peoples in Latin America who admired its clarity and were inspired by its consolidation of a Revolution which had abolished the old unequal statuses of feudalism. Does that make the law of all those countries French?

And what does the term “Western” mean anyway, if it is more than an epithet? The majority of the U.N.’s membership in 1948, perhaps as many as thirty-seven countries, might have been described as “Western” in the sense of being influenced by Judeo-Christian traditions and Enlightenment thought. But how much sense does it make to lump together under a single label a group that comprises Latin

12 See, Mary Ann Glendon, Michael Gordon, and Christopher Osakwe, Comparative Legal Traditions, 2d ed. (St. Paul, Minn.: West, 1994), 58-62
Americans, North Americans, East and West Europeans, Australians and New Zealanders? By the same token, such broad concepts as “Asian” or “Islamic” values are not very informative, given the great variety within traditions. As the Chinese member of the first Human Rights Commission, P.C. Chang, observed long ago, “Culturally, there are many ‘Easts’ and many ‘Wests’; and they are by no means all necessarily irreconcilable.”

2. How can there be Universal Rights in Diverse Cultures?

Let us now turn to a more sophisticated version of the cultural-relativism critique. Assume that the UNESCO philosophers were right that a few basic norms of decent human behavior are very widely shared. Even if that is so at a general level, different nations and cultures attach quite different weights to these norms. Moreover, different political and economic conditions affect each nation’s ability to bring human rights principles to life. That being so, what sense does it make to speak of universality?

That version of the cultural-relativism critique rests on a false premise shared by many rights activists and rights skeptics alike. It is the assumption that universal principles must be implemented in the same way everywhere. The Declaration’s framers, however, never envisioned that its "common standard of achievement" would or should produce completely uniform practices. P. C. Chang stressed that point in his 9 December 1948 speech to the General Assembly urging adoption of the Declaration. He deplored that colonial powers had tried to impose on other peoples a standardized way of thinking and a single way of life. That sort of uniformity could only be achieved, he said, by force or at the expense of truth. It could never last. Chang and his colleagues on the drafting committee expected the Declaration’s rights would be inculturated in various ways, and that over time the corpus of human rights would be enriched by these varied experiences.

The framers of the Universal Declaration also knew it was neither possible nor desirable for the Declaration to be frozen in time. They never claimed to have produced the last word on human rights. They expected that new rights would emerge in the future as they had in the past, and that old rights might be reformulated. That did not mean, however, that interpretation was up for grabs. They tried to provide the Declaration with safe passage through such transitions by giving it an interpretive matrix: freedom and solidarity, linked to a thick concept of personhood, and grounded in dignity.

The framers’ approach was remembered by at least one distinguished international lawyer on the document’s thirty-fifth anniversary in 1983. Philip Alston wrote on that occasion, “The Declaration does not purport to offer a single unified conception of the world as it should be nor does it purport to offer some sort of comprehensive recipe for the attainment of an ideal world. Its purpose is rather the more modest one of proclaiming a set of values which are capable of giving some guidance to modern society in choosing among a wide range of alternative policy options.”

By the 1970s, however, the original understanding of the Declaration was largely forgotten. And what oblivion had not erased, opportunism was eroding. The abstentions by South Africa and Saudi Arabia from the final vote approving the Declaration had been early warnings of more trouble ahead. South Africa had objected, among other things, to the word “dignity”, apparently fearing its implications for the apartheid system it was then constructing. And Saudi Arabia had claimed that some of the so-called universal rights,
particularly the right to change one’s religion, were really just “Western” ideas. In 1948, those were isolated claims. But no sooner was the Declaration adopted than the Cold War antagonists pulled apart and politicized its provisions. That set the stage for further mischief. In 1955, the charge that some rights represented "Western" neo-colonialism resurfaced with particular vehemence at the Bandung conference, where the “nonaligned” nations found unity of a sort in shared resentment of the dominance of a few rich and powerful countries in world affairs.

3. The Deconstruction Derby

Over the 1960s and 1970s, the Declaration’s framers, one by one, were departing from the world stage. The U.N. grew into an elaborate bureaucracy with more than 50,000 employees. Its specialized agencies become closely intertwined with the nongovernmental organizations that proliferated as the international human rights movement gained ground in the 1960s and 1970s. That movement in turn was deeply affected by the ideas about rights that predominated in the United States in those days. The movement, like the Declaration itself, attracted many persons and groups who were more interested in harnessing its moral authority for their own ends than in furthering its original purposes.

Another important development, set in motion by the Cold War antagonists, was the nearly universal habit of reading the Declaration in the way that Americans read the Bill of Rights, that is, as a string of essentially separate guarantees. Its dignity-based language of rights began to be displaced by the more simplistic kinds of rights talk that were then making great inroads on political discourse in the United States. Several features of that new, hyper-individualistic dialect had the potential to wreak havoc with the Declaration: rights envisioned without individual or social responsibilities; one’s favorite rights touted as absolute with others ignored; the rights-bearer imagined as radically autonomous and self-sufficient; the trivialization of core freedoms by special interests posing as new rights.

Thus, ironically, the charge of cultural imperialism has more credibility than it had in 1948. The global spread of hyper-libertarian, radically individualistic, sound-bite rights ideas has rendered the contemporary international human rights project more vulnerable to the label of "Western" than the Declaration ever was. Launched as a commitment by the nations to compete in advancing human freedom and dignity, the Declaration is now in danger of becoming what its critics have always accused it of being—an instrument of neo-colonialism!

For decades, the seamlessness of the Declaration has been ignored by its professed supporters as well as by its attackers. By isolating each part from its place in the overall design, the now-common misreading of the Declaration promotes misunderstanding and facilitates misuse. Nations and interest groups ignore the provisions they find inconvenient and treat others as trumps. A major casualty has been the Declaration’s insistence on the links between freedom and solidarity, just at a time when affluent nations seem increasingly to be washing their hands of poor countries and peoples.

For examples of deconstruction in operation, one could do no better than to eavesdrop on the rights babble of the big U.N. conferences of the 1990s. At first glance, the U.N. might seem to be an unlikely forum for the pursuit of law reform. But its agencies and conferences have attracted numerous special

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interest groups whose agendas have trouble passing muster in ordinary domestic political processes. Over the years, lobbyists of various sorts have acquired considerable influence in the U.N. bureaucracy, whose processes are even less transparent than those of U.S. administrative agencies.

Thus was the stage set for the U.N. and its conferences to become offshore manufacturing sites where the least popular (or least avowable) ideas of special interest groups could be converted into “international norms.” These norms, though technically lacking the status of fundamental rights, could then be portrayed at home as universal standards, and imposed on poor countries as conditions for the receipt of aid.

At the U.N.’s 1995 Women’s Conference in Beijing, for example, strenuous efforts were made to advance a new human rights paradigm—mainly by representatives from affluent countries. In her speech to a plenary session on the second day of the conference, U.S. First Lady Hillary Rodham Clinton gave high visibility to a misleading slogan. “If there is one message that echoes forth from this conference,” she asserted, “it is that human rights are women’s rights, and women’s rights are human rights.” The statement was half true, but only half true. Human rights do belong to everyone. But not every right that has been granted to women by a particular nation-state has gained the status of a human right. The slogan was mainly aimed at universalizing extreme, American-style abortion rights in a world where few countries, if any, go as far as the United States and China in permitting abortions of healthy, viable unborn children.

That there might be some such demolition derby in the Declaration’s future was foreseen long ago by Richard McKeon. McKeon realized what every lawyer knows: practical agreements such as those reached by the U.N. member states in 1948 are achieved only at the price of a certain ambiguity. The framers knew that the same generality that made agreement possible rendered the document vulnerable to misunderstanding and manipulation. In his UNESCO report, McKeon pointed out that different understandings of the meanings of rights usually reflect divergent concepts of man and of society which in turn cause the persons who hold those understandings to have different views of reality. Thus, he predicted that “difficulties will be discovered in the suspicions, suggested by these differences, concerning the tangential uses that might be made of a declaration of human rights for the purpose of advancing special interests.” That was a philosopher’s way of saying, “Watch out, this whole enterprise could be hijacked!”

In sum, the human rights project, launched as a multicultural commitment to compete in advancing freedom and dignity, is now in danger of becoming what its enemies and critics have always accused it of being—an instrument of “Western” cultural imperialism.

That irony did not escape the attention of Calcutta-born, Cambridge economist, Amartya Sen. In 1994, just before the U.N.’s Cairo Conference on Population and Development, Sen warned in the New York Review of Books that the developed nations were exhibiting a dangerous tendency to approach population issues with a mentality that “treats the people involved not as reasonable beings, allies faced with a common problem, but as impulsive and uncontrolled sources of great social harm, in need of strong discipline.” Sen, who won the Nobel Prize for his works on inequality and world hunger, charged that international policy makers, by giving priority to “family planning arrangements in the Third World countries over other commitments such as education and health care, produce negative effects on people’s well-being and reduce their freedoms.” In short, the whole range of human rights of poor people is at

23 Ibid. 71; see also, Reed Boland, “The Environment, Population, and Women’s Human Rights,” Environmental Law 27 (1997) 1137.
risk when special interests are dressed up as universal rights.

The good news is that as the U.N. enters a period of austerity, the era of big conferences like Cairo and Beijing is probably drawing to a close. The bad news is that the same economic pressures that are putting a damper on huge international gatherings, however, may aggravate the danger of capture of U.N. agencies by well-financed special interests. A case in point is CNN founder Ted Turner’s $1 billion “gift” to the U.N. announced in the fall of 1997. Many who look to the U.N. for leadership in humanitarian aid were overjoyed when Mr. Turner announced that his donation was to help “the poorest of the poor.”

Paid out in installments of $100 million a year for ten years, this infusion of funds would have ranked behind the annual contributions of only the U.S., Japan, and Germany.

The news seemed too good to be true. It was. It soon appeared that the U.N. would not have control over the funds. Rather, its agencies would be required to submit proposals for approval by a foundation headed by a man Mr. Turner chose because “he thinks as I do.” The man designated to have the chief say in allocating the Turner millions is former U.S. State Department official Timothy Wirth who spearheaded the aggressive U.S. population control agenda at the 1994 Cairo conference. Wirth has been so zealous in advocating population control that he has even praised China, with its coercive one-child-per-family policy, for its “very, very effective high-investment family planning.” As for Mr. Turner, he told a California audience in 1998, that in the post-Cold War world, “The real threat is no longer an army marching on us, it’s people infiltrating us, you know, people that are starving.”

As its details have unfolded, Mr. Turner’s gesture looks less like a gift and more like a take-over bid aimed at U.N. agencies with privileged access to vulnerable populations. The next few years are thus likely to be a time of testing for the U.N. if its prestige and organizational resources are not to be, literally, for sale.

As memories fade about why the nations of the world determined after World War II to affirm certain basic rights as universal, efforts to deconstruct the Universal Declaration and remake it nearer to the heart’s desire of this or that special interest group will continue. Whether the relatively rich and complex vision of human rights in the Universal Declaration can withstand the combined stresses of aggressive lobbying, heightened national and ethnic assertiveness, and the powerful, ambiguous forces of globalization, is impossible to foresee. Not only U.N. agencies, but the governments of several liberal democracies have become implicated in breaking down the connections among its indivisible rights and deconstructing its core principle, human dignity.

The Challenge of Human Rights

The contest for control of the meaning of the Declaration forcefully reminds us that the framers of the Universal Declaration left the human rights movement with a problem. As John Paul II put it in his Address to the Vatican Diplomatic Corps in January 1989, “[T]he 1948 Declaration does not contain the anthropological and moral bases for the human rights that it proclaims” (7). How, then, can one handle the problem of reconciling tensions among the various rights, or the related problem of integrating new rights from time to time?

Those problems are serious, and have led some thoughtful persons to conclude that the Declaration is hopelessly incoherent. The late Michel Villey, for example, maintained that, “Each of the so-called human

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rights is the negation of other human rights, and when practiced separately generates injustices."  

Alasdair MacIntyre argues that different rights, borrowed from different traditions, often rest on different, and incommensurable, moral premises.  

These problems were not overlooked by Maritain and his colleagues.  Maritain noted that, "Where difficulties and arguments begin is in the determination of the scale of values governing the exercise and concrete integration of these various rights."  

The Declaration, he went on, would need some "ultimate value whereon those rights depend and in terms of which they are integrated by mutual limitations."  That value, explicitly set forth in the Declaration, is human dignity.  But as time went on, it has become painfully apparent that dignity possesses no more immunity to hijacking than any other concept.  One need only think of current defenses of active euthanasia in terms of "the right to die with dignity."  (There is no end, it seems, of pseudo-rights that the stronger are eager to confer upon the weaker whether the latter are willing or not.)  

The shift from nature to dignity in modern thinking about the foundations of human rights thus entails a host of difficulties.  The common secular understandings are that human beings have dignity because they are autonomous beings capable of making choices (Kant), or because of the sense of empathy that most human beings feel for other sentient creatures (Rousseau).  But the former understanding has alarming implications for persons of diminished capacity, and the latter places all morality on the fragile basis of a transient feeling.  Most believers, for their part, would say that dignity is grounded in the fact that human beings are made in the image and likeness of God, but that proposition is unintelligible to nonbelievers.  

Moreover, the path from dignity to rights is not clear and straight, even for believers.  Brian Benestad has pointed out that the term "dignity of the human person" has two different connotations in Christian teaching—"[it] is both a given and an achievement or an end to be gradually realized."  

The Catholic Catechism, he notes, begins its discussion of morality with this quotation from Pope Leo the Great:  

"Christian, recognize your dignity, and now that you share in God’s own nature, do not return by sin to your former base condition."  But if dignity is a quality to be achieved by strenuous effort to overcome sin and practice virtue, then it is not altogether clear that the dignity of the rights claimant is an adequate basis for human rights.  Not every rights claimant, obviously, has made strenuous effort to overcome sin.  From a Christian point of view, the resolution of this dilemma may be that human rights are grounded in the obligation of everyone to perfect one’s own dignity which in turn obliges one to respect the “given” spark of dignity of others whatever they may have done with it.  In other words, it may be our own quest for dignity (individually and as a society) that requires us to refrain from inflicting cruel punishments on criminals, or from terminating the lives of the unborn and others whose faculties are undeveloped or dormant.  

In that light, the drafters of the U.N. Charter were prudent to say that human rights rest upon a “faith” in human dignity.  It would be a mistake, however, to leap from that proposition to the notion that this faith is merely an act of will, an arbitrary choice.  All in all, one may say of “dignity” in the Universal Declaration what Abraham Lincoln once said about “equality” in the Declaration of Independence: it is a hard nut to crack.  The framers of the Universal Declaration were far from naive about the difficulties that lay ahead.  That is evident from many statements in which they acknowledged the priority of culture over law.  Though Maritain was not, strictly speaking, a framer, he said it best.  Whether the music played on

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31 Brian Benestad, “What Do Catholics Know about Catholic Social Thought?” in Festschrift/or George Kelly (Christendom Press, forthcoming).
the Declaration’s thirty strings will be “in tune with, or harmful to, human dignity,” he wrote, will depend primarily on the extent to which a “culture of human dignity develops.” 32

If Maritain, Eleanor Roosevelt, Charles Malik, René Cassin and others who held this view were right, then a great challenge faces the world’s religions, for religion is at the heart of culture. Ultimately it will be up to the religions to demonstrate whether they are capable of motivating their followers to fulfill their own calling to perfect their own dignity, and in so doing to respect the dignity of fellow members of the human family. 33

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS
Adopted and proclaimed by General Assembly resolution 217 A (III) of 10 December 1948

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE
Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1.
All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
Article 2.
Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, nonself-governing or under any other limitation of sovereignty.

Article 3.
Everyone has the right to life, liberty and security of person.

Article 4.
No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.
Everyone has the right to recognition everywhere as a person before the law.

Article 7.
All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.
Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.
No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.
Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.
(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.
Article 12.
No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.
(1) Everyone has the right to freedom of movement and residence within the borders of each state.
(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.
(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.
(1) Everyone has the right to a nationality.
(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.
(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
(2) Marriage shall be entered into only with the free and full consent of the intending spouses.
(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.
(1) Everyone has the right to own property alone as well as in association with others.
(2) No one shall be arbitrarily deprived of his property.

Article 18.
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.
Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.
(1) Everyone has the right to freedom of peaceful assembly and association.
(2) No one may be compelled to belong to an association.
Article 21.
(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
(2) Everyone has the right of equal access to public service in his country.
(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.
Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.
(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
(2) Everyone, without any discrimination, has the right to equal pay for equal work.
(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.
Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.
(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.
(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
(3) Parents have a prior right to choose the kind of education that shall be given to their children.
**Article 27.**
(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

**Article 28.**
Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

**Article 29.**
(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

**Article 30.**
Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.
Crucial Language in UN Documents

The United Nations operates with a unique set of terms whose definitions are often unstated. It is important to understand that many definitions come to be understood in a particular way over time through use and negotiation. A chief element of all negotiation is working with certain language terms in the text. Various combinations of words can provide completely different meanings to initial appearances. It is critical for WYA to understand the context and meaning of key terms and definitions. Ultimately the objective is to ensure that negotiated documents respect and affirm the dignity of the person.

1) *Health* - understood as basic health care, which includes access to clean water, sanitation, basic health care, and basic nutrition.

2) *Reproductive health* - gynecologic and obstetric care, family planning, and treatment for sexually transmitted disease; it is not understood to include abortion.

3) *Reproductive services* - the services that are required to achieve reproductive health; there is no definition of the term that includes abortion, but various delegations have publicly stated that they understand it to do so.

4) *Sexual and reproductive health care services* - serves as an umbrella term for all of the understood provisions that each of these terms offers, and, as such, can be interpreted (but does not necessarily require) as providing contraceptives, abortefacients, and full access to abortion.

5) *Unsafe abortion* - illegal abortion

6) *The Family/Family* - makes reference to the traditional family: in the case of North America, Europe and some parts of Far Eastern Asia it is represented by the nuclear family, parents and children; in the case of Latin America, Africa, South East Asia, and some parts of the Pacific Rim it is represented by the "extended" family which is a concept that encompasses a group of nuclear families and several generations

7) *Various forms of the family* - introduced to recognize family situations that embrace inter-generational heads of family, tribal family concepts, and new family arrangements arising as a result of the ravages of HIV/AIDS, the term has also been understood to include the possibility of homosexual unions under the concept of family.

8) *Gender* - refers to the socially constructed roles of individuals, rather than the biological differences between men and women.
World Health Organization
Participation in the ICPD + 5 Review Process


Technical Definitions and Commentary

Although the Programme of Action adopted at the International Conference on Population and Development (ICPD) in Cairo in 1994 is not "up for renegotiation" during the ICPD+5 review process, it is probably that some groups will try to re-open the debate on some of the issues and terms that led to a great deal of discussion during the Preparatory Meeting (PrepCom III) prior to ICPD and during ICPD itself.

A set of definitions and commentaries on terminology was prepared for WHO staff involved in ICPD to ensure a technically sound and consistent response whenever WHO was questioned on the meaning or definitions of terms used in the (draft) Programme of Action. These definitions and commentaries, prepared for ICPD and now updated as needed to reflect finally agreed language (e.g. in the case of the definition of reproductive health), are given in Section 1 of this document. "New" definitions and commentaries relating to terms that are being used increasingly since ICPD and the Fourth World Conference on Women (Beijing, 1995) are listed in Section 2.

It must be noted that the definitions in this paper for which a WHO source is given, are working definitions for technical and programmatic purposes in responding to requests for collaboration with Member States. All such collaboration, which also implies the need for working definitions in programme development, derives from specific resolutions of the WHA, and often of the Regional Committees as well.

SECTION 1: "Old" Definitions and Commentaries

Reproductive Health
Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the rights of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice; as well as other methods of their choice for regulation of fertility which are not against the law. The right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth, and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and wellbeing by preventing and solving reproductive health problems. It
also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counseling and care related to reproduction and sexually transmitted diseases.

Source: ICPD Programme of Action 1994, para 7.2.

**Safe Motherhood**
Safe motherhood aims at attaining optimal maternal and newborn health. It implies reduction of maternal mortality and morbidity and enhancement of the health of newborn infants through equitable access to primary health care including family planning, prenatal, delivery and postnatal care for the mother and infant, and access to essential obstetric and neonatal care.


**Family Planning**
Family planning implies the ability of individuals and couples to anticipate and attain the desired number of children and the spacing and timing of their births. Family planning is achieved through contraception, defined as any means capable of preventing pregnancy, and through the treatment of involuntary infertility. The contraceptive effect can be obtained through temporary or permanent means. Temporary methods include: periodic abstinence during the fertile period; coitus interruptus; utilizing the naturally occurring periods of infertility (e.g. during breast-feeding and postpartum, amenorrhea); through the use of reproductive hormones (e.g. oral pills, long-acting injections and long-acting implants); by placing a device in utero (e.g. medicated intrauterine devices), and by interposing a barrier preventing the ascension of the sperm into the upper female genital tract (e.g. condoms, diaphragms and spermicides). Permanent means for contraception include male and female sterilization.

Source: Working definition used by the Special Programme of Research, Development and Research Training in Human Reproduction, Department of Reproductive Health and Research, WHO.

**Fertility Regulation**
Fertility regulation is the process by which individuals and couples regulate their fertility. Methods that can be used for this purpose include, amongst others: delaying child-bearing, using contraception, seeking treatment for infertility, interrupting unwanted pregnancies and breast-feeding.

Source: Working definition used by the Special Programme of Research, Development and Research Training in Human Reproduction, Department of Reproductive Health and Research, WHO.

**Abortion**
Induced abortion, or the voluntary termination of pregnancy, is used to end an already established pregnancy (i.e. a method acting after implantation has been completed).

Unsafe abortion is defined as a procedure for terminating an unwanted pregnancy either by persons lacking the necessary skills or in an environment lacking the minimal medical standards or both.


Although, it is not the role of WHO to take a specific position on induced abortion, it is concerned with the health aspects relating to pregnancy termination. It provides, upon request, information and technical advice to Member States, who have the responsibility to decide what position to take on the issue based on a number of health, ethical, social, cultural and religious considerations.

**Family**

The UN General Assembly in its resolution 44/82 of 8 December 1989, proclaimed 1994 as the International Year of the Family (IYF) with its theme of "Family: resources and responsibilities in a changing world." No attempt was made by the United Nations to define or delineate the "ideal family" or to direct "family policy" to specific goals. The concept of family is not easy to define. The family has been variously described as the nucleus and pillar of society and the natural bridge between the individual and society. The status of the family has also been referred to by the United Nations Committee on Civil and Political Rights. In commenting on Article 23 of the International Covenant on Civil and Political Rights, the Committee noted that:

"The concept of the family may differ in some respects from State to State, and even from region to region within a State, and that it is therefore not possible to give the concept a standard definition. However, the Committee emphasizes that, when a group of persons is regarded as a family under the legislation and practices of a State, it must be given the protection referred to in article 23."


**SECTION 2: New Definitions and Commentaries**

**Adolescence**

The standard age definition is most often defined (by WHO) as follows:

"The term ‘adolescence’ has been defined as including those aged between 10 and 19, and ‘youth’ as those between 15 and 24; ‘young people’ is a term that covers both age groups, i.e. those between the ages of 10 and 24."


**A more substantive definition is:**

"...Adolescence was defined as the period during which:
(a) The individual progresses from the point of initial appearance of the secondary sex characteristics to that of sexual maturity;
(b) The individual’s psychological processes and patterns of identification develop from those of a child to those of an adult;
(c) A transition is made from the state of total socioeconomic dependence to one of relative independence."


Gender
Refers to women’s and men’s roles and responsibilities that are socially determined. Gender is related to how people are perceived and expected to think and act as women and men or boys and girls because of the way society is organized, not because of biological differences.


Gender Equality
Absence of discrimination on the basis of a person’s sex in opportunities and the allocation of resources or benefits or in access to services.


Gender Equity
Fairness and justice in the distribution of benefits and responsibilities between women and men. The concept recognizes that women and men have different needs and power and that these differences should be identified and addressed in a manner that rectifies the imbalance between the sexes.


Gender Analysis
A gender analysis identifies and examines inequalities that arise from the different roles of men and women or the unequal power relationships between them; and the consequences of that inequality on their lives, health and wellbeing. In the area of health, a gender analysis contributes to the understanding of the differentials in disease and ill-health, and in the social and cultural responses to disease or ill-health. It also highlights differences in access to resources to promote and protect health (e.g. information, education, technology and services) in responses from the health sector, and in the ability to exercise the right to health as a fundamental human right.

**Sexual Health**

*Either*

Aims at the enhancement of life and personal relations.

Source: Adapted from ICPD Programme of Action, para 7.2,

*Or*

Means that people should be able to have a safe and satisfying sex life including a healthy psychosexual development in equal, responsible and mutually respectful relationships.


**Reproductive Rights**

Embrace certain human rights recognized in national and international legal and human rights documents. They include the right of couples and individuals to decide freely and responsibly on the number and spacing of their children, and to have the information and means to do so; the right to attain the highest standard of sexual and reproductive health; and the right to make decisions free of discrimination, coercion or violence.

Source: Adapted from ICPD Programme of Action, para 7.3.

**Sexual Rights**

*Either*

The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.

Source: Adapted from the Beijing Platform for Action, para 96.

*Or*

All people’s right to decide about their sexual life, with full respect for the integrity of the partner, and the right of girls and women to say no to sex. Sexual rights include not only legislation, but also norms and practices which hinder women and men from taking responsibility for their sexual behaviour.


**Violence against Women**

Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty,
whether occurring in public or private life and includes physical, sexual and psychological violence perpetrated or condoned by the state wherever it occurs.


**Female Genital Mutilation**

Female genital mutilation constitutes all procedures which involve partial or total removal of the external female genitalia or other injury to the female genital organs whether for cultural or any other non-therapeutic reasons.


**Reproductive Tract Infections**

RTIs include STDs and their sequelae (among them cervical cancer), iatrogenic infections (post-abortion and postpartum sepsis) and certain endogenous infections which may not be sexually transmitted (bacterial vaginosis and candidiasis).

Trends in UN Language

Examples of good language

"The family is the fundamental unit of society and holds the primary responsibility for the nurturing and protection of children. All institutions of society should respect and provide protection and assistance to parents and families so that children can grow and develop in a safe, stable and supportive environment."

_Revised Draft Outcome Document A World Fit for Children March 19, 2001 Section 1, Paragraph 10_

"Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world...

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.

Recognizing that the child, for the ‘full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding...

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth."

_Preamble to Convention on the Rights of the Child_

"Further attention, care and support should be accorded to disabled children, as well as to other children in very difficult circumstances."

Para. 11, _World Declaration on the Survival, Protection and Development of Children_

"States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention."

_Article 5, Convention on the Rights of the Child_

"1. States Parties recognize that every child has the inherent right to life. 2. States Parties shall ensure to the maximum extent possible the survival and development of the child."

_Article 6, Convention on the Rights of the Child_
"The children of the world are innocent, vulnerable and dependent. They are also curious, active and full of hope. Their time should be one of joy and peace, of playing, learning and growing. Their future should be shaped in harmony and co-operation. Their lives should mature, as they broaden their perspectives and gain new experiences."

Para. 2, World Declaration on the Survival, Protection and Development of Children

"We will work for a solid effort of national and international action to enhance children’s health, to promote pre-natal care and to lower infant and child mortality in all countries and among all peoples. We will promote the provision of clean water in all communities for all their children, as well as universal access to sanitation.

We will work for optimal growth and development in childhood, through measures to eradicate hunger, malnutrition and famine, and thus to relieve millions of children of tragic sufferings in a world that has the means to feed all its citizens."

Paras. 20(2) and (3), World Declaration and Plan of Action for the World Summit for Children

"The family has the primary responsibility for the nurturing and protection of children from infancy to adolescence. Introduction of children to the culture, values and norms of their society begins in the family. For the full and harmonious development of their personality, children should grow up in a family environment, in an atmosphere of happiness, love and understanding. Accordingly, all institutions of society should respect and support the efforts of parents and other care-givers to nurture and care for children in a family environment."

Para. 18, Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s

"Preventable childhood diseases- such as measles, polio, tetanus, tuberculosis, whooping cough and diphtheria, against which there are effective vaccines, and diarrhoeal diseases, pneumonia and other acute respiratory infections that can be prevented or effectively treated through relatively low-cost remedies- are currently responsible for the great majority of the world’s 14 million deaths of children under 5 years and disability of millions more every year. Effective action can and must be taken to combat these diseases by strengthening primary health care and basic health care services in all countries."

Para. 9, Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s

Examples of Problematic Language

"We reaffirm the inextricable link between the human rights of children and women, and will continue to work to ensure that there is both legal recognition of the rights of women and girls - and an end to the inequality, discrimination and violence that they endure."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section I, para. 7
"Discrimination promotes a vicious cycle of social and economic exclusion. Whether rooted in race, colour, age, sex, sexual orientation, religion, economic status, political or other opinion, national, ethnic or social origin, disability, or any other grounds, discrimination frequently reflects disparities in key areas of children’s lives, and these disparities are on the rise around the world, both among and within countries. Many children also face discrimination as children in their societies."

Section II, para. 12

"Social and economic pressures are undermining the crucial role of parents and families in ensuring the rights of children to grow up in a safe, stable and nurturing environment. Families today exist in diverse forms, even headed by children themselves in some situations. There is an urgent need to support families in providing safe, stable and supportive environments for children."

World Summit for Children Draft Provisional Outcome Document, December 4, 2000
Section II, para. 13

"The world now has the normative framework, the communications capacity, the technical know-how and the financial resources to meet the most pressing needs of children and to fulfill their rights. The nearly universal ratification or the Convention on the Rights of the Child, together with a range of other human rights instruments and obligations, including the Convention on the Elimination of All Forms of Discrimination against Women, set out entitlements for children and women clearly and compellingly."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section III, para. 22

"To provide a safe and healthy start in life for all children, young people, men and women must have access to information and education on their common responsibilities as parents, and women of child-bearing age must have access to quality reproductive health services to promote healthy pregnancy and childbirth."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section V, para. 60

"Girls’ education must be accorded a high priority. Gender equality must be a paramount goal of education. Education programmes must address discrimination that grows out of cultural traditions, social attitudes and practices, or legal and economic factors."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section V, para. 69

"New approaches to development in the last decade have reinforced the conviction that efforts to overcome poverty and exclusion must be guided by universal values and human rights - beginning with the rights of the child. A human rights-based approach to development addresses discrimination at all levels,
including economic and social policies and practices, as well as political decisions. It empowers families and communities to secure the support of the need. A human rights-based approach implies that all investment proposals must be considered in terms not only of their contribution to economic growth, but also in the value they add to improving the human condition, especially the well-being of children."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section II, para. 23

"Children and adolescents must be supported in learning how to protect themselves from HIV infection. There must be voluntary and confidential counseling and testing for HIV/AIDS. Young people should receive guidance and support in the prevention and treatment of HIV/AIDS and other sexually transmitted infections."

World Summit for Children Draft Provisional Outcome Document
December 4, 2000
Section V, para. 77

Trends in the Negotiation Positions of Various Delegations

European Union (Sweden):
- Concerned with promoting more references to sexual and reproductive health, contraception, and safe abortion where legal, and the promotion of condoms for adolescents.
- "The ED is worried by the fact that the emphasis on the Convention on the Rights of Child and the rights based approach has been weakened considerably in the revised draft outcome document. The spirit of a rights based approach should be an integral part of the outcome document including in all interventions mentioned in the text. As it stands the text places too much emphasis on the rights of parents and often treats children as objects rather than individuals with their own rights independently of that of adults. The ED would like to see much more emphasis on the issue of child participation, which is one of the strongest manifestations of the rights-based approach."

"It is important that the text is written to be relevant in both developing and developed countries. It has to be made clear that the rights of the child also are violated in the industrialized countries. Another aspect of balance in the draft relates to which age group is focused. The text in its current form addresses situation for the very young children, rather than on those for all children, including adolescents. There is no reference to adolescents in the goals on education and health, and they are only given limited notion in the strategies devised to implement the goals. In this context, secondary education and their sexual and reproductive health and rights should be stressed.

There is also a limited focus on gender aspects in the current draft, not least is there a limited regard for the rights of the girl child and adolescent girls in relation to equal access to health and education services."

-Statement by Ms. Johanna Brismar Skoog, Counsellor, Permanent Mission of Sweden to the United Nations on behalf of the European Union
1 May, 2001
The United States:

"Ten years after the 1990 Summit, 825 million people, most of them women and children, do not have enough food to meet basic nutritional needs. One third of all children fail to complete five years of basic schooling and 120 million young children are not enrolled in primary schools. Ten million children under the age of five die each year, most from preventable diseases and malnutrition. Half of the children in sub-Saharan Africa have not received basic immunizations. During the decade, 2 million children have died as a result of armed conflict. These numbers paint a picture that is horrific and intolerable.

The Special Session must produce a clear and coherent document that identifies priorities, charts actions realistically within reach of individuals, governments, and civil society, and generates commitment on the part of us all.

Our children deserve no less than a practical, realistic plan from the upcoming Special Session.

In its present form, the draft is a confusing mix of political and legal actions, with ill-defined major goals and an incomplete set of sub-goals. Its treatment of domestic obligations and international support is unbalanced and unrealistic. As Ambassador Hammarberg, speaking on behalf of the EU has stated, it is at the national level where the ultimate success of our goals will be realized.

We should not deviate from the original Summit goals without good reason. For example, the current text, calls for a reduction in the maternal mortality rate by at least one-third between 2000 and 2010. The original goal was reduction by half in one decade. What is the basis for this change?

There are several areas in which the U.S. has had substantial experience during the decade since the World Summit for Children, and which we believe are inadequately represented in the document. These include:

- increasing health and nutrition interventions;
- recognizing and addressing the special needs of children in armed conflict;
- eliminating international child abduction, the sale of children, child prostitution and child pornography;
- harnessing the power of research and technology on behalf of children;
- preventing exposure of children to environmental hazards in the air and water; and,
- emphasizing the vital role the family plays in the upbringing of children.

Finally, I would like to say a few words about the many references to the Convention on the Rights of the Child and other international instruments in the current text. States may be encouraged to consider ratification of these instruments, but. it is wrong to assert an obligation to ratify them. We also believe it is misleading and inappropriate to use the Convention as a litmus test to measure a nation’s commitment to children. As a non-party to the Convention, the United States does not accept obligations based on it, nor do we accept that it is the best or only framework for developing programs and policies to benefit children."

Ambassador E. Michael Southwick
Deputy Assistant Secretary of State for International Organization Affairs Statement in the Preparatory Committee for the General Assembly Special Session on the Children’s World Summit
February 1, 2001

360
Canada:
- Promoting language that states "various forms of the family."
- Wants new section on child participation (supporting the EU).
- Want language promoting women’s rights and children’s rights as well as gender mainstreaming reinserted from the previous document.

*Oral statement May 2, 2001*

Holy See:
- Working to insert a chapeau in section I which would enshrine as an overarching concern human dignity, human rights, and the fundamental freedoms of the person.
- Continue to negotiate all language to enshrine the dignity of the person.
- Continue to support language highlighting the primary role of parents in the lives of Children.

*Oral Statement May 2, 2001*
DECLARATION
The Women’s Coalition for ICPD and
The Youth Coalition on ICPD+5
30 March 1999

The Women’s Coalition for ICPD, a coalition of 72 NGOs representing every part of the world, and the Youth Coalition on ICPD+5, representing the Hague Youth Forum of 132 NGOs and 111 countries, are outraged that the negotiations at the PrepCom for ICPD+5 have failed to carry out their purpose.

This PrepCom was meant to evaluate progress and obstacles in the implementation of ICPD and define priorities for the next five years. Instead, the draft document does not even take into account new developments, good practices, and unforeseen obstacles which should have been acknowledged and discussed in this review. Simply repeating the Programme of Action is insufficient and provides no guidance for further action.

We insist that key future actions for ICPD implementation must, at a minimum:

1. Reaffirm sexual and reproductive rights as an integral part of the human rights guaranteed to all:
   - Recognize that sexual and reproductive health and rights are inseparable;
   - Recognize that “dignity” does not stand for human rights;
   - Take urgent action to eliminate all forms of violence against women and promote gender equality and equity.

2. Make firm commitments to reduce maternal mortality in accordance with targets set by ICPD, including:
   - Full implementation of para. 8.25 of ICPD;
   - Review and repeal of laws that contain punitive measures against women who have undergone illegal abortions;
   - Provide skilled attendants at birth, essential obstetric care, including emergency care, as well as prompt referral and transport for emergency cases.

3. Recognize that the sexual and reproductive rights of adolescents are the same as those of adults and guarantee that adolescents:
   - Are able to exercise their sexual and reproductive rights;
   - Have access to education, counseling and services that respect confidentiality;
   - Are empowered to participate fully in the design, implementation, monitoring and evaluation of policies and programs that concern them.

   - Provide treatment and care for all women and young people, especially girls, living with HIV/AIDS, whether or not they are pregnant;
   - Prioritize policies and programs that empower women and girls to negotiate equally sexual relations and the use of methods to prevent HIV and other sexually transmitted diseases.
Beijing + 5

World Youth Alliance Report
The World Youth Alliance applauds Beijing "minus" five

In March and June of 2000 the World Youth Alliance attended the Fourth World Conference on Women, also known as Beijing+5. The outcome of Beijing+5 was a reinforcement of the international community’s commitment to the true needs of women around the world. These needs include basic health care, education, and safe communities in which women are able to live in a manner commensurate with their human dignity.

Although the conference was renamed Beijing "minus" 5 by an elite, well funded group of non-governmental organizations, the World Youth Alliance observed many positive trends in the negotiations. Some NGOs had hoped to insert language promoting abortion as an international human right. Nafis Sadik, executive director of the UNFPA (United Nations Fund for Population Activities) one of the leading organizations promoting abortion around the world, including China’s brutal, coercive, one-child policy, rewrote her speech to the General Assembly in tears. A description of what really happened at Beijing+5 and the language finally developed is outlined below.

Resisting undefined terms

The undefined terms ‘sexual orientation’ and ‘sexual rights’ were deleted from the final document. Debate persisted regarding these terms until delegations recognized that these terms had nothing to do with guaranteeing access to information for married adults to sexual information or medical advice. Western understandings of these terms were not acceptable as definitions left the assumption that ‘sexual rights’ and ‘sexual orientation’ could justify the promotion of pornography, prostitution and sexual rights for children, among other undefined activities. These interpretations were supported by the delegations of the EU, USA and Canada, as well as through directives recently given by the CEDAW committee. (Convention on the Elimination of all forms of Discrimination Against Women)

Abortion an international human right?

Language was taken out of context from the original Beijing Platform for Action that attempted to make the final link in establishing abortion as an international human right. Had this language been agreed, it could override national laws against abortion, in much the same way that Roe v Wade (1973) eventually overturned all state abortion laws in the United States. The language stated that (Para 21) "There is a non-recognition of women’s and girl’s reproductive rights as human rights as included in the Beijing Platform for Action, Para 95".

Reproductive rights definitions include the "termination of unwanted pregnancy", or in other words, abortion on demand. The paragraph 95 language implied that some reproductive rights are human rights, which is absolutely true. However, this language would have included all reproductive rights and thus set international precedent for abortion as an international human right. This paragraph was
ultimately deleted and replaced by the exact wording of Para 95 from the original Platform for Action.

Paragraph 107g instructed that laws “to guarantee female and male adolescents access to confidential sexual and reproductive health information, education and services” be reviewed by member states. UN definitions of ‘adolescent’ start at the age of ten. Such language encourages countries to provide access to abortion, contraception and sexual counseling or information to children as young as ten, without parental knowledge or consent. This language is contrary to US law, as well as to the UN Declaration of Human Rights and other International Conventions, including the Convention on the Rights of the Child, which recognize, as a human right, the prior rights of parents in the education, development and instruction of their children. This paragraph was deleted and replaced with the original Beijing language.

Cairo+5 language rejected

One of the most controversial paragraphs in the document during the Beijing +5 negotiations was Paragraph 107i. This paragraph took its language from last minute agreements reached during Cairo +5 in 1999, and represents the single greatest mistake made during those negotiations. Language in paragraph 107i states that "in circumstances where it is not against the law, health systems should train and equip health service providers and take other measures to ensure that abortion is safe and accessible." This language is faulty for a number of reasons. First, it was stressed throughout the Cairo negotiations that in no case should abortion be promoted. This language changes the intent of Cairo and then later Beijing; by calling for more access to abortion, it is calling for more abortion. Secondly, neither Beijing nor Cairo calls for the training or equipping of health service providers to perform abortions. Language inserted here calls for this training and equipping to be mandatory, and refuses to insert language to safeguard the rights of conscience of these same health care providers.

This paragraph was ultimately deleted, and language to which it refers, in paragraph 106(k) of the original Platform of Action replaced it. However, rejection of this paragraph was an important precedent, as it removed language previously agreed in a later document (namely Cairo+5 in 1999) to revert to the earlier language upon which it was constructed. (Beijing Platform for Action, 1995)

Focusing on Women

World Youth Alliance members followed the Beijing+5 negotiations to their conclusion in the early hours of the morning on the last night of the conference. As an organization dedicated to building a culture of life and protecting the dignity of every person, the World Youth Alliance was encouraged by the results of the language battles described above. Delegates renewed their commitment to serving the true needs of women, and for the moment, ignored the insistent demands of those who seek to keep abortion and the reproductive and sexual rights of women and children at the forefront of the world’s attention.

Read Esperanza!, the daily conference journal distributed by the World Youth Alliance, for further World Youth Alliance analysis of the document and ideas debated at the Beijing+5 conference on women.

To see the final outcome document, go to:
EU attacks Poland and other Eastern European delegations over stance at Beijing +5

Members of the European Parliament reacted swiftly today, condemning actions by the European Union during negotiations in NY which pressured and coerced other nations to accept language promoted by the EU in sensitive areas of the document.

Disputes over language are arising during negotiations for the Beijing +5 conference currently in session at the United Nations in New York. The conference is the five-year follow up for the international Conference for Women, held in Beijing, China in 1995.

Throughout the document the EU has consistently used undefined language; at the UN, ‘reproductive rights’ includes abortion, while undefined terms such as ‘sexual rights’, continue to mislead and confuse delegates from developing nations. Since these terms are not commonly defined or accepted in these countries, interpretation of the meanings of the terms varies from national delegation to national delegation. The refusal on the part of the EU delegation, as well as the delegations from other western nations to define the terms has baffled delegates.

The European Union delegation attacked the Polish delegation over the negotiating positions which Poland has taken on issues of national sovereignty, promotion of abortion and the excessive use of undefined terms.

The hour and a half meeting called by the EU to discuss the Polish position came as a shock to the Polish delegation, who found themselves confronted by representatives of most of the fifteen member states, along with the presence of other eastern European states. The meeting was also used as an excuse to pressure Poland to sign and ratify European statements and resolutions.

Coercive pressure and manipulation, especially in light of the delicate enlargement negotiations currently taking place, must be avoided at all costs. The measures taken by the EU in confronting Poland and other delegations must clearly end at discussion and negotiation.
Main statements
by Ms. Kate THEORIN
acting as a Chairperson of the EU MPs meeting,
addressed to the Head of the Polish Delegation,
Mr. Min. Jerzy KROPIWNICKI

1. There is always some country that makes problems. But we have the means to isolate those who isolate themselves.

2. Poland, since she wants to join the European Union, should join the EU Statement of the EU presented on this Session.

3. Poland must accept the 13, Art. of the Amsterdam Treaty. It makes no difference that Poland has not yet ratified that Treaty and is not even the Member to the EU. It is not important that the date of the accession has not yet been declared by the EU.

4. Our constituencies expect us (i.e. EU Parliamentarians) to make progress on women’s rights - and so this is not important that the UNO Preparatory Committee decided in the consensus that the Beijing Platform should not be changed. It is unimportant that the Polish Constituency may expect a different position (than this of the EU MPs) of their representatives.

5. This progress means the acceptance of the right to abortion and the ban on any discrimination based on sexual orientation.

6. Reservations concerning the introduction of the non-agreed upon and undefined terms (like sexual rights, sexual orientation or full diversity of women) should not be made even if those terms are not in the agreed platform.

7. It is not important that Poland has not even been invited to participate in outlining the document she is expecting to sign.

8. The fact that Poland is ready to co-operate in area of the implementation of the standards agreed in Beijing in 1995 is not enough. It is not important in fact.

9. I believe that Poland may not like to find herself among such countries like Iran, Sudan, Syria of Algeria.

Noted: J. Kropiwnicki
TO: Mme Nicole FONTAINE  
President  
of the European Parliament  
Fax 00 33 3 88 179 469, 00 32 21 22 56 52

FROM: Mieczyslaw KROPIWINICKI, MP,  
Head of the Polish Delegation to the UN Special Session  
Fax +48 22 621 25 50

Dear Ms President,

As a Head of the Polish Delegation to the UN Special Session „Beijing +5” I would like to express my deep gratitude for your support and solidarity. Thank you very much for your support and solidarity. The reaction of Yours and the European Parliamentarians in defense of the fundamental values and against the coercion, manipulation and unprecedented pressure - exerted on the Polish Delegation during the meeting presided by Mme Katze THEORIN – has come just in time to restore the credibility of the European institutions and values. The debate that has taken place in the European Parliament these days proved that this Europe that my friends in “SOLIDARNOSC” and myself have been so long dreaming of while living in the communist totalitarian oppression, really does exist.

Warsaw, 21.06.2000

Sincerely,Yours

[Signature]
June 8, 2000
Permanent Representative,

Dear Ambassador,

We are writing to you as members of the European Parliament. We have been informed of the European Union’s position on the following issues during negotiations for the Beijing +5 Prep Com document in New York. It is our sincere hope that the EU position on these issues will be reconsidered. As well, the European Parliament is aware that the positions which we represent abroad as well as within Europe should reflect the values and opinions of the citizens in Europe; with this in mind, the principle of subsidiarity guides our European legislation and negotiations, and must guide our international negotiations and platforms as well.

We would therefore urge the European Union delegation to:

Support all references and mechanisms which enhance national sovereignty. This is necessary within Europe, where individual member states have differing national laws and constitutions, and outside of Europe, where our respect for the sovereign rights of other states to continue to create their own laws and policies, in accordance with numerous international treaties and conventions must also be respected.

Delete references to language calling for increased access to abortion and the training of medical personnel to perform them. This language contravenes laws and constitutions of certain European member states; further, it violates the Cairo Programme for Action and the Beijing Programme for Action, both of which call for a reduction in abortion. For this same reason, language calling for the establishment of reproductive rights as human rights cannot be accepted by the European Union.

Delete or define undefined language and terms from the document. Promotion of undefined language such as the term "sexual rights" is unacceptable. Left undefined the term can be interpreted in any number of ways; "sexual rights" must be defined to ensure that this language could in no way could be used to promote pornography, pedophilia or other sexual activities which are harmful to women, children and the vulnerable members of society.

Support and strengthen language which recognizes women’s role in the family, and the importance of the family as the basic unit of society. Strong families are the single most important factor in nurturing and protecting women and girls from violence and abuse, while providing an environment allowing them to safely express themselves and develop.

Please be assured of the support and gratitude of the undersigned Members of the European Parliament for any support which the European Union’s delegation will give to the above mentioned areas of concern.

With every good wish, we remain,

Sincerely,
Letter from the Embassy of Norway in Managua, Nicaragua, to Salvador Stadthagen, Secretary of Economic International Relations and Cooperation, Ministry for Foreign Affairs, Nicaragua.

Re: Definition on gender issues

Dear Mr. Stadthagen:

With all our respect and reliance, we have the honor of writing to you referring to the letter of the Ministry of the Family, dated 12 December 1999, regarding its concepts of gender.

The changes the Ministry of the Family is considering to introduce into the politics of gender draws our attention. Until now it was based on the international commitments also acquired by Nicaragua.

As you know, our cooperation has in general a clear perception of gender and it is founded on the definitions agreed upon at the international conferences. It is for this reason that we are concerned about the new interpretation of these principles.

The gender issue has a multidisciplinary character and plays an important role in all sustainable development. According to our principles, the development as well as the cooperation, have their roots in values of equal rights for both men and women.

Referring to the above exposed, we respectfully request that you inform us on the status of the above-mentioned letter and confirm to us Nicaragua’s ratification of the agreements of the Beijing Conference.

Without any other issue at present, we take this opportunity to present our most high appreciation and esteem.

Sincerely,

Ingunn Klepsvik
Ambassador of Norway

Orla Bakdal
Ambassador of Denmark

Jan Bjerninger
Ambassador of Sweden

Hans Petersmann
Ambassador of Germany

Heidi Pihlatie
Charge d’Affaire
Embassy of Finland

Margarita Bot
Charge d’Affaire
Embassy of The Netherlands

Christopher Graf
Coordinator of Central America
Swiss Agency for Development and Cooperation
Carta de la Embajada de Noruega en Managua, Nicaragua, a Salvador Stadthagen, Secretario de Relaciones Económicas Internacionales y Cooperación Ministro de Relaciones Internacionales.

Re: Definición sobre asuntos de género

Estimado Sr. Stadthagen:

Con todo respeto y confianza, tenemos el honor de escribirle con relación a la carta del Ministerio de la Familia, fechado Diciembre 12, 1999, respecto a los conceptos de género.

Los cambios que el Ministerio de la Familia está considerando introducir en las políticas de género, llaman nuestra atención. Hasta ahora estaban basados en los acuerdos internacionales también adquiridos por Nicaragua.

Como usted sabe, nuestra cooperación tiene por lo general una percepción clara del género y están basados en nuestras definiciones acordadas en las conferencias internacionales. Es por esta razón que estamos preocupados por la nueva interpretación de esos principios. El asunto del género tiene un carácter multidisciplinario y juega un papel importante en todo desarrollo sostenible. De acuerdo a nuestros principios, el desarrollo, tanto como la cooperación, tienen sus raíces en derechos iguales tanto para hombres como para mujeres.

Con base en lo anteriormente expuesto, respetuosamente le pedimos que nos informe en su estatus con respecto a lo expresado en esta carta y nos confirme la ratificación de Nicaragua a los acuerdos de la Conferencia de Beijing.

Sin otro particular, aprovechamos la oportunidad de presentarle nuestro más alto aprecio y estima.

Ingunn Klepsvik
Embajador de Noruega

Orla Bakdal
Embajador de Dinamarca

Jan Bjerninger
Embajador de Suecia

Hans Petersmann
Embajador de Alemania

Heidi Pihlatie
Encargado de Asuntos
Embajada de Finlandia

Margarita Bot
Encargada de Asuntos
Embajada de Holanda

Christopher Graf
Coordinador de América Central
Agencia Suiza para el Desarrollo y Cooperación
CAIRO CONSENSUS
(EXCERPT FROM THE ICPD PROGRAMME OF ACTION)

Part One
PROGRAMME OF ACTION OF THE INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT

Chapter I
PREAMBLE

1.5. The International Conference on Population and Development is not an isolated event. Its Programme of Action builds on the considerable international consensus that has developed since the World Population Conference at Bucharest in 1974,(3) and the International Conference on Population at Mexico City in 1984,(4) to consider the broad issues of and interrelationships between population, sustained economic growth and sustainable development, and advances in the education, economic status and empowerment of women. The 1994 Conference was explicitly given a broader mandate on development issues than previous population conferences, reflecting the growing awareness that population, poverty, patterns of production and consumption and the environment are so closely interconnected that none of them can be considered in isolation.

1.6. The International Conference on Population and Development follows and builds on other important recent international activities, and its recommendations should be supportive of, consistent with and based on the agreements reached at the following:

(a) The World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held in Nairobi in 1985;(5)

(b) The World Summit for Children, held in New York in 1990;(6)

(c) The United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992;(7)

(d) The International Conference on Nutrition, held in Rome in 1992;(8)

(e) The World Conference on Human Rights, held in Vienna in 1993;(9)

(f) The International Year of the World’s Indigenous People, 1993,(10) which would lead to the International Decade of the World’s Indigenous People;(11)

(g) The Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados in 1994;(12)

(h) The International Year of the Family, 1994.(13)

1.15. While the International Conference on Population and Development does not create any new international human rights, it affirms the application of universally recognized human rights standards to all aspects of population programmes. It also represents the last opportunity in the twentieth century for the international community to collectively address the critical challenges and interrelationships between population and development. The Programme of Action will require the establishment of common ground, with full respect for the various religious and ethical values and cultural backgrounds. The impact of this Conference will be measured by the strength of the specific commitments made here and the consequent actions to fulfil them, as part of a new global partnership among all the world’s countries and peoples, based on a sense of shared but differentiated responsibility for each other and for our planetary home.

Chapter II
PRINCIPLES
Principle 2

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. People are the most important and valuable resource of any nation. Countries should ensure that all individuals are given the opportunity to make the most of their potential. They have the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation.

Principle 3

The right to development is a universal and inalienable right and an integral part of fundamental human rights, and the human person is the central subject of development. While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. The right to development must be fulfilled so as to equitably meet the population, development and environment needs of present and future generations.

Principle 4

Advancing gender equality and equity and the empowerment of women, and the elimination of all kinds of violence against women, and ensuring women’s ability to control their own fertility, are cornerstones of population and development-related programmes. The human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in civil, cultural, economic, political and social life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex, are priority objectives of the international community.

Principle 5

Population-related goals and policies are integral parts of cultural, economic and social development, the principal aim of which is to improve the quality of life of all people.

Chapter III

INTERRELATIONSHIPS BETWEEN POPULATION, SUSTAINED ECONOMIC GROWTH AND SUSTAINABLE DEVELOPMENT

A. Integrating population and development strategies

3.13. Widespread poverty remains the major challenge to development efforts. Poverty is often accompanied by unemployment, malnutrition, illiteracy, low status of women, exposure to environmental risks and limited access to social and health services, including reproductive health services which, in turn, include family planning. All these factors contribute to high levels of fertility, morbidity and mortality, as well as to low economic productivity. Poverty is also closely related to inappropriate spatial distribution of population, to unsustainable use and inequitable distribution of such natural resources as land and water, and to serious environmental degradation.

3.14. Efforts to slow down population growth, to reduce poverty, to achieve economic progress, to improve environmental protection, and to reduce unsustainable consumption and production patterns are mutually reinforcing. Slower population growth has in many countries bought more time to adjust to future population increases. This has increased those countries’ ability to attack poverty, protect and repair the environment, and build the base for future sustainable development. Even the difference of a single decade in the transition to stabilization levels of fertility can have a considerable positive impact on quality of life.
Objective

3.16. The objective is to raise the quality of life for all people through appropriate population and development policies and programmes aimed at achieving poverty eradication, sustained economic growth in the context of sustainable development and sustainable patterns of consumption and production, human resource development and the guarantee of all human rights, including the right to development as a universal and inalienable right and an integral part of fundamental human rights. Particular attention is to be given to the socio-economic improvement of poor women in developed and developing countries. As women are generally the poorest of the poor and at the same time key actors in the development process, eliminating social, cultural, political and economic discrimination against women is a prerequisite of eradicating poverty, promoting sustained economic growth in the context of sustainable development, ensuring quality family planning and reproductive health services, and achieving balance between population and available resources and sustainable patterns of consumption and production.

Actions

3.17. Investment in human resource development, in accordance with national policy, must be given priority in population and development strategies and budgets, at all levels, with programmes specifically directed at increased access to information, education, skill development, employment opportunities, both formal and informal, and high-quality general and reproductive health services, including family planning and sexual health care, through the promotion of sustained economic growth within the context of sustainable development in developing countries and countries with economies in transition.

3.18. Existing inequities and barriers to women in the workforce should be eliminated and women’s participation in all policy-making and implementation, as well as their access to productive resources, and ownership of land, and their right to inherit property should be promoted and strengthened. Governments, non-governmental organizations and the private sector should invest in, promote, monitor and evaluate the education and skill development of women and girls and the legal and economic rights of women, and in all aspects of reproductive health, including family planning and sexual health, in order to enable them to effectively contribute to and benefit from economic growth and sustainable development.

3.19. High priority should be given by Governments, non-governmental organizations and the private sector to meeting the needs, and increasing the opportunities for information, education, jobs, skill development and relevant reproductive health services, of all underserved members of society.

C. Population and environment

3.27. Implementation of effective population policies in the context of sustainable development, including reproductive health and family-planning programmes, require new forms of participation by various actors at all levels in the policy-making process.
regions of the world, women receive less formal education than men, and at the same time, women's own knowledge, abilities and coping mechanisms often go unrecognized. The power relations that impede women's attainment of healthy and fulfilling lives operate at many levels of society, from the most personal to the highly public. Achieving change requires policy and programme actions that will improve women's access to secure livelihoods and economic resources, alleviate their extreme responsibilities with regard to housework, remove legal impediments to their participation in public life, and raise social awareness through effective programmes of education and mass communication. In addition, improving the status of women also enhances their decision-making capacity at all levels in all spheres of life, especially in the area of sexuality and reproduction. This, in turn, is essential for the long-term success of population programmes. Experience shows that population and development programmes are most effective when steps have simultaneously been taken to improve the status of women.

Objectives

4.3. The objectives are:

(c) To ensure that all women, as well as men, are provided with the education necessary for them to meet their basic human needs and to exercise their human rights.

Actions

4.4. Countries should act to empower women and should take steps to eliminate inequalities between men and women as soon as possible by:

(c) Eliminating all practices that discriminate against women; assisting women to establish and realize their rights, including those that relate to reproductive and sexual health;

B. The girl child Basis for action

4.15. Since in all societies' discrimination on the basis of sex often starts at the earliest stages of life, greater equality for the girl child is a necessary first step in ensuring that women realize their full potential and become equal partners in development. In a number of countries, the practice of prenatal sex selection, higher rates of mortality among very young girls, and lower rates of school enrolment for girls as compared with boys, suggest that "son preference" is curtailing the access of girl children to food, education and health care. This is often compounded by the increasing use of technologies to determine foetal sex, resulting in abortion of female foetuses. Investments made in the girl child’s health, nutrition and education from infancy through adolescence, are critical.

Objectives

4.16. The objectives are:

(a) To eliminate all forms of discrimination against the girl child and the root causes of son preference, which results in harmful and unethical practices regarding female infanticide and prenatal sex selection;

Chapter V
THE FAMILY, ITS ROLES, RIGHTS, COMPOSITION AND STRUCTURE

A. Diversity of family structure and composition

Basis for action

5.1. While various forms of the family exist in different social, cultural, legal and political systems, the family is the basic unit of society and as such is entitled to receive comprehensive protection and support. The process of rapid demographic and socio-
economic change throughout the world has influenced patterns of family formation and family life, generating considerable change in family composition and structure. Traditional notions of gender-based division of parental and domestic functions and participation in the paid labour force do not reflect current realities and aspirations, as more and more women in all parts of the world take up paid employment outside the home. At the same time, widespread migration, forced shifts of population caused by violent conflicts and wars, urbanization, poverty, natural disasters and other causes of displacement have placed greater strains on the family, since assistance from extended family support networks is often no longer available. Parents are often more dependent on assistance from third parties than they used to be in order to reconcile work and family responsibilities. This is particularly the case when policies and programmes that affect the family ignore the existing diversity of family forms, or are insufficiently sensitive to the needs and rights of women and children.

**Objective**

5.8. The objective is to ensure that all social and economic development policies are fully responsive to the diverse and changing needs and to the rights of families and their individual members, and provide necessary support and protection, particularly to the most vulnerable families and the most vulnerable family members.

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**Chapter VI**

**POPULATION GROWTH AND STRUCTURE**

**A. Fertility, mortality and population growth rates**

**Basis for action**

6.1. The growth of the world population is at an all-time high in absolute numbers, with current increments approaching 90 million persons annually. According to United Nations projections, annual population increments are likely to remain close to 90 million until the year 2015. While it had taken 123 years for world population to increase from 1 billion to 2 billion, succeeding increments of 1 billion took 33 years, 14 years and 13 years. The transition from the fifth to the sixth billion, currently under way, is expected to take only 11 years and to be completed by 1998. World population grew at the rate of 1.7 per cent per annum during the period 1985-1990, but is expected to decrease during the following decades and reach 1.0 per cent per annum by the period 2020-2025. Nevertheless, the attainment of population stabilization during the twenty first century will require the implementation of all the policies and recommendations in the present Programme of Action.

6.2. The majority of the world’s countries are converging towards a pattern of low birth and death rates, but since those countries are proceeding at different speeds, the emerging picture is that of a world facing increasingly diverse demographic situations. In terms of national averages, during the period 1985-1990, fertility ranged from an estimated 8.5 children per woman in Rwanda to 1.3 children per woman in Italy, while expectation of life at birth, an indicator of mortality conditions, ranged from an estimated 41 years in Sierra Leone to 78.3 years in Japan. In many regions, including some countries with economies in transition, it is estimated that life expectancy at birth has decreased. During the period 1985-1990, 44 per cent of the world population were living in the 114 countries that had growth rates of more than 2 per cent per annum. These included nearly all the countries in Africa, whose population doubling time averages about 24 years, two thirds of those in Asia and one third of those in Latin America. On the other hand, 66 countries (the majority of them in Europe), representing 23 per cent of the world population, had growth rates of less than 1 per cent per annum. Europe’s population would take more than 380 years to double at current rates. These disparate levels and differentials have implications for the ultimate size and regional distribution of the world population and for the prospects for sustainable development. It is projected that between 1995 and 2015 the population of the more developed regions will increase by some 120 million, while the population of the less developed regions will increase by 1,727 million.

**Objective**

6.3. Recognizing that the ultimate goal is the improvement of the quality of life of present and future generations, the objective is to facilitate the demographic transition as soon as possible in countries where there is an imbalance between demographic
rates and social, economic and environmental goals, while fully respecting human rights. This process will contribute to the stabilization of the world population, and, together with changes in unsustainable patterns of production and consumption, to sustainable development and economic growth.

Actions

6.4. Countries should give greater attention to the importance of population trends for development. Countries that have not completed their demographic transition should take effective steps in this regard within the context of their social and economic development and with full respect of human rights. Countries that have concluded the demographic transition should take necessary steps to optimize their demographic trends within the context of their social and economic development. These steps include economic development and poverty alleviation, especially in rural areas, improvement of women’s status, ensuring of universal access to quality primary education and primary health care, including reproductive health and family-planning services, and educational strategies regarding responsible parenthood and sexual education. Countries should mobilize all sectors of society in these efforts, including non-governmental organizations, local community groups and the private sector.

B. Children and youth

6.15. Youth should be actively involved in the planning, implementation and evaluation of development activities that have a direct impact on their daily lives. This is especially important with respect to information, education and communication activities and services concerning reproductive and sexual health, including the prevention of early pregnancies, sex education and the prevention of HIV/AIDS and other sexually transmitted diseases. Access to, as well as confidentiality and privacy of, these services must be ensured with the support and guidance of their parents and in line with the Convention on the Rights of the Child. In addition, there is a need for educational programmes in favour of life planning skills, healthy lifestyles and the active discouragement of substance abuse.

C. Elderly people

Basis for action

6.16. The decline in fertility levels, reinforced by continued declines in mortality levels, is producing fundamental changes in the age structure of the population of most societies, most notably record increases in the proportion and number of elderly persons, including a growing number of very elderly persons. In the more developed regions, approximately one person in every six is at least 60 years old, and this proportion will be close to one person in every four by the year 2025. The situation of developing countries that have experienced very rapid declines in their levels of fertility deserves particular attention. In most societies, women, because they live longer than men, constitute the majority of the elderly population and in many countries, elderly poor women are especially vulnerable. The steady increase of older age groups in national populations, both in absolute numbers and in relation to the working-age population, has significant implications for a majority of countries, particularly with regard to the future viability of existing formal and informal modalities for assistance to elderly people. The economic and social impact of this ‘ageing of populations’ is both an opportunity and a challenge to all societies. Many countries are currently re-examining their policies in the light of the principle that elderly people constitute a valuable and important component of a society’s human resources. They are also seeking to identify how best to assist elderly people with long-term support needs.

Objectives

6.17. The objectives are:

(a) To enhance, through appropriate mechanisms, the self-reliance of elderly people, and to create conditions that promote quality of life and enable them to work and live independently in their own communities as long as possible or as desired;

(b) To develop systems of health care as well as systems of economic and social security in old age, where appropriate, paying special attention to the needs of women;
(c) To develop a social support system, both formal and informal, with a view to enhancing the ability of families to take care of elderly people within the family.

Chapter VII
REPRODUCTIVE RIGHTS AND REPRODUCTIVE HEALTH

7.1. This chapter is especially guided by the principles contained in chapter II and in particular the introductory paragraphs.

A. Reproductive rights and reproductive health

Basis for action

7.2. Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care related to reproduction and sexually transmitted diseases.

7.3. Bearing in mind the above definition, reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents. In the exercise of this right, they should take into account the needs of their living and future children and their responsibilities towards the community. The promotion of the responsible exercise of these rights for all people should be the fundamental basis for government- and community-supported policies and programmes in the area of reproductive health, including family planning. As part of their commitment, full attention should be given to the promotion of mutually respectful and equitable gender relations and particularly to meeting the educational and service needs of adolescents to enable them to deal in a positive and responsible way with their sexuality. Reproductive health eludes many of the world’s people because of such factors as: inadequate levels of knowledge about human sexuality and inappropriate or poor-quality reproductive health information and services; the prevalence of high-risk sexual behaviour; discriminatory social practices; negative attitudes towards women and girls; and the limited power many women and girls have over their sexual and reproductive lives. Adolescents are particularly vulnerable because of their lack of information and access to relevant services in most countries. Older women and men have distinct reproductive and sexual health issues which are often inadequately addressed.

7.4. The implementation of the present Programme of Action is to be guided by the above comprehensive definition of reproductive health, which includes sexual health.

Objectives

7.5. The objectives are:

(a) To ensure that comprehensive and factual information and a full range of reproductive health-care services, including family planning, are accessible, affordable, acceptable and convenient to all users;
(b) To enable and support responsible voluntary decisions about child-bearing and methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law and to have the information, education and means to do so;

(c) To meet changing reproductive health needs over the life cycle and to do so in ways sensitive to the diversity of circumstances of local communities.

B. Family planning

Actions

7.24. Governments should take appropriate steps to help women avoid abortion, which in no case should be promoted as a method of family planning, and in all cases provide for the humane treatment and counseling of women who have had recourse to abortion.

E. Adolescents

Objectives

7.44. The objectives are:

(a) To address adolescent sexual and reproductive health issues, including unwanted pregnancy, unsafe abortion and sexually transmitted diseases, including HIV/AIDS, through the promotion of responsible and healthy reproductive and sexual behaviour, including voluntary abstinence, and the provision of appropriate services and counselling specifically suitable for that age group;

(b) To substantially reduce all adolescent pregnancies.

Actions

7.45. Recognizing the rights, duties and responsibilities of parents and other persons legally responsible for adolescents to provide, in a manner consistent with the evolving capacities of the adolescent, appropriate direction and guidance in sexual and reproductive matters, countries must ensure that the programmes and attitudes of health-care providers do not restrict the access of adolescents to appropriate services and the information they need, including on sexually transmitted diseases and sexual abuse. In doing so, and in order to, inter alia, address sexual abuse, these services must safeguard the rights of adolescents to privacy, confidentiality, respect and informed consent, respecting cultural values and religious beliefs. In this context, countries should, where appropriate, remove legal, regulatory and social barriers to reproductive health information and care for adolescents.

Chapter VIII

HEALTH, MORBIDITY AND MORTALITY

C. Women’s health and safe motherhood

Basis for action

8.19. Complications related to pregnancy and childbirth are among the leading causes of mortality for women of reproductive age in many parts of the developing world. At the global level, it has been estimated that about half a million women die each year of pregnancy-related causes, 99 per cent of them in developing countries. The gap in maternal mortality between developed and developing regions is wide: in 1988, it ranged from more than 700 per 100,000 live births in the least developed countries to about 26 per 100,000 live births in the developed regions. Rates of 1,000 or more maternal deaths per 100,000 live births
births have been reported in several rural areas of Africa, giving women with many pregnancies a high lifetime risk of death during their reproductive years. According to the World Health Organization, the lifetime risk of dying from pregnancy or childbirth-related causes is 1 in 20 in some developing countries, compared to 1 in 10,000 in some developed countries. The age at which women begin or stop child-bearing, the interval between each birth, the total number of lifetime pregnancies and the socio-cultural and economic circumstances in which women live all influence maternal morbidity and mortality. At present, approximately 90 per cent of the countries of the world, representing 96 per cent of the world population, have policies that permit abortion under varying legal conditions to save the life of a woman. However, a significant proportion of the abortions carried out are self-induced or otherwise unsafe, leading to a large fraction of maternal deaths or to permanent injury to the women involved. Maternal deaths have very serious consequences within the family, given the crucial role of the mother for her children’s health and welfare. The death of the mother increases the risk to the survival of her young children, especially if the family is not able to provide a substitute for the maternal role. Greater attention to the reproductive health needs of female adolescents and young women could prevent the major share of maternal morbidity and mortality through prevention of unwanted pregnancies and any subsequent poorly managed abortion. Safe motherhood has been accepted in many countries as a strategy to reduce maternal morbidity and mortality.

Objectives

8.20. The objectives are:

(a) To promote women’s health and safe motherhood; to achieve a rapid and substantial reduction in maternal morbidity and mortality and reduce the differences observed between developing and developed countries and within countries. On the basis of a commitment to women’s health and well-being, to reduce greatly the number of deaths and morbidity from unsafe abortion (20)

(b) To improve the health and nutritional status of women, especially of pregnant and nursing women.

Actions

8.25. In no case should abortion be promoted as a method of family planning. All Governments and relevant intergovernmental and non-governmental organizations are urged to strengthen their commitment to women’s health, to deal with the health impact of unsafe abortion (20) as a major public health concern and to reduce the recourse to abortion through expanded and improved family-planning services. Prevention of unwanted pregnancies must always be given the highest priority and every attempt should be made to eliminate the need for abortion. Women who have unwanted pregnancies should have ready access to reliable information and compassionate counselling. Any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process. In circumstances where abortion is not against the law, such abortion should be safe. In all cases, women should have access to quality services for the management of complications arising from abortion. Post-abortion counselling, education and family-planning services should be offered promptly, which will also help to avoid repeat abortions.

Chapter XI

POPULATION, DEVELOPMENT AND EDUCATION

A. Education, population and sustainable development

Actions

11.9. To be most effective, education about population issues must begin in primary school and continue through all levels of formal and non-formal education, taking into account the rights and responsibilities of parents and the needs of children and adolescents. Where such programmes already exist, curricula should be reviewed, updated and broadened with a view to ensuring adequate coverage of such important concerns as gender sensitivity, reproductive choices and responsibilities, and sexually transmitted diseases, including HIV/AIDS. To ensure acceptance of population education programmes by the community, population education projects should emphasize consultation with parents and community leaders.
B. Population information, education and communication

Objectives

11.15. The objectives are:

(a) To increase awareness, knowledge, understanding and commitment at all levels of society so that families, couples, individuals, opinion and community leaders, non-governmental organizations, policy makers, Governments and the international community appreciate the significance and relevance of population-related issues, and take the responsible actions necessary to address such issues within sustained economic growth in the context of sustainable development;

(b) To encourage attitudes in favour of responsible behaviour in population and development, especially in such areas such environment, family, sexuality, reproduction, gender and racial sensitivity;

(c) To ensure political commitment to population and development issues by national Governments in order to promote the participation of both public and private sectors at all levels in the design, implementation and monitoring of population and development policies and programmes;

(d) To enhance the ability of couples and individuals to exercise their basic right to decide freely and responsibly on the number and spacing of their children, and to have the information, education and means to do so.

Actions

11.16. Information, education and communication efforts should raise awareness through public education campaigns on such priority issues as: safe motherhood, reproductive health and rights, maternal and child health and family planning, discrimination against and valorization of the girl child and persons with disabilities; child abuse; violence against women; male responsibility; gender equality; sexually transmitted diseases, including HIV/AIDS; responsible sexual behaviour; teenage pregnancy; racism and xenophobia; ageing populations; and unsustainable consumption and production patterns. More education is needed in all societies on the implications of population-environment relationships, in order to influence behavioural change and consumer lifestyles and to promote sustainable management of natural resources. The media should be a major instrument for expanding knowledge and motivation.

11.17. Elected representatives at all levels, the scientific community, religious, political, traditional and community leaders, non-governmental organizations, parents’ associations, social workers, women’s groups, the private sector, qualified communication specialists and others in influential positions should have access to information on population and sustainable development and related issues. They should promote understanding of the issues addressed in the present Programme of Action and mobilize public opinion in support of the actions proposed.

11.19. A coordinated strategic approach to information, education and communication should be adopted in order to maximize the impact of various information, education and communication activities, both modern and traditional, which may be undertaken on several fronts by various actors and with diverse audiences. It is especially important that information, education and communication strategies be linked to, and complement, national population and development policies and strategies and a full range of services in reproductive health, including family planning and sexual health, in order to enhance the use of those services and improve the quality of counselling and care.

11.21. The interpersonal communication skills - in particular, motivational and counselling skills - of public, private and non-governmental organization service providers, community leaders, teachers, peer groups and others should be strengthened, whenever possible, to enhance interaction and quality assurance in the delivery of reproductive health, including family planning and sexual health services. Such communication should be free from coercion.
B. Reproductive health research

Basis for action

12.10. Research, in particular biomedical research, has been instrumental in giving more and more people access to a greater range of safe and effective modern methods for regulation of fertility. However, not all persons can find a family-planning method that suits them and the range of choices available to men is more limited than that available to women. The growing incidence of sexually transmitted diseases, including HIV/AIDS, demands substantially higher investments in new methods of prevention, diagnosis and treatment. In spite of greatly reduced funding for reproductive health research, prospects for developing and introducing new methods and products for contraception and regulation of fertility have been promising. Improved collaboration and coordination of activities internationally will increase cost-effectiveness, but a significant increase in support from Governments and industry is needed to bring a number of potential new, safe and affordable methods to fruition, especially barrier methods. This research needs to be guided at all stages by gender perspectives, particularly women’s, and the needs of users, and should be carried out in strict conformity with internationally accepted legal, ethical, medical and scientific standards for biomedical research.

Objectives

12.11. The objectives are:

(a) To contribute to the understanding of factors affecting universal reproductive health, including sexual health, and to expand reproductive choice;

(b) To ensure the initial and continued safety, quality and health aspects of methods for regulation of fertility;

(c) To ensure that all people have the opportunity to achieve and maintain sound reproductive and sexual health, the international community should mobilize the full spectrum of basic biomedical, social and behavioural and programme-related research on reproductive health and sexuality.

Actions

12.12. Governments, assisted by the international community and donor agencies, the private sector, nongovernmental organizations and the academic community, should increase support for basic and applied biomedical, technological, clinical, epidemiological and social science research to strengthen reproductive health services, including the improvement of existing and the development of new methods for regulation of fertility that meet users’ needs and are acceptable, easy to use, safe, free of long- and short-term side-effects and second-generation effects, effective, affordable and suitable for different age and cultural groups and for different phases of the reproductive cycle. Testing and introduction of all new technologies should be continually monitored to avoid potential abuse. Specifically, areas that need increased attention should include barrier methods, both male and female, for fertility control and the prevention of sexually transmitted diseases, including HIV/AIDS, as well as microbicides and virucides, which may or may not prevent pregnancy.

12.13. Research on sexuality and gender roles and relationships in different cultural settings is urgently needed, with emphasis on such areas as abuse, discrimination and violence against women; genital mutilation, where practiced; sexual behaviour and mores; male attitudes towards sexuality and procreation, fertility, family and gender roles; risk-taking behaviour regarding sexually transmitted diseases and unplanned pregnancies; women’s and men’s perceived needs for methods for regulation of fertility and sexual health services; and reasons for non-use or ineffective use of existing services and technologies.

12.17. Since unsafe abortion (20) is a major threat to the health and lives of women, research to understand and better address the determinants and consequences of induced abortion, including its effects on subsequent fertility, reproductive and mental health and contraceptive practice, should be promoted, as well as research on treatment of complications of abortions and post-abortion care.
12.18. There should be enhanced research on natural methods for regulation of fertility, looking for more effective procedures to detect the moment of ovulation during the menstrual cycle and after childbirth.

Chapter XIII
NATIONAL ACTION

C. Resource mobilization and allocation

Objectives

13.14. Basic reproductive health, including family-planning services, involving support for necessary training, supplies, infrastructure and management systems, especially at the primary health-care level, would include the following major components, which should be integrated into basic national programmes for population and reproductive health:

(a) In the family-planning services component - contraceptive commodities and service delivery; capacity-building for information, education and communication regarding family planning and population and development issues; national capacity-building through support for training; infrastructure development and upgrading of facilities; policy development and programme evaluation; management information systems; basic service statistics; and focused efforts to ensure good quality care;

(b) In the basic reproductive health services component - information and routine services for prenatal, normal and safe delivery and post-natal care; abortion (as specified in paragraph 8.25); information, education and communication about reproductive health, including sexually transmitted diseases, human sexuality and responsible parenthood, and against harmful practices; adequate counselling; diagnosis and treatment for sexually transmitted diseases and other reproductive tract infections, as feasible; prevention of infertility and appropriate treatment, where feasible; and referrals, education and counselling services for sexually transmitted diseases, including HIV/AIDS, and for pregnancy and delivery complications;

(c) In the sexually transmitted diseases/HIV/AIDS prevention programme component - mass media and in-school education programmes, promotion of voluntary abstinence and responsible sexual behaviour and expanded distribution of condoms;

(d) In the basic research, data and population and development policy analysis component – national capacity-building through support for demographic as well as programme-related data collection and analysis, research, policy development and training.

Actions

13.15. It has been estimated that, in the developing countries and countries with economies in transition, the implementation of programmes in the area of reproductive health, including those related to family planning, maternal health and the prevention of sexually transmitted diseases, as well as other basic actions for collecting and analysing population data, will cost: $17.0 billion in 2000, $18.5 billion in 2005, $20.5 billion in 2010 and $21.7 billion in 2015; these are cost-estimates prepared by experts, based on experience to date, of the four components referred to above. These estimates should be reviewed and updated on the basis of the comprehensive approach reflected in paragraph 13.14 of the present Programme of Action, particularly with respect to the costs of implementing reproductive health service delivery. Of this, approximately 65 per cent is for the delivery system. Programme costs in the closely related components which should be integrated into basic national programmes for population and reproductive health are estimated as follows:

Basis for Action

(a) The family-planning component is estimated to cost: $10.2 billion in 2000, $11.5 billion in 2005, $12.6 billion in 2010 and $13.8 billion in 2015. This estimate is based on census and survey data which help to project the number of couples and individuals who are likely to be using family-planning information and services. Projections of future costs allow for
improvements in quality of care. While improved quality of care will increase costs per user to some degree, these increases are likely to be offset by declining costs per user as both prevalence and programme efficiency increase;

(b) The reproductive health component (not including the delivery-system costs summarized under the family planning component) is estimated to add: $5.0 billion in 2000, $5.4 billion in 2005, $5.7 billion in 2010 and $6.1 billion in 2015. The estimate for reproductive health is a global total, based on experience with maternal health programmes in countries at different levels of development, selectively including other reproductive health services. The full maternal and child health impact of these interventions will depend on the provision of tertiary and emergency care, the costs of which should be met by overall health-sector budgets;

(c) The sexually transmitted diseases/HIV/AIDS prevention programme is estimated by the WHO Global Programme on AIDS to cost: $1.3 billion in 2000, $1.4 billion in 2005 and approximately $1.5 billion in 2010 and $1.5 billion in 2015;

(d) The basic research, data and population and development policy analysis programme is estimated to cost: $500 million in 2000, $200 million in 2005, $700 million in 2010 and $300 million in 2015.

Actions

13.22. Governments, non-governmental organizations, the private sector and local communities, assisted upon request by the international community, should strive to mobilize and effectively utilize the resources for population and development programmes that expand and improve the quality of reproductive health care, including family-planning and sexually transmitted diseases/HIV/AIDS prevention efforts. In line with the goal of the present Programme of Action to ensure universal availability of and access to high-quality reproductive health and family-planning services, particular emphasis must be put on meeting the needs of underserved population groups, including adolescents, taking into account the rights and responsibilities of parents and the needs of adolescents and the rural and the urban poor, and on ensuring the safety of services and their responsiveness to women, men and adolescents. In mobilizing resources for these purposes, countries should examine new modalities such as increased involvement of the private sector, the selective use of user fees, social marketing, cost-sharing and other forms of cost recovery. However, these modalities must not impede access to services and should be accompanied with adequate “safety net” measures.

Chapter XIV
INTERNATIONAL COOPERATION

B. Towards a new commitment to funding population and development

14.10. The objectives are:

(a) To increase substantially the availability of international financial assistance in the field of population and development in order to enable developing countries and countries with economies in transition to achieve the goals of the present Programme of Action as they pursue their self-reliant and capacity-building efforts;

(b) To increase the commitment to, and the stability of, international financial assistance in the field of population and development by diversifying the sources of contributions, while striving to avoid as far as possible a reduction in the resources for other development areas. Additional resources should be made available for short-term assistance to the countries with economies in transition;

(c) To increase international financial assistance to direct South-South cooperation and to facilitate financing procedures for direct South-South cooperation.
Actions

14.11. The international community should strive for the fulfilment of the agreed target of 0.7 per cent of the gross national product for overall official development assistance and endeavour to increase the share of funding for population and development programmes commensurate with the scope and scale of activities required to achieve the objectives and goals of the present Programme of Action. A crucially urgent challenge to the international donor community is therefore the translation of their commitment to the objectives and quantitative goals of the present Programme of Action into commensurate financial contributions to population programmes in developing countries and countries with economies in transition. Given the magnitude of the financial resource needs for national population and development programmes (as identified in chapter XIII), and assuming that recipient countries will be able to generate sufficient increases in domestically generated resources, the need for complementary resource flows from donor countries would be in the order of (in 1993 US dollars): $5.7 billion in 2000; $6.1 billion in 2005; $6.8 billion in 2010; and $7.2 billion in 2015. The international community takes note of the initiative to mobilize resources to give all people access to basic social services, known as the 20/20 initiative, which will be studied further in the context of the World Summit for Social Development.

14.18. International financial institutions are encouraged to increase their financial assistance, particularly in population and reproductive health, including family planning and sexual health care.

Chapter XV
PARTNERSHIP WITH THE NON-GOVERNMENTAL SECTOR*

A. Local, national and international non-governmental organizations

Basis for Action

15.5. The experience, capabilities and expertise of many non-governmental organizations and local community groups in areas of direct relevance to the Programme of Action is acknowledged. Nongovernmental organizations, especially those working in the field of sexual and reproductive health and family planning, women’s organizations and immigrant and refugee support advocacy groups, have increased public knowledge and provided educational services to men and women which contribute towards successful implementation of population and development policies. Youth organizations are increasingly becoming effective partners in developing programmes to educate youth on reproductive health, gender and environmental issues. Other groups, such as organizations of the aged, migrants, organizations of persons with disabilities and informal grass-roots groups, also contribute effectively to the enhancement of programmes for their particular constituencies. These diverse organizations can help in ensuring the quality and relevance of programmes and services to the people they are meant to serve. They should be invited to participate with local, national and international decision-making bodies, including the United Nations system, to ensure effective implementation, monitoring and evaluation of the present Programme of Action.

Chapter XVI
FOLLOW-UP TO THE CONFERENCE*

A. Activities at the national level

Basis for Action

16.9. All countries should consider their current spending priorities with a view to making additional contributions for the implementation of the Programme of Action, taking into account the provisions of chapters XIII and XIV and the economic constraints faced by developing countries.
Notes

2. The source for the population figures in paragraphs 1.3 and 1.4 is World Population Prospects: The 1994 Revision (United Nations publication, forthcoming).
10. General Assembly resolution 47/75.
13. General Assembly resolution 44/82.
14. General Assembly resolution 47/92.
18. General Assembly resolution 46/151, annex, sect. II.
19. Unsafe abortion is defined as a procedure for terminating an unwanted pregnancy either by persons lacking the necessary skills or in an environment lacking the minimal medical standards or both (based on World Health Organization, The Prevention and Management of Unsafe Abortion, Report of a Technical Working Group, Geneva, April 1992 (WHO/MSM/92.5)).
20. Safe motherhood aims at attaining optimal maternal and newborn health. It implies reduction of maternal mortality and morbidity and enhancement of the health of newborn infants through equitable access to primary health care, including family planning, prenatal, delivery and post-natal care for the mother and infant, and access to essential obstetric and neonatal care (World Health Organization, Health Population and Development, WHO Position Paper, Geneva, 1994 (WHO/FHE/94.1)).
21. Which could include children, adolescents, women, the aged, the disabled, indigenous people, rural populations, urban populations, migrants, refugees, displaced persons and slum-dwellers.
At the 13th and 14th plenary meetings, the representatives of a number of countries made statements which they requested the secretariat of the Conference to place on record. Those statements are set out below.

**The representative of Afghanistan stated the following:**
"The delegation of Afghanistan wishes to express its reservation about the word 'individual' in chapter VII and also about those parts that are not in conformity with Islamic Sharia."

**The representative of Brunei Darussalam stated the following:**
"According to our interpretation, one aspect of reproductive rights and reproductive health, referring specifically to paragraphs 7.3 and 7.47 and subparagraph 13.14(c) of the Programme of Action, contradicts Islamic law and our national legislation, ethical values and cultural background. My country wishes to place on record its reservation on those paragraphs."

**The representative of El Salvador stated the following:**
"Recognizing that aspects of the Programme of Action are tremendously positive and are of supreme importance for the future development of mankind, the family and our children, we, as leaders of nations, cannot but express the reservations we feel are appropriate. If we did not, we could not possibly face the questions from our people that are certain to be posed.

"It is for this reason - recognizing the spirit of the document, to which we have given our consensus and our approval - that we wish to state that there are three basic aspects which we are concerned about. Therefore, in accordance with the rules of procedure of this Conference, we wish to express the following reservations and request that they be included in full in the report of this Conference.

"We Latin American countries are signatories to the American Convention on Human Rights (Pact of San Jos.). Article 4 thereof states quite clearly that life must be protected from the moment of conception. In addition, because our countries are mainly Christian, we consider that life is given by the Creator and cannot be taken unless there is a reason which justifies it being extinguished. For this reason, as far as Principle 1 of the Programme of Action is concerned, we associate ourselves with the reservation expressed by the delegation of Argentina: we consider that life must be protected from the moment of conception.

"As far as the family is concerned, although we are quite clear about what is contained in the document, we would like to express specific reservations on how the term ‘various forms of family’ is going to be interpreted, because the union is between man and woman, as is defined in our Family Code in the Constitution of our Republic."

"As far as reproductive rights, reproductive health and family planning are concerned, we wish to express reservations, as the other Latin American countries have done: we should never include abortion within these concepts, either as a service or as a method of regulating fertility.

"The delegation of El Salvador endorses the reservations expressed by other nations with regard to the term ‘individuals’ as we objected to that term in the Main Committee. It is not in conformity with our legislation and therefore could give rise to misunderstanding. We therefore express our reservation with respect to the term "individuals"."

*The representative of El Salvador later corrected his statement as follows: In referring to the family in its various forms, under no circumstances can we change the origin and foundation of the family, which is the union between man and woman from which derive children.*
The representative of Honduras stated the following: 
"Pursuant to rule 33 of the rules of procedure, the delegation of Honduras, in subscribing to the Programme of Action of this Conference, would like to submit in accordance with rule 38 of the same rules of procedure, the following statement of reservations, requesting that it be included in full in the final report. 
"The delegation of Honduras in supporting the Programme of Action of the International Conference on Population and Development bases itself on the Declaration of the Fifteenth Summit of Central American Presidents, adopted at Guacimo de Limon, Costa Rica, on 20 August 1994 and bases itself specifically on the following:

"(a) Article 65 of the Constitution of the Republic of Honduras, which provides for the fact that the right to life is inviolable, and articles 111 and 112 of the same Constitution, which state that the State must protect the institution of the family and marriage and the right of men and women to contract marriages and common law marriages; 
"(b) The American Convention on Human Rights, which reaffirms that every person has the right to life and that this right will be protected by law and will be protected in general, starting from the moment of conception, based on moral, ethical, religious and cultural principles, which should regulate the international community, and in accordance with the internationally recognized human rights.

"As a consequence of this, one accepts the concepts of “family planning”, “sexual health”, “reproductive health”, “maternity without risk”, “regulation of fertility”, “reproductive rights” and “sexual rights” so long as these terms do not include “abortion” or “termination of pregnancy”, because Honduras does not accept these as arbitrary actions; nor do we accept them as a way of controlling fertility or regulating the population.

"Secondly, given that new terminology has been introduced in the document, as well as concepts which should be further analysed, and that these terms and concepts are expressed in scientific language, social language or public service language, which will have to be understood in terms of their proper context and are not interpreted in a way that could undermine respect for human beings, the delegation of Honduras considers that this terminology can only be understood without prejudice to its national law.

"Finally, we also state that the terms “family composition and structure”, “types of families”, “different types of families”, “other unions” and similar terms can only be accepted on the understanding that in Honduras these terms will never be able to mean unions of persons of the same sex."

The representative of Jordan stated the following:
"The delegation of Jordan, in its deliberations and discussions with all delegations and in a very serious and responsible manner, always wanted to join the consensus on the Programme of Action. While deeply appreciating the great efforts deployed by the Main Committee and the working groups, which have worked for long hours with the aim of achieving consensus on the language, and in full respect of the values of all countries, the delegation of Jordan has reached some compromises regarding the language on all issues.

"We fully believe that the international community respects our national legislation, our religious beliefs and the sovereign right of each country to apply population policies in accordance with its legislation. The delegation of Jordan understands that the final document, particularly chapters IV, V, VI and VII, will be applied within the framework of Islamic Sharia and our ethical values, as well as the laws that shape our behaviour. We will deal with the paragraphs of this document accordingly. Therefore, we interpret the word “individuals” to mean couples, a married couple. I hope that you will put these comments on record. "

The representative of Kuwait stated the following:
"The delegation of Kuwait would like to express its support for the Programme of Action, including all its positive points for the benefit of humankind. At the same time, we would like to put on record that our commitment to any objectives on population policies is subject to their not being in contradiction with Islamic Sharia or with the customs and traditions of Kuwaiti society and the Constitution of the State. "

The representative of the Libyan Arab Jamahiriya stated the following:
"The delegation of the Libyan Arab Jamahiriya wishes to express a reservation on all terms in the document that are in contravention of Islamic Sharia, such as we see in paragraph 4.17 and in chapter II of the document, in relation to inheritance and extramarital sexual activities, and the references to sexual behaviour, as in paragraph 8.31."
"I wish to express a reservation, despite the discussion that took place in the Main Committee regarding the basic rights of couples and individuals. We express a reservation regarding the word “individuals”.

"The Jamahiriya reconfirms, as part of Arab civilization, the importance of a dialogue among all religions, cultures and peoples in order to achieve world peace; yet no country, no civilization has the right to impose its political, economic and social orientations on any other people.

"I also want to express a reservation on the words “unwanted pregnancies” in paragraph 8.25, because our written Constitution does not allow the State to undertake abortions unless the mother’s health is in danger.”

The representative of Nicaragua stated the following:
"Under rule 33 of the rules of procedure of this Conference, the delegation of Nicaragua supports the general agreement arrived at on the Programme of Action. Nevertheless, we would submit in writing pursuant to rule 38 of the rules of procedure, the following statement of reservations. We would request that this statement be fully reflected in the final report of this Conference.

"The Government of Nicaragua, pursuant to its Constitution and its laws, and as a signatory of the American Convention on Human Rights, confirms that every person has a right to life, this being a fundamental and inalienable right, and that this right begins from the very moment of conception.

"Accordingly, first we agree that the family may take various forms, but in no event can its essence be changed. Its essence is the union between man and woman, from which new human life derives.

"Second, we accept the concepts of “family planning”, “sexual health”, “reproductive health”, “reproductive rights” and “sexual rights” expressing an explicit reservation on these terms and any others when they include “abortion” or “termination of pregnancy” as a component. Abortion and termination of pregnancy can under no circumstances be regarded as a method of regulating fertility or a means of population control.

"Third, we also express an explicit reservation on the terms “couple” or “unions” when they may refer to persons of the same sex.

"Fourth, Nicaragua accepts therapeutic abortion on the grounds of medical necessity under our Constitution. Thus, we express an explicit reservation on “abortion” and “termination of pregnancy” in any part of the Programme of Action of this Conference."

The representative of Paraguay stated the following:
"In accordance with the introduction to chapter II of the Programme of Action, the delegation of Paraguay would like to express the following reservations.

"On chapter VII, paragraph 7.2, the right to life is the inherent right of every human being from conception to natural death. This is stipulated in article 4 of our national Constitution. Therefore, Paraguay accepts all forms of family planning with full respect for life, as is provided for in our national Constitution, and as an expression of exercising responsible parenthood.

"The inclusion of the term “interruption of pregnancy” as part of the concept of regulation of fertility in the working definition proposed by the World Health Organization, which was used during the course of this Conference, makes this concept totally unacceptable to our country. We wish to point out that in Paraguay we recognize constitutionally the need to work on the reproductive health of the population as a way of improving the quality of life of the family.

"On chapter II, principle 9, and chapter V, paragraph 5.1, our national Constitution considers that the family is the basic unit of society and is based on the union of a couple - man and woman - recognizing as well single parent families. It is only from this perspective that we can include the term “various forms of the family”, respecting the various cultures, traditions and religions.

"We would like to request that this statement of reservations be included in the final report of the Conference".

The representative of the Philippines stated the following:
"The Philippine delegation would like to put on record our regret that in paragraph 10.12 of the Programme of Action the originally proposed wording, recognizing “the right to family reunification” was toned down to just recognizing “the vital importance of family reunification”. In the spirit of compromise, we agreed to the revised wording based on the argument
forwarded by other delegations that there have been no previous international conventions or declarations proclaiming such a right, and that this is not the appropriate conference to establish this right. For this and other worthy reasons, we wish to reiterate the recommendation made in the Main Committee, supported by many delegations and received positively by the Chairman, that an international conference on migration be convened in the near future. We trust that this recommendation will be part of the record of this Conference and will be formally referred to the Economic and Social Council and the General Assembly for proper consideration.

The representative of the Syrian Arab Republic stated the following:
"I should like to put on record that the Syrian Arab Republic will deal with and address the concepts contained in the Programme of Action in accordance with chapter II and in full accordance with the ethical, cultural and religious concepts and convictions of our society in order to serve the unit of the family, which is the nucleus of society, and in order to enhance prosperity in our societies."

The representative of the United Arab Emirates stated the following:
"The delegation of the United Arab Emirates believes in protecting man and promoting his welfare and in enhancing his role in the family and in the State and at the international level. We consider also that man is the central object and the means for attaining sustainable development. We do not consider abortion as a means of family planning, and we adhere to the principles of Islamic law also in matters of inheritance.

"We wish to express reservations on everything that contravenes the principles and precepts of our religion Islam, a tolerant religion, and our laws. We would like the secretariat of the Conference to put on record the position we have expressed among the reservations that have been mentioned by other States on the final document."

The representative of Yemen stated the following:
"The delegation of Yemen believes that chapter VII includes certain terminology that is in contradiction with Islamic Sharia. Consequently, Yemen expresses reservations on every term and all terminology that is in contradiction with Islamic Sharia.

"In chapter VIII, we have some observations to make, particularly relating to paragraph 8.24. Actually, we wanted to delete the words "sexual activity". And, if we cannot delete them, then we wish to express our reservations. In paragraph 8.25, concerning "unsafe abortion", we find that the definition is unclear and is not in accordance with our religious beliefs. In Islamic Sharia there are certain clear-cut provisions on abortion and when it should be undertaken. We object to the expression "unsafe abortion". We wish to express our reservations on paragraph 8.35, relating to 'responsible sexual behaviour'."

Chapter II
WRITTEN STATEMENTS SUBMITTED ON THE PROGRAMME OF ACTION

The written statements set out below were submitted to the Conference secretariat for inclusion in the report of the Conference.

The representative of Argentina submitted the following written statement:
"Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2), the Argentine Republic joins in the general agreement on the Programme of Action.

"However, we are submitting in writing pursuant to rule 38 the following reservation, and we request that it be included in full in the final report of the Conference.

"Chapter II (Principles)
"Principle 1

"The Argentine Republic accepts Principle 1 on the understanding that life exists from the moment of conception and that from that moment every person, being unique and un-reproducible, enjoys the right to life, which is the source of all other individual rights."
“Chapter V (The family, its roles, rights, composition and structure)
Paragraph 5.1

“The Argentine Republic accepts paragraph 5.1 since, although the family may exist in various forms, in no case can its origin and foundation, i.e., the union between man and woman, which produces children, be changed.

“Chapter VII (Reproductive rights and reproductive health)
Paragraph 7.2

“The Argentine Republic cannot accept the inclusion of abortion in the concept of “reproductive health” either as a service or as a method of regulating fertility.

“This reservation, based on the universal nature of the right to life, also applies to all similar references to this concept.”

The representative of Djibouti submitted the following written statement:
“The delegation of the Republic of Djibouti has the honour to inform you of its wish to enter express reservations on all the passages in the paragraphs of the Programme of Action of the International Conference on Population and Development which conflict with the principles of Islam and with the legislation, laws and culture of the Republic of Djibouti.

“The delegation of Djibouti would like its reservations to be reflected in the report of the Conference.”

The representative of the Dominican Republic submitted the following written statement:
“Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2) the Dominican Republic joins in the general agreement on the Programme of Action. However, in accordance with its Constitution and laws and as a signatory of the American Convention on Human Rights, it fully confirms its belief that everyone has a fundamental and inalienable right to life and that this right to life begins at the moment of conception.

Accordingly, it accepts the content of the terms “reproductive health”, “sexual health”, “safe motherhood”, “reproductive rights”, “sexual rights” and “regulation of fertility” but enters an express reservation on the content of these terms and of other terms when their meaning includes the concept of abortion or interruption of pregnancy.

We also enter an express reservation on the term “couple” where it refers to persons of the same sex or where individual reproductive rights are mentioned outside the context of marriage and the family.

These reservations also apply to all regional and international agreements which refer to these concepts.

Chapters V and X

“The Government of the Dominican Republic wishes to place on record that during the proceedings of the Conference in general, and in particular with regard to chapters V and X, it often proved difficult to reach a consensus owing to the lack of international instruments embodying the right to the integrity of the family.

Aware that by promoting the unity and integrity of the family as a natural development system we are ensuring the comprehensive, sustainable development of our communities, we propose that this right to the integrity of the family be considered by the United Nations with a view to its adoption as soon as possible.

“Pursuant to rule 38 of the rules of procedure, we request that this statement of reservations be included in full in the final report of the Conference. 24.”

The representative of Ecuador submitted the following written statement:
“Pursuant to rule 33 of the rules of procedure of the Conference (A/CONF.171/2) the Government of Ecuador joins in the general agreement on the Programme of Action.

However, pursuant to rule 38 of the rules of procedure, we enter the following reservations for inclusion in the final report of the Conference.
"Reservation

"With regard to the Programme of Action of the Cairo International Conference on Population and Development and in accordance with the provisions of the Constitution and laws of Ecuador and the norms of international law, the delegation of Ecuador reaffirms, inter alia, the following principles embodied in its Constitution: the inviolability of life, the protection of children from the moment of conception, freedom of conscience and religion, the protection of the family as the fundamental unit of society, responsible paternity, the right of parents to bring up their children and the formulation of population and development plans by the Government in accordance with the principles of respect for sovereignty.

"Accordingly, the delegation of Ecuador enters a reservation with respect to all terms such as "regulation of fertility", "interruption of pregnancy", "reproductive health", "reproductive rights" and "unwanted children", which in one way or another, within the context of the Programme of Action, could involve abortion.

"Ecuador also enters a reservation concerning certain unnatural concepts relating to the family, inter alia, which might undermine the principles contained in its Constitution.

"The Government of Ecuador is willing to collaborate in all activities designed to achieve the common good, although it does not and cannot accept principles which infringe its sovereignty, Constitution and laws."

The representative of Egypt submitted the following written statement:

"We wish to point out that the delegation of Egypt was among those delegations that registered numerous comments on the contents of the Programme of Action with regard to the phrase "couples and individuals".

"While recognizing that this expression was adopted by consensus at the two previous population conferences of 1974 and 1984, our delegation called for the deletion of the word "individuals" since it has always been our understanding that all the questions dealt with by the Programme of Action in this regard relate to harmonious relations between couples united by the bond of marriage in the context of the concept of the family as the primary cell of society.

"We should like the report of the Conference to reflect the above."

The Government of Guatemala submitted the following written statement:

"The delegation of Guatemala wishes to offer its thanks to the Egyptian people and authorities and to the organizers of the Conference for their hospitality and for the services provided, for they made it possible for our deliberations about life and humanity's future development to reach a conclusion which our delegation sincerely hopes will enhance respect for the life and dignity of men and women, especially those of the new generations, in which we will have to place our faith and trust in order to face the future without recourse to apocalyptic forecasts but in solidarity, justice and truth.


"Pursuant to rule 38, we submit the following statement of reservations and request that it be included in full in the final report of the Conference.

"The Government of Guatemala enters an express reservation on the use of terms, stipulations and provisions which are implicitly or explicitly inconsistent with:

"1. The American Declaration of the Rights and Duties of Man;
"2. The American Convention on Human Rights (Pact of San Jose);
"3. The guidelines adopted at the fifteenth summit meeting of Central American Presidents;
"4. The Constitution of the Republic of Guatemala;
"5. Civil, criminal and human rights legislation;
"6. The Multisectoral Agreement on Population Education issued by the Ministry of Education of Guatemala and the teaching approach used in such education;
"7. The message to the Conference from the President of the Republic, Ramiro de Leon Carpio.\n
We also enter express reservations on:

“(a) Chapter II (Principles): we accept this chapter but note that life exists from the moment of conception and that the right to life is the source of all other rights;
“(b) Chapter V, paragraph 5.1: we accept this provision on the understanding that, although the family may exist in various forms, under no circumstances can its essential nature, which is the union between a man and a woman from which love and life stem, be changed;
“(c) Chapter VII: we enter a reservation on the whole chapter, for the General Assembly’s mandate to the Conference does not extend to the creation or formulation of rights; this reservation therefore applies to all references in the document to “reproductive rights”, “sexual rights”, “reproductive health”, “fertility regulation”, “sexual health”, “individuals”, “sexual education and services for minors”, “abortion in all its forms”, “distribution of contraceptives” and “safe motherhood”;
“(d) Chapter VIII: on all the paragraphs or sentences which contain or refer to the terms and concepts mentioned above;
“(e) Chapters IX, XII, XIII and XV: on references to those same terms and concepts.”

The representative of the Holy See submitted the following written statement:

“Our conference, attended by persons of various traditions and cultures, with widely differing viewpoints, has carried out its work in a peaceful and respectful atmosphere. The Holy See welcomes the progress that has been made in these days, but also finds that some of its expectations have not been met. I am sure that most delegations share similar sentiments.

“The Holy See knows well that some of its positions are not accepted by others present here. But there are many, believers and non-believers alike, in every country of the world, who share the views we have expressed. The Holy See appreciates the manner in which delegations have listened to and taken into consideration views which they may not always have agreed with. But the Conference would be poorer if these views had not been heard. An international conference which does not welcome voices that are different would be much less a consensus conference.

“As you well know, the Holy See could not find its way to join the consensus of the Conferences of Bucharest and Mexico City, because of some fundamental reservations. Yet, now in Cairo for the first time, development has been linked to population as a major issue of reflection. The current Programme of Action, however, opens out some new paths concerning the future of population policy. The document is notable for its affirmations against all forms of coercion in population policies. Clearly elaborated principles, based on the most important documents of the international community, clarify and enlighten the later chapters. The document recognizes the protection and support required by the basic unit of society, the family founded on marriage. Women’s advancement and the improvement of women’s status, through education and better health-care services, are stressed. Migration, the all too often forgotten sector of population policy has been examined. The Conference has given clear indications of the concern that exists in the entire international community about threats to women’s health. There is an appeal to greater respect for religious and cultural beliefs of persons and communities.

“But there are other aspects of the final document which the Holy See cannot support. Together with so many people around the world, the Holy See affirms that human life begins at the moment of conception. That life must be defended and protected. The Holy See can therefore never condone abortion or policies which favour abortion. The final document, as opposed to the earlier documents of the Bucharest and Mexico City Conferences, recognizes abortion as a dimension of population policy and, indeed of primary health care, even though it does stress that abortion should not be promoted as means of family planning and urges nations to find alternatives to abortion. The preamble implies that the document does not contain the affirmation of a new internationally recognized right to abortion.

“My delegation has now been able to examine and evaluate the document in its entirety. On this occasion the Holy See wishes, in some way, to join the consensus, even if in an incomplete, or partial manner.

“First, my delegation joins the consensus on the Principles (chapter II), as a sign of our solidarity with the basic inspiration which has guided, and will continue to guide, our work. Similarly, it joins the consensus on chapter V on the family, the basic unit of society.

“The Holy See joins the consensus on chapter III on population, sustained economic growth and sustainable development, although it would have preferred to see a more detailed treatment of this subject. It joins the consensus on chapter IV (Gender equality, equity and empowerment of women) and chapters IX and X on migration issues.
"The Holy See, because of its specific nature, does not find it appropriate to join the consensus on the operative chapters of the document (chapters XII to XVI).

"Since the approval of chapters VII and VIII in the Committee of the Whole, it has been possible to evaluate the significance of these chapters within the entire document, and also within health-care policy in general. The intense negotiations of these days have resulted in the presentation of a text which all recognize as improved, but about which the Holy See still has grave concerns. At the moment of their adoption by consensus by the Main Committee, my delegation already noted its concerns about the question of abortion. The chapters also contain references which could be seen as accepting extramarital sexual activity, especially among adolescents. They would seem to assert that abortion services belong within primary health care as a method of choice.

"Despite the many positive aspects of chapters VII and VIII, the text that has been presented to us has many broader implications, which has led the Holy See to decide not to join the consensus on these chapters. This does not exclude the fact that the Holy See supports a concept of reproductive health as a holistic concept for the promotion of the health of men and women and will continue to work, along with others, towards the evolution of a more precise definition of this and other terms.

"The intention therefore of my delegation is to associate itself with this consensus in a partial manner compatible with its own position, without hindering the consensus among other nations, but also without prejudicing its own position with regard to some sections.

"Nothing that the Holy See has done in this consensus process should be understood or interpreted as an endorsement of concepts it cannot support for moral reasons. Especially, nothing is to be understood to imply that the Holy See endorses abortion or has in any way changed its moral position concerning abortion or on contraceptives or sterilization or on the use of condoms in HIV/AIDS prevention programmes.

"I would ask that the text of this statement and the reservations formally indicated below be included in the report of the Conference.

"Reservations

"The Holy See, in conformity with its nature and its particular mission, by joining in the consensus to parts of the final document of the International Conference on Population and Development (Cairo, 5-13 September 1994), wishes to express its understanding of the Programme of Action of the Conference.

"1. Regarding the terms “sexual health” and “sexual rights”, and “reproductive health” and “reproductive rights”, the Holy See considers these terms as applying to a holistic concept of health, which embrace, each in their own way, the person in the entirety of his or her personality, mind and body, and which foster the achievement of personal maturity in sexuality and in the mutual love and decision-making that characterize the conjugal relationship in accordance with moral norms. The Holy See does not consider abortion or access to abortion as a dimension of these terms.

"2. With reference to the terms “contraception”, “family planning”, “sexual and reproductive health”, “sexual and reproductive rights”, and “women’s ability to control their own fertility”, “widest range of family-planning services” and any other terms regarding family-planning services and regulation of fertility concepts in the document, the Holy See’s joining the consensus should in no way be interpreted as constituting a change in its well-known position concerning those family-planning methods which the Catholic Church considers morally unacceptable or on family-planning services which do not respect the liberty of the spouses, human dignity and the human rights of those concerned.

"3. With reference to all international agreements, the Holy See reserves its position in this regard, in particular on any existing agreements mentioned in this Programme of Action, consistent with its acceptance or non-acceptance of them.

"4. With reference to the term “couples and individuals”, the Holy See reserves its position with the understanding that this term is to mean married couples and the individual man and woman who constitute the couple. The document, especially in its use of this term, remains marked by an individualistic understanding of sexuality which does not give due attention to the mutual love and decision-making that characterizes the conjugal relationship.

"5. With reference to chapter V, the Holy See interprets this chapter in the light of principle 9, that is, in terms of the duty to strengthen the family, the basic unit of society, and in terms of marriage as an equal partnership between husband and wife.
"The Holy See places general reservations on chapters VII, VIII, XI, XII, XIII, XIV, XV and XVI. This reservation is to be interpreted in terms of the statement made by the delegation in the plenary meeting of the Conference on 13 September 1994. We request that this general reservation be noted in each of the abovementioned chapters."

The representative of the Islamic Republic of Iran submitted the following written statement:
"The Programme of Action, although it has some positive elements, does not take into account the role of religion and religious systems in the mobilization of development capabilities. It suffices for us to know that Islam, for example, makes it the duty of every Muslim to satisfy the essential needs of the community and also imposes the duty of showing gratitude for benefits by utilizing them in the best possible way, as well as the duties of justice and balance.

"We therefore believe that the United Nations should convene symposiums to study this matter.

"There are some expressions that could be interpreted as applying to sexual relations outside the framework of marriage, and this is totally unacceptable. The use of the expression "individuals and couples" and the contents of principle 8 demonstrate this point. We have reservations regarding all such references in the document.

"We believe that sexual education for adolescents can only be productive if the material is appropriate and if such education is provided by the parents and aimed at preventing moral deviation and physiological diseases."

The representative of Malta submitted the following written statement:
"Reservations on chapter VII

"In joining the consensus, the delegation of Malta would like to state:

"The delegation of Malta reserves its position on the title and provisions of this chapter and in particular on the use of such terms as "reproductive health", "reproductive rights" and "regulation of fertility" in this chapter and in other parts of the document.

"The interpretation given by Malta is consistent with its national legislation, which considers the termination of pregnancy through induced abortion as illegal.

"Furthermore the delegation of Malta reserves its position on the provisions of paragraph 7.2, in particular on

"International human rights documents and other relevant United Nations consensus documents, consistent with its previous acceptance or non-acceptance of them.

"Reservations on chapter VIII, paragraph 8.25

"In joining the consensus, the delegation of Malta would like to state:

"The termination of pregnancy through procedures of induced abortion is illegal in Malta. The delegation of Malta therefore cannot accept without reservation that part of paragraph 8.25 which provides for "circumstances in which abortion is not against the law".

"Furthermore the delegation of Malta reserves its position on the wording "such abortion should be safe" since it feels that this phrase could lend itself to multiple interpretations, implying among other things, that abortion can be completely free of medical and other psychological risks, while ignoring altogether the rights of the unborn."

The representative of Peru submitted the following written statement:
"The delegation of Peru will join in the agreement on the Programme of Action. In its opinion, the negotiations which are culminating today in the adoption of the Programme of Action have also demonstrated that positions diverge on some of the substantive concepts of the Programme and that the international community clearly wishes to reach agreements which we hope will benefit everyone; we welcome this attempt to reach consensus.

"However, the Government of Peru wishes to place on record the following points:
"1. The main lines of the Programme of Action will be implemented in Peru under the Constitution and laws of the Republic and, inter alia, under the international human rights treaties and the Convention on the Rights of the Child, which have been duly approved and ratified by Peru.

"2. We must mention in this context article 2 of the Constitution, which accords to everyone the right to life from the moment of conception; abortion is rightly classified as a crime in the Criminal Code of Peru, with the sole exception of therapeutic abortion.

"3. Peru regards abortion as a public health problem to be tackled mainly by means of education and family planning programmes. Accordingly, the Constitution acknowledges the fundamental role played by the family and parents in the form of responsible paternity and maternity, which is nothing more than the right of parents to choose freely and voluntarily the number and the spacing of their children. The same applies to their chosen method of family planning, provided that it does not place life at risk.

"4. The Programme of Action contains concepts such as “reproductive health”, “reproductive rights” and “fertility regulation”, which in the opinion of the Peruvian Government require more precise definition, with the total exclusion of abortion on the ground that it is inconsistent with the right to life.

"We should be grateful if this interpretative reservation on the Programme of Action could be duly placed on record.

"Finally, we wish to endorse the congratulations and thanks expressed by other delegations."
WYA Declaration on Development
New York, USA 2007

Drafted and negotiated during the 4th Annual International Solidarity Forum, held at United Nations Headquarters during the 40th Commission on Population and Development, the Declaration on Development puts forth a vision for development which holds human dignity at the centre.

We, young people of diverse ethnic, religious, cultural, and economic backgrounds affirm that each person has inherent dignity. Recognition of this dignity is the basis for authentic development. Each person lives in community and therefore has the responsibility to contribute to society through the gift of self. We believe that the members of society contribute to or hinder development through their choices.

Authentic development is a process that takes place at all levels of society creating a social, political, and economic environment that allows persons to reach their full physical, spiritual, mental, and emotional potential.

Basic necessities such as access to clean water, sanitation, and adequate healthcare promote a healthy population which is essential to development. Responsible stewardship of natural resources allows a population to develop without compromising its well-being.

We believe that education is a foundational element of development. The goal of education must be to help people recognize their dignity and equip them with the necessary tools to exercise their potential. When every member of a population is aware of how their education contributes to development, they will be able to fulfill their responsibility in society.

The creativity of the human person is earth’s greatest resource and a catalyst for development. Human creativity generates new ideas and alternatives for development. We assert that although the human person’s creative capacity is unlimited, it should never be implemented in ways that compromise the inherent dignity of every human person.

Each society has its own demographic structure with specific implications for development within that society. It is necessary for individuals, society, governments, and institutions to work in solidarity to foster the adequate conditions such as freedom, peace, and security that lead to development. It is not the density or composition of a population that determines the degree of development. A population which utilizes its creativity can overcome obstacles to development, including a lack of natural resources.

We invite persons at all levels of society to use their creativity, skills, and resources to provide opportunities and the necessary environment for authentic development.
We, young people from all regions of the world, affirm that each person has the responsibility to participate in the building of a free and just society rooted in the intrinsic and inviolable dignity of the human person. We acknowledge that human dignity is the foundation of every human right and call upon all persons, to give of themselves in order that society may be justly governed. We recognize that each person must answer the question “who am I”, and that the discovery of this question takes place through work carried out in solidarity for the common good.

Through work the person contributes to the common good. The common good consists of the well-being of the persons in a community, solidarity among those persons and the environment in which each person’s deepest human aspirations and capacities can flourish. The common good arises from the person’s free and deliberate choice to pursue something beyond himself both for his own benefit and for the benefit of the community. Participating in the common good belongs to each person by right of his or her dignity.

The responsibility of every person at all levels of society to work in solidarity for the protection of human dignity is the basis of good governance. Solidarity, a key building block of good governance, is the unified commitment of persons to work in trust toward the common good, fostering a sense of community. Leaders bear a particular responsibility to uphold the dignity of the human person in their governance; in exercising this responsibility, they earn the trust of the community. Good governance entails the just use of power to create conditions for unity and trust and to inspire the governed the desire to contribute to the common good. Good governance includes the rule of law, transparency and accountability, as well as free expression and participation.

Corruption is an assault on the inherent dignity of the human person and a betrayal of one’s responsibility to others. It is the pursuit of one’s interests at the expense of the good of others. Corruption undermines commitment and solidarity by corroding trust and hope. It robs all, particularly the poor and marginalized, of their rightful share in the common good and thus blocks integral development.

We believe that all persons have the duty to peacefully resist corruption in all its forms. Respect for the dignity of the person requires all persons to live in truth and in the exercise of solidarity, particularly with those directly resisting corruption.

We call on all persons, and in particular young people, to embrace their responsibility to foster free and just societies by actively promoting good governance and just leadership.
**WYA Statement on Woman**

New York, USA 2005

Written for the ten-year review of the Beijing Platform for Action and Conference on Women held at the United Nations Headquarters in 2005, the WYA Statement on Woman asks the question “Who is woman?” Equal in dignity and therefore equal in rights, woman brings a unique quality to human existence through her creativity and gift of self.


Who is woman? Daughter, mother, wife, patriot, policy-maker, sister, thinker, worker? The challenge of this changing world asks this question and every woman is called upon to answer.

We young people of different nations, cultures, religions, ethnicities believe that every person is endowed with intrinsic and inalienable dignity that begins at conception and extends to natural death. This dignity is inviolable and does not change regardless of the circumstances of one’s life. It is the basis for human rights.

We believe that the freedom of the human person is most fully and rightly lived in the gift of ourselves to others. In the act of self-gift, the human person answers the question, “Who am I?” through the experience of love.

Equal in dignity, and in a way that is complementary to man, woman is unique in her capacity for love and so can experience freedom in a radical way through her gift of self.

In motherhood, which is a continual invitation to self-gift, woman develops society through the transmission of life.

Woman recalls to humankind its humanity in a profound recognition of the dignity of each person. Woman is the architect of authentic peace from the most basic cell of society to the highest levels of policy and decision making, constructing conditions in which persons are given the chance to live in accordance with their dignity.

The talents of woman foster and preserve the beauty of each culture. When woman exercises a key role in building, designing and protecting societies, her participation enriches and sustains the culture for herself, her family and community and for all generations to follow.

Through her gift of self, every aspect of woman’s life is enriched and transformed and society in turn is transformed on every level.
WYA Declaration on the Philosophy of Human Rights
New York, USA 2009

We are young people of diverse ethnic, religious, cultural, economic, political and social backgrounds from all regions of the world. We have experienced human dignity and solidarity, but also have knowledge of and have witnessed violations of human rights. We declare that all human beings have inherent, intrinsic dignity from conception until natural death, and that this dignity is prior to, and the foundation for, every human right.

Human beings have intrinsic dignity. This intrinsic dignity does not depend on any circumstance, stage of development, or potential, and no human community can grant or rescind it. Thus, human beings must always be treated as an end and never used solely as a means.

All human persons share this common dignity and as such are called to live in solidarity with each other. This solidarity enables us to recognize that human flourishing can only be realized through cooperation with others. This mutual cooperation is the common good. The development of human rights and duties springs from this understanding of the common good and is a moral tool that affirms human dignity, while also pointing out corruption and abuse of the human person.

Law springs directly from the expression of the common good, and is therefore at the service of the human person. International law, or practical principles of action for the international community, must be in accordance with universal principles which promote human dignity in order to be legitimate expressions of the common good. Human rights laws which do not recognize the dignity of the person by denying the common good for economic or political interest are therefore not legitimate laws or legal instruments.

Human rights are an authentic expression of solidarity, arising as legal instruments from the primacy of the dignity of the human person. Since the human person is prior to laws and governments, it is therefore the sole task of laws and government to respond to the reality of the dignity of the human person and protect it. Although the enforcement of human rights through law and government is necessary to protect the human person, we recognize that it is through the commitment of each person to live in solidarity with others that such human rights become a reality, and culture and society are transformed.

We call upon the international community to recognize that all human beings have intrinsic dignity, which is the foundation of human rights, prior to law and government, and is the only authentic source for the development of legal instruments. In order to promote the common good, all law must be at the service of the human person and recognize the person as its end and purpose. In accordance with this understanding of the person and human rights, we commit ourselves to fulfill our duties to respect human rights and uphold human dignity in solidarity with one another.