

THE JUST STRUGGLE

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All revolutionaries fight for the sake of justice, and struggle against injustice. In this fact lies the moral superiority of the revolutionary. This means that it is basic to the revolutionary project that we ask questions about the justice of particular struggles and the methods used in them. This article is an attempt to ask just such questions about the armed struggle in South Africa, and to answer them by using the doctrine of the just war.

This doctrine is a useful tool in our project. Though it was developed by Christian thinkers, it is not bound by Christian doctrine, and has come into its own as a tool for answering questions about the justice and injustice of struggles in today's world. A young South African White man used the just-war theory to show that it is morally wrong to serve in the South African army, by showing that the war waged by the apartheid regime is ruled completely unjust if one looks at it in terms of the just-war doctrine.¹

How does the armed struggle of the ANC match up to this test? I would like to argue that the just-war doctrine shows that it is a just struggle waged by just means.

Peaceful Means Have Been Exhausted

It was only in 1961 that the ANC turned to armed struggle, and this was because it was clear that all peaceful means had been exhausted. In the course of the 1962-1963 sabotage campaign, bloodshed was scrupulously avoided wherever possible. The struggle had its peaks and troughs, but reached an all-time high in the aftermath of the Soweto uprising of 1976, and the signs are that the struggle is bound to intensify until victory is won. The period since 1976 has seen the establishment of the ANC as the major opposition force in South Africa. The movement has conducted a successful campaign in which targets of particular strategic and economic importance have been attacked. These have been chosen for public impact — actions have been demonstrative, 'armed propaganda', and there has been a concerted attempt to avoid civilian casualties where possible. At the same time, notorious informers and collaborators with the apartheid regime have been assassinated in a programme of vigilante justice.

It should be mentioned that the ANC became a signatory to the 1977 Geneva Protocol I in November 1980. This implied a measure of international recognition for the justice of the ANC's struggle. Since then, a number of substantial operations have been carried out, including attacks on several power stations, including the Koeberg nuclear power station. A rocket attack was launched against the Voortrekkerhoogte military complex, and in May 1983, the South African Air Force headquarters in Pretoria was bombed. In all, South Africa is in the throes of 'the most sustain-

ed violent rebellion in South African history, and all the indications are that it will develop into a full-scale revolutionary war.'² Let us now look at the tools we are going to use in testing whether this armed rebellion and revolutionary war is just.

Killing of the Innocent is Wrong

Most people would agree that it is always wrong intentionally to kill innocent people, and that killing is bad. We would like to say that someone who murders offends against his or her humanity, and against the demands of our own humanity. This is at the root of our moral indignation at, say, the Nazi extermination policy against the Jews, and against the crimes of the apartheid regime. It is always wrong to kill or injure for its own sake. At the same time, there are circumstances where one has to kill or injure as a necessary means to a good end.

I am in a bar, and I observe someone who has drunk too much coming at me with a knife. If I am quick enough, I manage to step aside, and knock him out. What I try to do is to defend myself, but perhaps the circumstances are such that I cannot avoid doing him or her grave injury. I am not likely to have any hang-ups, since I was obviously bound to defend myself, and hit my attacker because it was the only way I could stop him or her from harming me. **That** was my intention. The fact that the attacker was injured was something I may well have known would happen. It was perhaps a consequence I could foresee, but it was not something I directly intended by my action. If, on the other hand, I had no choice other than to defend myself with a pistol, and chose to shoot my attacker through the heart, although a bullet through the leg would have done the trick, I would have been guilty of murder. I would have chosen to use means of defence which were bound to kill, where they were not strictly necessary. In **that** situation, I might be perfectly justified in using a pistol to defend myself, but I used it in a way which shows that causing grave injury and death was part of my direct intention. I would have used more violence than was strictly necessary.

In the example we have just examined, my aim is to ensure that I am not cut up and killed. I act in order to prevent something bad (my injury or death), and in order to achieve something positively good (that I should live unharmed). It is not my direct intention to cause injury. I use violent means because I cannot do anything else in the circumstances, and the degree of violence I use is more or less the minimum necessary to achieve my ends.

This applies, of course, to the case where I acted in a way which was clearly not directly intended to kill. One could think of cases where one had no way of avoiding the death of the attacker without risking one's

own death, and that would also be a just action. Where there was a choice, and one chose to use more force than was strictly necessary to achieve one's ends, the means used would be unjust, though the ends might be just.

What Are the Aims of the Struggle?

These considerations apply to wars between nations and organisations as well. We need to ask whether something bad is being struggled against, whether the aims of the struggle are good in themselves, and whether the means used are in keeping with the ends. If the means are violent, we want to know whether this violence is strictly necessary, and whether it is kept down to the minimum necessary to achieve the ends, or thereabouts. To be precise, the question is whether loss of innocent life is kept to a minimum.

In our example, the first question was whether one was justified in using violence under the circumstances. In the case of wars, the question is whether it is morally right to wage war in particular circumstances. The just-war doctrine lays down a number of conditions which must be met before we can say that a nation or organisation was indeed justified in going to war. There are five conditions which must be satisfied in this respect:

- ★ The war must be waged by a legitimate or competent authority;
- ★ It must be waged in a just cause;
- ★ It must be undertaken with the right intention regarding its ends, which must be humane;
- ★ It should be waged only when all peaceful means have been exhausted;
- ★ It should be waged only when there is a reasonable hope of success.

I think there are also circumstances where failure to fight a war, even where it is hopeless, is wrong. The Jews of the Warsaw Ghetto were surely justified in waging war against the Germans rather than being passively carted off to the extermination camps. They were saying, in effect, that the Nazis were not to be allowed to get away with their crime without resistance. Their action was demonstrative — it was meant to show the German soldiers and the local population that Jews **could** fight, and that they had retained their self-respect and ability to organise. They also needed to remind German soldiers that they were party to a criminal act, and would be held responsible for it. Armed resistance was the only way the Jews of the Warsaw Ghetto could affirm their human dignity, and the demands of dignity made it necessary for them to take up arms, although they had no chance of winning their local struggle. In the light of this, we can modify our last condition to read:

- ★ It should be waged only when there is a reasonable hope of success, or where it is impossible to preserve human dignity without resort to war.

Are the Means Justified?

In our example of the fight in the bar, we asked a second

question; were the means used to defend ourselves justified under the circumstances? We were clearly right to defend ourselves, but were we right to do so in the way we chose? The just-war doctrine lays down two more conditions which help us to answer this question in the case of war. They are tests to see whether the means we use to wage a war are themselves just, and they are as follows:

- ★ The means used must be proportionate to the ends of our struggle — there should be an attempt to cause the least damage possible without endangering the achievement of the just ends of war;
- ★ There must be no intentional killing of innocent people.

What is a 'legitimate competent authority?' A few reactionaries perhaps claim that only an official government fits this description. One can, however, think of governments which are clearly unrepresentative, illegitimate and unjust. One can also think of movements which, while not constituting recognised governments, have so much popular support that they are surely able to make decisions on behalf of the people, and whose actions are the genuine will of the people. What is a 'just cause'? What is 'justice'? These are questions concerning which there is a great deal of debate. At the same time, it is commonly recognised that justice involves a fair distribution of wealth and conditions which make for a dignified life.

The Injustice of Poverty and Degradation

What are these conditions? Much ink has been spilt in trying to answer this question, and we do not need to give a positive answer to these questions in order to carry on our present enquiry. Most people agree that great poverty imposed on some in order that others can enjoy wealth is an injustice, as are conditions which degrade and humiliate people. It is just to aim at doing away with situations of this sort.

The Geneva Conventions lay down some laws which try to ensure that there is a measure of justice in the means used to wage war. The ANC is, as we saw, a signatory to the first Protocol of these Conventions, drawn up in 1977. It must be said that the fact that a party to a war complies with the terms of the Conventions does not in itself guarantee that a war is just. This is because a war is truly just if, and only if, it is fought for just reasons.

A government might wage war without good cause, and its soldiers might nonetheless fight with great humanity. In that case, we would hold that the war itself was criminal — the government was a government of war criminals — though we might not want to call the soldiers criminals. We would hold their governments responsible for all death, damage and injury caused in that war.

A war might, on the other hand, be waged for the best of reasons, but in an unnecessarily bloody way. In that case, we would say that the war is just in regard to its ends, but not in its means. It is a just war fought in an unjust way, where the first case was of a war which was unjust through and through as far as those who initiated it are concern

ed, fought by soldiers acting on the assumption that it was declared for good reason, fighting justly by their own lights. We would exonerate the soldiers, and hold the government responsible. If the means, too, were unjust, we would hold both government and soldiers responsible for the criminal act.

What is Terrorism?

The Geneva Conventions condemn terrorism, and the ANC is called 'terrorist' by the apartheid regime. It is therefore important to note what terrorism involves. A terrorist act maliciously and intentionally injures innocent people. Parcel bombs, of the sort which killed Ruth First, are a terrorist weapon, and actions like the Lesotho raid and the raid on Matola are terrorist actions in international law. Attacks on strategic installations of the enemy, or upon the armed forces of the enemy, are **not** 'terrorist actions' in a war. The 1977 Geneva Protocol I also recognises 'armed conflicts in which people are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination.' It also condemns as war crimes 'practices involving inhuman and degrading practices involving outrages upon personal dignity based upon racial discrimination.'

In conventional wars, soldiers wear uniforms which clearly identify them as soldiers rather than civilians. Guerrillas wear no uniforms, and merge 'into the people, to whom they belong and of whom they are a part,' as was pointed out in a document illegally circulated in South Africa in 1970. Does this make guerrilla warfare immoral? I think not, and for this reason: No guerrilla struggle can succeed without popular support. The people protect guerrillas and hide them from the enemy **because** they support them, **because** the struggle of the guerrillas is the struggle of the masses. The surest sign that a particular guerrilla struggle is just is the fact that it succeeds. As an American moralist points out, such a war 'cannot be won and should not be won' by the oppressor, 'because the degree of civilian support ... makes the guerrillas the legitimate rulers of the country,' and the struggle against them 'is an unjust struggle that can only be carried out unjustly.'³

What is a Legitimate Authority?

Is the ANC a legitimate authority? In the 1950s, the ANC successfully mobilised many thousands of people in vast public demonstrations. Though it is now an illegal organisation, support for the ANC is at a peak. The vast majority of South Africans recognise that the gaoled ANC leaders are their own leaders, and foreign analysts recognise that 'Nelson Mandela ... would easily defeat any other potential presidential candidate, White or Black,' if free multiracial elections were held today.⁴ The ANC is, in effect, given legitimacy by the oppressed majority of South Africans, while the apartheid regime is rightly considered illegitimate. Umkhonto We Sizwe is what most South Africans believe it to be, the people's army, and the ANC, by virtue of its support in the country, is surely the legitimate

voice of the people of South Africa. This conclusion draws support from the massive demonstrations at the trials of captured guerrillas of Umkhonto We Sizwe and at funerals, and by the fact that most people who join Umkhonto see service in its ranks as a contribution to the struggle, and service to our people.

Is the ANC's war waged in a just cause? What we are asking here is whether apartheid is bad in itself, so that the struggle to defeat it is waged in a good cause. It is difficult not to see that apartheid is unjust. A small minority, South African Whites, live in comfort, because the vast majority of South Africans are super-exploited and are therefore caused to live in poverty. This is clearly a grave injustice. The trappings of apartheid which deny civic rights to the oppressed majority, break up families, restrict the movements of people, and subject people to arrest and deportation to the so-called 'homelands,' where there is neither work nor food — these things and more clearly combine to make apartheid a massive and sustained assault upon human comfort and dignity. Apartheid is surely a crime against humanity which we must fight against.

Controlled Violence

The Freedom Charter, which puts forward the positive aims of the ANC, will help us to judge whether the struggle is being waged with the right intention. A 'right intention', in terms of the just-war doctrine, can only be a just and lasting peace, and this intention is surely fundamental to the Freedom Charter. The Freedom Charter, itself the product of what was surely the most representative gathering in South African history, is based on the belief that 'only a democratic state, based on the will of the people, can secure to all their birthrights without distinction of colour, race, sex or belief.' It calls for a democratic order in which a stable peace without oppression is possible. The ANC clearly displays the right intention in its aim.

The turn to armed struggle was made after the Sharpeville and Langa massacres, and after pleas that the government call a national convention had proved fruitless. It was by then clear that the exclusive use of peaceful means was no longer possible. In addition, this period saw the outbreak of spontaneous acts of violence on the part of some of the oppressed, which had to be channelled in order to prevent indiscriminate and fruitless acts of violence. Armed struggle was clearly the only way greater loss of life could be avoided. The choice was for effective and controlled violence as against ineffective and uncontrolled violence, given the fact that other alternatives had failed. Was there a reasonable chance of success? There was, and there is a reasonable chance of success. Many foreign analysts work on the assumption that the ANC is bound to succeed in the medium run, and the precedents of Angola and Mozambique and Zimbabwe confirm this. In any case, it should be clear that armed struggle would have been justifiable on grounds of dignity alone.

Targets of a Just War

The sabotage campaign between 1962 and 1963 was marked by notable attempts to avoid bloodshed. The few actions which resulted in bloodshed were exceptions rather than rule. Such incidents are a foreseen but unintended consequence of any armed struggle. Respect for life clearly continues to be a principle stressed in the training programmes of Umkhonto, as is shown by the testimony of some ANC guerrillas caught and tried by the apartheid regime.

South African police and army personnel and installations

Umkhonto We Sizwe has been responsible for the assassination of notorious informers and collaborators with the apartheid regime. This is not, properly speaking, an act of war, but constitutes the administration of vigilante justice by an organisation recognised by the oppressed in South Africa as its own government. **It expresses the fact that dual power exists in South Africa.**

In conclusion, the armed struggle carried out by the ANC is just with regard to both its ends and the means it uses. Actions of Umkhonto We Sizwe seek to preserve life. Where



have been attacked and these are surely licit targets in a just war. They are part and parcel of the oppressive apparatus which attacks the South African people. The South African press waxed indignant at the loss of life when the Air Force headquarters in Pretoria was attacked. It is noteworthy that all the 19 people killed worked in the building, and the fact that there were not more deaths shows that there was discrimination on the part of the ANC. A military installation is a legitimate target, and it is the duty of those who would place major installations in civilian areas to guarantee the security of civilians in the area. It is surely easier to bomb buses and cinemas, but the ANC has rightly refused to do so. Were Umkhonto interested in simply causing death, its cadres would have bombed civilian targets. The fact that this was **not** done in Pretoria reflects the fact that the concern of the ANC was to attack a military target, and that Umkhonto is **not** a terrorist organisation like the South African army and police.

civilians have been injured, this has, on the whole, reflected the fact that the regime has sited military targets in civilian areas. The intention of Umkhonto is to bring about a just and lasting peace rather than cause unnecessary loss of innocent life.

References:

1. *War and Conscience in South Africa*, CIIR, London, 1982, pp 95 et seq.
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3. Michael Walzer, *Just and Unjust Wars*, Harmondsworth, 1980, pp 195f.
4. Mark Uhlig, 'The Coming Struggle for Power', in the *New York Review of Books*, 2nd February 1984.