

of the judiciary's adjudication. Between 1919 and 1972 the restriction on subversive speech has been so narrowed by the Supreme Court that the test imposed today bears no relationship to that enunciated by the Court 70 years ago. There are, accordingly, no guarantees of consistency, nor should there be; law adapts its **mores** to changing circumstances. What is important is that courts do not get burdened with implementing the minutiae of public policy; a danger perhaps inherent in the right to public education.

Perhaps a compelling reason for a Bill of Rights in the Natal KwaZulu region is that its judiciary has generally shown itself to be amenable to interpreting legislation in a manner which favours the individual and limits the power of the State. Since this assumption, too, permeates the KwaZulu Natal Indaba's Bill of Rights, there appears to be an unmistakable, though inarticulate, unity of purpose between the drafters and proposed interpreters of the instrument. However, when litigants take a Natal based

decision on appeal to the Appellate Division in Bloemfontein, there are certain precedents which suggest the possibility of a result less favourable to civil liberties. The entire exercise depends on the attitude of government and their response is awaited. Should Government agree to the implementation of the Bill of Rights in the region then Natalians will, as a minimum, experience greater protection of their rights in their interaction with the Province and local government. Should the State go one step further, and invest the region with significant powers of government, then the Bill of Rights will play a very significant role; not just for the people of Natal, but in giving new hope to all South Africans. □

¹The KwaZulu Natal Bill of Rights contains 15 articles which protect various individual, cultural, religious, political, social and related rights. It is justiciable, on individual application, before the Supreme Court in Natal; its carapace covers ordinances and by-laws promulgated in the Province.

by Mervyn Frost

THE CHRISTIAN UNDERSTANDING OF POLITICS AND VIOLENCE IN SOUTH AFRICA

The Things That Make For Peace: A Report to the Catholic Bishops and the Church in Southern Africa
by The Theological Advisory Commission of the Southern African Catholic Bishops' Conference, Pretoria, 1985.

Contending Ideologies in South Africa edited by James Leatt, Theo Kneifel and Klaus Nurnberger, Cape Town, David Philip, 1986.

What are Christians called upon to do in the context of the present crisis in South Africa? Difficult questions face the Christian in every sphere of South African life. In the political sphere ought Christians to support the government as it is presently constituted or ought they to support "the struggle"? In the sphere of economics does being a Christian commit one to supporting capitalism, socialism or communism? Culturally does being a Christian commit one to being in favour of integration and against segregation? Ought Christians to reject military service? For many South African Christians these questions have become extremely pressing and awkward to answer.

Two church groups responded to the need for answers to these questions and commissioned studies which it was hoped would guide Christians through some of their present predicament. **The Things that Make for Peace** and **Con-**

temporary Ideologies in South Africa are the fruits of the commissions set up by the Catholic Bishops Conference, and, the South African Council of Churches, respectively.

The two books are quite different in their immediate aims, in the methods adopted to achieve those aims, and in the success achieved in pursuit of their objectives.

Contending Ideologies in South Africa is on the face of it a puzzling book for it is not easy to categorize. It starts out with a chapter on capitalism in South Africa which is descriptive and explanatory in a potted history kind of way. This historical section is introductory and is clearly not intended as a new input into the debate about South African history. The book proceeds with a consideration of the main "isms" in South African politics. These include, liberalism, Afrikaner nationalism, African nationalism, Black consciousness,

socialism (including Marxist, Marxist-Leninist, social democratic and Maoist versions of socialism). In these sections sometimes the focus is on describing the history of these movements in South Africa, and sometimes the focus shifts to a discussion of the origins of the political philosophies themselves.

In the sections describing liberalism in South Africa the authors rest with describing and do not really attempt to explain why liberalism formed into the kind of movement it did and why it formed at a given time and not some other time. For example no attempt is made to explain why liberalism was influential in black politics and why it at a point ceased to be so.

In the sections discussing the different political ideologies a superficial account of each ideology is given, but none of the sections on ideology can be seen as making a significant contribution to the debates in political philosophy about liberalism, nationalism, black consciousness and so on. In each case what we are given is a summary of the intellectual position underlying each -ism. The book then proceeds with a fast overview of the very complex debate about the nature of ideology. Finally, there is a section on the theological position concerning the role of the Christian in the present polity. Two approaches are identified. The one approach is called "the word of God" approach and the other is the black theology view. These positions are radically opposed to one another. The positions are presented and the reader is then left to make up his/her mind.

This book is not a specialist work. It does not contain an argument towards a specific conclusion. It is not a serious work of history, it is not a work in the history of ideas, it is not first order political philosophy, nor political sociology, nor theology, and finally it is not a work in political science.

What then is the aim of the book? At the end of the 1970s as the political climate in South Africa deteriorated the SACC commissioned a study of "conflicting ideologies in South Africa and the possible theological responses". The commission was "to report its findings in a way which would inform church leaders and concerned lay people". The aim of the book must then be seen to be that of informing church leaders and a lay audience about ideologies in South Africa. It must be seen as providing answers to the harassed parson or worried parishioner faced with the question "What is Black Consciousness about?" or "What is democratic socialism?" and so on.

For those readers who want to know something about Black Consciousness, social democracy (and the like) this book will be very useful. It will tell them something about what Black Consciousness supporters stand for and something about the arguments which they use in defence of their positions. But it does not go deep enough into the arguments to enable us to determine whether the various "isms" are at the end of the day rationally defensible or not.

Contending Ideologies in South Africa is a book biased towards the socialist perspective. One whole section of part one is entitled "Ideological critiques of South African capitalism". Two of the five parts of the book are devoted to socialist/marxist themes and only three and a bit pages are devoted to "A Critique of Marxism-Leninism". The criticisms raised in this section seem on the face of it very damning and seem to provide good reason for a return to liberal principles. The authors remain as far as one can tell secure in their socialist faith.

At the end of a section on the Marxism of Marx the authors pose some critical questions some of which will strike the lay reader as surprising if not plain amusing. Amongst the stranger ones are these: How social can man become? Is there hope for the victim? Is there hope for the dead? Is death normal? Is death not the deepest alienation?

Suddenly towards the end of the book there is a chapter entitled "Anarchism". It is not at all clear why it is included in the book at all. Anarchism is an interesting enough topic in itself, but it is not one of the main line ideologies which inspire action in South Africa. There is no plethora of anarchists in this country nor is there a tradition of anarchism.

The following chapter is entitled "On Ideology". Here the authors outline some of the important and interesting debates about ideology in social science. The debate has raised many interesting methodological and philosophical points, but it is not at all clear why this chapter was included in this book which for the most part is concerned with ideology taken in a straightforward sense as meaning "political creed". The readers of this book are not going to be (nor need they be) majorly concerned with such questions as "Are ideologies false consciousness?" "Are all our beliefs ideological?" "Can we study ideology in a value neutral way?" and so on.

In the last chapter the authors outline two very different views of the relationship between theology and ideology. According to the first which they call the "word of God theology" a main principle involved in being a Christian is that it requires the Christian to accept, in accordance with the word of God, those who are different. This mutual acceptance results in what is referred to as "an impossible community". The members of this community are called upon to admit their sinfulness to one another. Out of the understanding of others the possibility of a wider community grows.

What are the implications of this model of the theology/-ideology link for political action? What are Christians called upon to do? The answers are not spelled out in this book, but there do seem to be some implicit political injunctions. The first is "understand the position of your enemy". This requires communication with him and insight into his ways. The second is "communicate your awareness of your own sins to your enemy". What is odd about these injunctions is that they involve responding to a political predicament in a non-political way. If politics is about power then Christians are called upon to renounce power type responses in favour of a radically different kind of response. In short the command is "about adopting the loving way instead of the powerful way".

The abovementioned response is an intriguing one which has fascinated Christians since the early days of the church. It has inspired Christians to adopt the loving way in the face of the most imposing political empires. It promises to transform society by changing the people within it. Unfortunately the authors pay very little attention to the details of what would be involved in South African Christians following this way. The second model which the authors consider relating theology to ideology is majorly political in the traditional sense where "politics" means "power". This view is called "a theology of liberation". According to the authors this view does not start with a commitment to the bible, or to a dogma. It begins with a commitment to the poor and an understanding of the socio-economic power structures. It sets out to rectify the present injustices. The test of the right course of political action is whether it is to the benefit of the poor. Jesus is portrayed as the Messiah of the poor.

Once again this is an intriguing position, but the authors do not discuss what precisely liberation theology instructs Christians to do in the context of present day South Africa. Capitalists, socialists, communists, and anarchists all profess to have a concern for the poor. Liberals make the case that all (including the poor) will be well served by a representative democracy conjoined with a free market economy. Socialists argue that the poor will be best served in a democracy combined with specific systems of common ownership and so on. The crucial question (which is not tackled) is not "On whose side are you?" but "What political/economic/social institutions will best serve the common interest?"

The majority of the poor in South Africa are black and many blacks (a majority perhaps) believe that their best interests will be served by some or other form of socialism in South Africa. Around this belief they are mobilizing themselves in pursuit of political power. However, whether or not socialist institutions and policies will serve their best interests or not is a moot point. It may turn out that their belief in socialism is merely an ideology; a set of false beliefs. This book does not help us settle this question one way or another.

The Things That Make for Peace is a much more focused and rigorously argued book than **Contending Ideologies in South Africa**. It is a short lucid book which all South African Christians (Catholic or not) will find useful in helping them think about the religious, moral and political problems facing them in this turbulent country especially with regard to the issue of violence. It is focused directly on the question: Under what conditions may Christians justifiably resort to violence? The question is taken in its widest sense to include violence in support of the side of the state, on the one hand, and violence in support of the forces opposing the state, on the other. In seeking answers to these questions the book also considers the theological justification for non-violent action.

With regard to non-violence the authors make the important point that there is an ambiguity in the concept. It may be taken as referring to a particular means of pursuing just ends, yet it may also be taken as referring to a policy of doing nothing at all. In some situations doing nothing may be an unjustifiable approach from a theological and moral point of view; being passive may not be the peace loving or Christian thing to do.

The book starts usefully with a section entitled "Some Clarifications Regarding Terminology" in which definitions are given of power, authority, force and violence. Unfortunately having started with a satisfactory definition of violence as "what injures, maims or kills a person" they straightaway accept a dubious and pernicious extension of the term. They extend the meaning to cover all things which "jeopardize people's potential for growth". Here they have in mind such things as droughts and that class of phenomena which they call "structural violence". It does not seem very useful to call a drought a case of violence. Similarly it does not seem particularly useful to call laws which frustrate my growth potential "violent".

In order to demonstrate the implausibility of thinking of violence in this way consider the following: Any form of property law whether it enforces private property or communal property or whatever form of property may be seen by some group as jeopardizing their growth potential. Would the aggrieved group be justified in referring to that system of property as an example of "structural violence"? If we accept this usage "violent" comes to mean much the same as "unjust". There is good reason to stick to a narrower definition

of violence. The narrower definition is preferable because it commands a consensus across ideologies. Communists, socialists, capitalists, anarchists, etc., are likely to agree upon a minimalist definition of violence as that which "maims or kills a person". When discussing the justifiability of opposing violence of resorting to violence it is largely this kind of violence which we all have in mind.

A serious consequence of making "violence" synonymous with "unjust" is that a violent reaction is much more likely against something which is called "violent" than it is against something referred to as "unjust". If I call something which injures me "violent" there appears to be a *prima facie* case for resorting to counter violence as a remedy. Whereas against injustice there is no immediate presumption that counter violence would be justified. There is a well known and nuanced range of justified actions against injustice. These range from protest to war. The debate about justified responses to violence is much cruder altogether.

The crux of the Christian response to violence resides in the so-called "just war" tradition. Chapter Four gives a concise history of the evolution of just war theory including the contributions of Augustine, Thomas Aquinas, and Francisco de Vitoria. Some of the main tenets of the developed tradition are:

- War is only just if undertaken in a just cause.
- War is only just if declared by a legitimate authority.
- War must only be undertaken as a last resort when all else has failed.
- War is only justified where it has a reasonable chance of success.
- There must be due proportion between the amount of violence incurred in a war and the benefits which it accomplishes.
- In conducting a war immunity must be given to non-combatants, the rights of prisoners of war must be respected and so on.

The authors of **The Things That Make for Peace** argue that the Christian's response to violence in South Africa may best be situated within the context of the just war tradition and they make a sharp distinction between it and those traditions which extol violence as an ideal such as the ideologies of National Socialism and Marxism-Leninism. This section of the book ought to be compulsory reading for all South Africans. For we are caught in a spiral of violence in which all participants claim to be fighting for a just cause and yet few articulate the principles underlying their actions. This section of the book asks all the right questions which those who claim to be fighting for justice must answer. The book gives no dogmatic answers to the questions posed.

Are South Africans today called upon to fight a just war? The authors point out that there are two over simple answers given to this question today. On the one hand there are those who argue that South Africans are called upon to fight a just war against external aggression and internal subversion. On the other hand are those liberation movements who argue that a just war must be fought against an unjust and oppressive government. In the light of just war theory a key question to put to both sides here is: Have all the alternatives to violence really been exhausted? In a telling sentence the authors point out, "Both the RSA government . . . and the liberation movements with help from their allies can lead the society towards total breakdown . . ." (p.116). The just war theory

forces the conclusion "There can be no just war, if all that is accomplished is the destruction of the society one is purporting to save".

What about the possibilities of a just war in Southern Africa at large? Here the theory asks a set of pertinent questions based on the set of principles outlined above: Is the war being contemplated by a legitimate authority? (A good test of legitimacy is whether the authority has been tested against the consent of the governed recently.) Is the war in a just cause? (Apartheid is unjust, but a war that would exacerbate the evils of the present situation would be unjust.) Once again the question must be asked: Have all other means been exhausted? It would seem that the liberation movements have a better record of trying to exhaust alternative methods than does the South African government. The authors pose the question whether the avenues of negotiation have been exhausted. The answer must surely be negative both for the South African government and the liberation movements.

In answer to the question "Have those who are resorting to violence in the name of justice a reasonable chance of success?" the authors point out that both from the point of view of the government and the liberation movements there is no easy answer. On the face of it liberation movements have little hope of success against the SADF. Yet conversely the SADF have little hope of maintaining a just order by the use of force alone. Its chances of succeeding through violence are thus equally slim.

The proportionality question is difficult for both sides too. The proportionality principle demands that the goal must be achievable for a proportionate cost. Although the measurement of such costs is difficult it must be considered by those contemplating participating in a just war.

In the conduct of the war are the rules of a just war being applied? Indiscriminate terror by either side badly infringes the rules of a just war. Are serious attempts being made to protect non-combatants? Again the record of all parties in the present violence is poor.

The book also has an interesting section on the vexed question of military service and conscientious objection. The authors argue that there are two acceptable ways open to Christians. They may get involved in a just war (provided that it is just) or they may bear witness to the mercy of God by renouncing violence altogether as a means of securing peace. There is room for both of these callings within the Christian church.

The way in which the authors apply the criteria of the just war tradition to questions pertaining to the use of violence in South Africa today is very useful. However, I would argue that the just war tradition is most easily applicable to the relationships between states and it encounters serious difficulties when applied to violence within states. The problem is that the unconventional violence of the guerilla, freedom fighter and urban terrorist is in important ways quite unlike the violence which takes place between states. First, it is often not clear who the authority is who instigates the violence. Second, it is often not clear whether the nebulous authority is legitimate or not. Third, the form the violence takes is not the conventional battle. This raises questions about how to measure proportionality in this type of war. Fourth, the aims of this kind of violence are often quite vague and this raises questions about the justifiability of the violent effort. Fifth, in this kind of war the distinction between combatants and non-combatants is very unclear and makes it almost impossible to apply the just war rules about how war should be conducted.

For all the reasons mentioned above I think that the just war tradition needs to be expanded in important ways before it can provide clear guidance about modern unconventional forms of war. I have attempted elsewhere to expand the theory to cope with the abovementioned problems, but cannot go into the details of the theory here.¹ Nevertheless, **The Things that Make For Peace** is an important book which asks the right questions.□

¹ Mervyn Frost *Towards a Normative Theory of International Relations* Cambridge University Press, 1986.

Among our contributors:

SHEENA DUNCAN - Former National President of the Black Sash and Director of Black Sash Advice Offices, Johannesburg.

MERVYN FROST - Professor of Political Science, University of Natal, Durban.

COLIN GARDNER - Professor of English, University of Natal, Pietermaritzburg.

RALPH LAWRENCE - Lecturer in Political Studies, University of Natal, Pietermaritzburg.

TONY LEON - Lecturer in Constitutional Law, University of the Witwatersrand; Attorney of the Supreme Court.

WENDY LEEB - Computer Operator, University of Natal, Pietermaritzburg, Psychology Graduate, involved in the continuing Research among the Mpophomeni Community.

JOHN RADFORD - Lecturer in Organisational and Social Psychology, University of Natal, Pietermaritzburg.