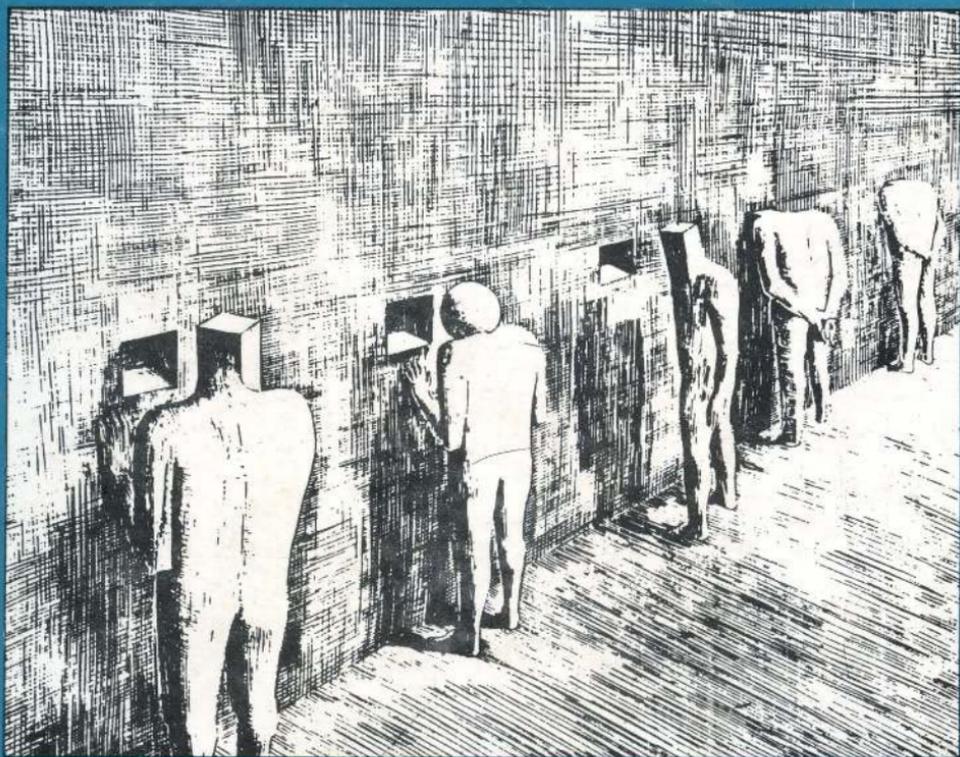


THE VALUE OF DISSENT



1

DR JOHN SNOW • E.M. FORSTER • SHAKESPEARE •
ADAM MICHNIK • LOUIS BRANDEIS •
GAUTAMA BUDDHA • STEPHEN SPENDER •

A CRM PUBLICATION

THE VALUE OF DISSENT

THE VALUE OF DISSENT

THE VALUE OF DISSENT

1

CIVIL RIGHTS MOVEMENT OF SRI LANKA

Editorial Board

*Charles Abeysekera
Kumari Jayawardena
Suriya Wickremasinghe*

Chief Researcher and Compiler

Mark Thompson

Project Assistant

Ranjith Perera

Cover

drawing by Cardon

Back cover

Logo by Richard Gabriel

© copyright Civil Rights Movement of Sri Lanka 1992
What I Believe is taken from *Two Cheers for Democracy*
by E M Forster by permission of Edward Arnold (Publishers)
Limited and is copyright © 1951, 1972 The Trustees of the
late E M Forster.

Published by

*Bernadeen Silva for and on behalf of
The Civil Rights Movement of Sri Lanka
31, Charles Place, Colombo 3.*

First edition January 1992
Second edition January 1993
Third edition September 1996
Fourth edition January 1998

Printed by

*Karunaratne & Sons Ltd.,
647, Kularatne Mawatha,
Colombo 10.*

This first publication in The Value of Dissent series is dedicated to the memory of Revd. Celestine Fernando with gratitude, respect and affection.

The Revd. Celestine Fernando was Chairman of the Civil Rights Movement at the time this project was first conceived. He was one of its greatest enthusiasts, and also thought about it innovatively. We owe to him the idea of bringing out the publication as a series instead of waiting to put together a large anthology. A man of deeply held convictions and firm principles, Revd. Celestine epitomised the qualities of tolerance and respect for freedom of opinion that this project seeks to promote.

CRM sorely misses the wise guidance and the gentle humour of Revd. Celestine, who gave most generously of his time and energies to the organisation as a member, as Acting Chairman, and finally as Chairman, which position he held at the time of his death.

The Civil Rights Movement of Sri Lanka acknowledges its debt and expresses its thanks

- to the many persons who responded - at times at great length, and despite their own very busy lives - to the compiler's individual letters seeking suggestions, and to the similar appeal published in the journal INDEX on Censorship
- to Stephen Spender for his contribution to this first of the series, and to other colleagues in the human rights world from whose particular talents the project has benefited; these include Andrew Blane, Sherman Carroll, Dorothy Connell, Manel Fonseka, Richard Reoch, and Barnett R. Rubin
- to INDEX on Censorship and in particular its Director Philip Spender, without whose enthusiastic encouragement and practical support this project may never have got off the ground.

CONTENTS

INTRODUCTION

Sir Benjamin Ward ----- The pioneering work of Dr John Snow on HALTING THE SPREAD OF CHOLERA	3
E.M.Forster ----- WHAT I BELIEVE	7
William Shakespeare ----- THE TRAGEDY OF KING LEAR	11
Adam Michnik ----- LETTERS FROM PRISON	13
Louis Brandeis ----- WHITNEY vs CALIFORNIA	16
Gautama Buddha ----- THE KALAMA SUTRA	17
Stephen Spender ----- COMMENTARY	19

CONTENTS

INTRODUCTION

The present work is the result of the author's long and patient study of the life and work of the great English statesman and diplomat, Sir Robert Walpole.

CHAPTER I
EARLY LIFE

1727-1733

CHAPTER II
THE RISE OF WALPOLE

1733-1741

CHAPTER III
THE GREAT BRITAIN

1741-1742

INTRODUCTION

This publication is the first of a preliminary series of items on the value of dissent to be compiled by the Civil Rights Movement of Sri Lanka. The theme of the series is that progress depends on the free exchange of conflicting ideas. Not merely good government, but the development of civilisation – cultural, scientific, economic – centres on this.

The idea for this project originated in the context of the appalling violence which has disfigured Sri Lanka in recent years, accompanied by a terrifying rise of intolerance. Not only persons who have chosen to enter the political arena, but also uninvolved peaceable citizens have become the victims of widespread killings committed both by forces of the state and those opposed to it. People have had to fear for their lives for reasons such as having voted or not having voted, for opening their shops on “strike” days or failing to open their shops; for participating in demonstrations and work stoppages or refusing such participation, or for having voiced views unpalatable to one group or the other. The penalty simply for expressing one’s views or going about one’s business could be death, and the danger might come from an unknown and unidentified source or opposition group or from the traditional agencies of state repression.

In this background, CRM identified as a priority the need to keep certain civil values alive, and to promote understanding not only of the right to dissent, but also of the intrinsic value of dissent. This simple truth has to be reaffirmed and illustrated. CRM is therefore compiling and translating material exemplifying the value of dissent. It is planned to draw from a variety of material relevant to this theme, including the following:

- the writings of political scientists, philosophers and other thinkers
- legal decisions
- case histories of scientific discoveries and other advances in human knowledge made because of the readiness of individuals to challenge beliefs held sacrosanct at the time
- literature and drama inspired by or depicting the conflict between individual conscience and established forces
- other interesting examples of individual dissent, including commentary on significant current issues.

Publication will be in both national languages. Much of the content may be already known to readers of English but has not so far been accessible in Sinhala and Tamil.

Recognising the value of dissent means valuing the tolerance of dissent. In themselves individual expressions of dissent may often be of little worth; they will include the outpourings of the crank and the crackpot - or what seem to be such by the standards of the day. But the degree to which dissent is tolerated reflects the health of society and ensures that it has within it the potential for progress.

Many of the writings this series will contain demonstrate the importance of questioning state authority. This is natural because freedom of expression has frequently been contravened by those exercising state power. It does not follow that governments are intrinsically repressive and that all acts of opposition to the state merit support. Threats to the free exchange of ideas certainly do not come from governments alone. They can and do come from other sources too; from various social and political groups, from communal and individual attitudes, even from majority public opinion. Indeed the suppression of opposing views by the state is often with the support of society at large; governments in many ways reflect society's prejudices. However - and this is the point of the series - intolerance from whatever source is dangerous to society, and must be identified and opposed.

The writings are not now being brought out in any particular grouping or sequence. Later it is hoped to reorganise them into a more orderly collection. Compilation is a continuing process and it is hoped that the initial samples in the series will stimulate suggestions and contributions from readers.

Sir Benjamin Ward

the pioneering work of Dr John Snow (1818-1858) on

HALTING THE SPREAD OF CHOLERA

As well as working as a general practitioner and a lecturer, Dr John Snow was a pioneer of epidemiology. His signal contribution to science and humanity was the discovery of how cholera - a disease that scourged cities in Europe and Asia - was transmitted, and therefore how its epidemics could be arrested.

Snow's innovatory ideas were resisted by others for a long time. In fact, the doctor's success was achieved in the face of much scepticism from within the medical profession as well as from the clergymen of London. John Snow's achievement is an inspiring example of society's debt to individuals who have persisted in the search for answers with single minded dedication in the face of many obstacles.

A friend and colleague, Sir Benjamin Ward, described Snow's work on cholera as follows:

In the year 1848 Dr Snow, in the midst of his other occupations, turned his thoughts to the questions of the cause and propagation of cholera. He argued in his own mind that the poison of cholera must be a poison acting on the alimentary canal by being brought into direct contact with the alimentary mucous surface, and not by the inhalation of any effluvium [i.e., not through contaminated air]. In all known diseases, so he reasoned, in which the blood is poisoned in the first instance, there are developed certain general symptoms, such as rigors, headaches, and quickened pulse; and these symptoms all precede any local demonstration of disease. But in cholera this rule is broken; the symptoms are primarily seated in the alimentary canal, and all the after-symptoms of a general kind are the result of the flux from the canal.

His inference from this was, that the poison of cholera is taken direct into the canal by the mouth. This view led him to consider the media through which the poison is conveyed, and the nature of the poison itself. Several circumstances lent their aid in referring him to water as the chief, though not the only, medium, and to the excreted matters from the patient already stricken with cholera, as the poison. He first broached these ideas early in 1848; but feeling that his data were not sufficiently clear, he waited for several months, and having in 1849 obtained more reliable data, he published his views in extensa.

During subsequent years, but especially during the great epidemic outbreak of the disease in London in 1854, intent to follow out his grand idea, he went systematically to his work. He laboured personally with untiring zeal. No one but those who knew him intimately can conceive how he laboured, at what cost, and at what risk. Wherever cholera was visitant, there was he in the midst. For the time he laid aside as much as possible the emoluments of practice and when, even by early rising and late taking rest, he found that all that might be learned was not, from the physical labour implied, within the grasp of one man, he paid for qualified labour.

The result of his endeavours, in so far as scientific satisfaction is a realization, was truly realized in the discovery of the statistical fact, that of 286 fatal attacks of cholera, in 1854, occurring in the south districts of the metropolis, where one water company, the Southwark & Vauxhall, supplied water charged with the London faecal impurities, and another company, the Lambeth, supplied pure water, the proportion of fatal cases to each 10,000 homes was to the Southwark & Vauxhall Company's water 71, and to the Lambeth's 5.

There was, however, another fact during this epidemic, which more than the rest drew attention to Dr Snow's labours and deductions. In the latter part of August 1854, a terrific outbreak of cholera commenced in and about the neighbourhood of Broad Street, Golden Square [near Piccadilly Circus, in the centre of London]. Within 250 yards of the spot where Cambridge Street joins Broad Street, there were upwards of 500 fatal attacks of cholera in ten days. To investigate this fearful epidemic was at once the self-imposed task of Dr Snow. On the evening of 7 September, the vestrymen of St. James's [i.e., the councillors of the local parish] were sitting in solemn consultation on the causes of the visitation. They might well be solemn, for such a panic possibly never existed in London since the days of the great plague [of 1664/65, when 70,000 souls died, of a total population of 400,000]. People fled from their homes as from instant death, leaving behind them, in their haste, all which before they valued most.

While, then, the vestrymen were in solemn deliberation, they were called to consider a new suggestion. A stranger had asked, in modest speech, for a brief hearing. Dr Snow, the stranger in question, was admitted, and in a few words explained his view. He had fixed his attention on the Broad Street pump as the source and centre of the calamity. He advised the removal of the pump-handle as the grand prescription. The vestry was incredulous, but had the good

sense to carry out the advice. The pump-handle was removed and the plague was stayed.

Benjamin Ward felt it incumbent on him to record for future generations the debt we owe to Dr John Snow.

It was my privilege, during the life of Dr Snow, to stand on his side. It is now my duty, as a biographer who feels that his work will not be lost, to claim for him not only the entire originality of the theory of the poison into the alimentary system; but, independently of that theory, the entire originality of the discovery of a connection between impure water supply and choleraic disease.

Benjamin Ward concluded that Dr Snow was "a representative man of medicine of the Victorian era", thanks to his qualities of imagination, "perseverance, and the courage to express his own opinions boldly when founded on, what he honestly felt to be the truth, and, if not the whole truth, nothing but the truth."

POSTSCRIPT

The map by which Dr Snow recorded the information which led him to identify the source of the epidemic later acquired a fame of its own. It is reproduced on the next page

DR JOHN SNOW'S FAMOUS "DOT MAP"

A modern writer, Edward R. Tufte, in his book *THE VISUAL DISPLAY OF QUANTITATIVE INFORMATION* (1983), says:

An early and most worthy use of a map to chart patterns of disease was the famous dot map of Dr John Snow, who plotted the location of deaths from cholera in central London for September 1854. Deaths were marked by dots and, in addition, the area's eleven water pumps were located by crosses. Examining the scatter over the surface of the map, Snow observed that cholera occurred almost entirely among those who lived near (and drank from) the Broad Street water pump. He had the handle of the contaminated pump removed, ending the neighbourhood epidemic which had taken more than 500 lives. (E. W. Gilbert, "Pioneer Maps of Health and Disease in England," *Geographical Journal*, 124 (1958), 172-183). The pump is located at the center of the map, just to the right of the D in BROAD STREET. Of course the link between the pump and the disease might have been revealed by computation and analysis without graphics, with some good luck and hard work. But, here at least, graphical analysis testifies about the data far more efficiently than calculation.



6 E. W. Gilbert, "Pioneer Maps of Health and Disease in England," *Geographical Journal*, 124 (1958), 172-183.

E.M. Forster (1879-1970)

WHAT I BELIEVE (1939)

In the late 1930s, as the shadows of war were gathering over Europe, and also during the war itself, the English novelist E.M. Forster wrote a number of articles and radio broadcasts about issues close to his heart, including free speech, tolerance, and liberal values. The best known of these is WHAT I BELIEVE, from which excerpts follow.

I do not believe in Belief. But this is an age of faith, and there are so many militant creeds that, in self-defence, one has to formulate a creed of one's own. Tolerance, good temper and sympathy are no longer enough in a world which is rent by religious and racial persecution, in a world where ignorance rules, and science, who ought to have ruled, plays the subservient pimp. Tolerance, good temper and sympathy - they are what matter really, and if the human race is not to collapse they must come to the front before long. But for the moment they are not enough, their action is no stronger than a flower, battered beneath a military jack-boot. They want stiffening, even if the process coarsens them. Faith, to my mind, is a stiffening process, a sort of mental starch, which ought to be applied as sparingly as possible. I dislike the stuff. I do not believe in it, for its own sake, at all. Herein I probably differ from most people, who believe in Belief, and are only sorry they cannot swallow even more than they do.

"Where do I start?" Forster then asks, and answers his own question:

With personal relationships. Here is something comparatively solid in a world full of violence and cruelty... Personal relations are despised today. They are regarded as bourgeois luxuries, as products of a time of fair weather which is now past, and we are urged to get rid of them, and to dedicate ourselves to some movement or cause instead. I hate the idea of causes, and if I had to choose between betraying my country and betraying my friend, I hope I should have the guts to betray my country.

Forster then continues his defence of democratic society:

Love and loyalty to an individual can run counter to the claims of the State. When they do - down with the State, say I, which means that the State would down me.

This brings me along to Democracy, 'even Love, the Beloved Republic, which feeds upon Freedom and lives.*' Democracy is not a Beloved Republic really, and never will be. But it is less hateful than other contemporary forms of government, and to that extent it deserves our support. It does start from the assumption that the individual is important, and that all types are needed to make a civilisation. It does not divide its citizens into bossers and the bossed - as an efficiency-regime tends to do. The people I admire most are those who are sensitive and want to create something or discover something, and do not see life in terms of power, and such people get more of a chance under a democracy than elsewhere. They found religions, great or small, or they produce literature and art, or they do disinterested scientific research, or they may be what is called 'ordinary people,' who are creative in their private lives, bring up their children decently, for instance, or help their neighbours. All these people need to express themselves; they cannot do so unless society allows them liberty to do so, and the society which allows them most liberty is a democracy.

Democracy has another merit. It allows criticism, and if there is not public criticism there are bound to be hushed-up scandals. That is why I believe in the Press, despite all its lies and vulgarity, and why I believe in Parliament. Parliament is often sneered at because it is a Talking Shop. I believe in it **because** it is a talking shop. I believe in the Private Member who makes himself a nuisance. He gets snubbed and is told that he is cranky or ill-informed, but he does expose abuses which would otherwise never have been mentioned, and very often an abuse gets put right just by being mentioned. Occasionally, too, a well-meaning public official starts losing his head in the cause of efficiency, and thinks himself God Almighty. Such officials are particularly frequent in the Home Office. Well, there will be questions about them in Parliament sooner or later, and then they will have to mind their steps. Whether Parliament is either a representative body or an efficient one is questionable, but I value it because it criticises and talks, and because its chatter gets widely reported.

So Two cheers for Democracy: one because it admits variety and two because it permits criticism. Two cheers are quite enough: there is no occasion to give three. Only Love the Beloved Republic deserves that.

* the quotation is from the poem *Hertha* by A. C. Swinburne (1837-1909)

What about Force, though? While we are trying to be sensitive and advanced and affectionate and tolerant, an unpleasant question pops up: does not all society rest upon force? If a government cannot count upon the police and the army, how can it hope to rule? And if an individual gets knocked on the head or sent to a labour camp, of what significance are his opinions?

This dilemma does not worry me as much as it does some. I realise that all society rests upon force. But all the great creative actions, all the decent human relations, occur during the intervals when force has not managed to come to the front. These intervals are what matter. I want them to be as frequent and as lengthy as possible, and I call them 'civilisation'. Some people idealise force and pull it into the foreground and worship it, instead of keeping it in the background as long as possible. I think they make a mistake, and I think that their opposites, the mystics, err even more when they declare that force does not exist. I believe that it exists, and that one of our jobs is to prevent it from getting out of its box.

Forster goes on to consider one perennial temptation for any modern society when it faces difficult times:

In search of a refuge, we may perhaps turn to hero-worship. But here we shall get no help, in my opinion. Hero-worship is a dangerous vice, and one of the minor merits of a democracy is that it does not encourage it, or produce that unmanageable type of citizen known as the Great Man. It produces instead different kinds of small men - a much finer achievement. But people who cannot make up their own minds, get discontented over this, and they long for a hero to bow down before and to follow blindly. It is significant that a hero is an integral part of the authoritarian stock-in-trade today. An efficiency-regime cannot be run without a few heroes stuck about it to carry off the dullness - much as plums have to be put into a bad pudding to make it palatable. One hero at the top and a smaller one each side of him is a favourite arrangement, and the timid and the bored are comforted by the trinity, and, bowing down, feel exalted and strengthened.

No, I distrust Great Men. They produce a desert of uniformity around them and often a pool of blood too, and I always feel a little man's pleasure when they come a cropper. Every now and then one reads in the newspapers some such statement as: 'The coup d'etat appears to have failed, and Admiral Toma's whereabouts is at present unknown.' Admiral Toma had probably every qualification for being a Great Man - an iron will, personal magnetism, dash, flair,

sexlessness - but fate was against him, so he retires to unknown whereabouts instead of parading history with his peers. He falls with a completeness which no artist and no lover can experience, because with them the process of creation is itself an achievement, whereas with him the only possible achievement is success.

Now he moves towards his conclusion, which quietly celebrates human individuality, which cannot be destroyed by any "dictator-hero" or political system:

The above are the reflections of an individualist and a liberal who has found liberalism crumbling beneath him and at first felt ashamed. Then, looking around, he decided there was no special reason for shame, since other people, whatever they felt, were equally insecure. And as for individualism - there seems no way of getting off this, even if one wanted to. The dictator-hero can grind down his citizens till they are all alike, but he cannot melt them into a single man. That is beyond his power. He can order them to merge, he can incite them to mass-antics, but they are obliged to be born separately, and to die separately, and, owing to these unavoidable termini, will always be running off the totalitarian rails. The memory of birth and the expectation of death always lurk within the human being, making him separate from his fellows, and consequently capable of intercourse with them. Naked I came into the world, naked I shall go out of it! And a very good thing too, for it reminds me that I am naked under my shirt, whatever its colour.

THE TRAGEDY OF KING LEAR

King Lear, often acclaimed as Shakespeare's greatest play, begins with the aged king dividing his realm among his three daughters, so that he can retire from regal duties. He demands to know which of them loves him best.

The two elder sisters make insincere and highly exaggerated declarations of their love. But Cordelia, the King's youngest and favourite daughter, does not indulge in flattery; she says she loves her father as much as a daughter should.

*I love your Majesty
According to my bond; nor more nor less.*

King Lear banishes Cordelia and splits his kingdom between the two elder daughters. These two soon combine to strip Lear of his dignity by denying him his remaining status. Cordelia, meanwhile, has married and moved abroad, out of sight and apparently beyond recall.

During the first half of the play, Shakespeare's plot grants inexorable success to the two sisters and their husbands, who disown all obligations of human sympathy and fellow-feeling, and grow increasingly impatient of any constraints on their power.

The world of the play darkens, and the darkness reaches its literal and figurative pitch when Regan, one of the sisters, and her husband the Duke of Cornwall catch the Duke of Gloucester trying to help Lear. They decide to exact revenge by blinding him. Cornwall puts out one of his eyes. The old man cries out for help, but there is no one - only three servants aiding their master Cornwall to do his will.

Then, suddenly, as Cornwall moves to put out old Gloucester's other eye, one of the servants speaks:

*First Servant: Hold your hand, my lord:
 I have serv'd you ever since I was a child;
 But better service have I never done you
 Than now bid you hold.*

Regan: How now, you dog!

- First Servant:** *If you did wear a beard upon your chin,
I'd shake it on this quarrel. What do you mean?*
- Cornwall:** *My villain! [draws and runs at him]*
- First Servant:** *Nay, then, come on, and take the chance of anger.
[Draws. They fight. Cornwall is wounded]*
- Regan:** *Give me thy sword [to another servant]
A peasant stand up thus!*
- [She takes a sword and runs at the first servant
behind, and kills him]*

It is difficult to convey the enormous symbolic power that this servant's intervention has on an audience watching King Lear. The scene is one of appalling viciousness, of absolute power that seems able to perpetrate whatever crimes it likes. Justice is dead, the audience has given up hoping that Gloucester may be saved.

Then the servant speaks up – “Hold your hand, my lord!” – a model of every citizen, every ordinary person who reaches breaking-point, and can no longer tolerate the wrongdoing that implicates him, and that couldn't take place without his consent or acquiescence. And by speaking up, he lights a match in the darkness.

Moreover, Shakespeare arranges his plot so that this match ignites a slow-burning fuse... The stand taken by this anonymous servant, which seems so cruelly futile – for his intervention is fatal only to himself, and Cornwall completes the blinding of Gloucester – becomes a main lever in the undoing of wickedness in the play. Cornwall sickens and soon dies of his wound; and Cornwall was the most dangerous and ruthless of the quartet of characters who use their power to deny humanity and justice. This unbalances the relations between the two sisters, and disturbs the fourth member of the quartet, the Duke of Albany, who is eventually convinced to “change sides”. Although the servant's action does not prevent the deaths of Cordelia and King Lear, it prevents the outright victory of evil, and reminds the audience that the power of humane dissent can never be extinguished.

Adam Michnik (1946 -)

LETTERS FROM PRISON

Over the past ten years, Adam Michnik has become widely known outside Poland for his commitment to democratic change in his country and in the rest of what used to be 'the Soviet bloc'.

Michnik has always been closely associated with the independent trade union Solidarity, since it was founded in 1980. When the Polish regime declared martial law and banned the union in December 1981, Michnik was arrested along with other prominent Solidarity activists - about ten thousand in all - and held in prison, without trial, for two and a half years.

It was while in prison, and unable to take active part in Poland's democratic opposition, which had been forced 'underground', that Michnik wrote many of his best-known texts, including a number of 'Letters from Prison'.

One of these letters, dated '10 December 1983', was addressed to General Czeslaw Kiszczak, then the Minister of Internal Affairs, hence the person directly responsible for the repression of dissidents under martial law. The occasion for the letter was a bargain that Kiszczak had proposed: if Michnik would consent to leave Poland, he would be freed very soon - soon enough to spend Christmas in the south of France, the General said! If Michnik refused this offer, on the other hand, he could look forward to a trial and many years in prison.

The letter is a superb affirmation of the need for conscience as an undeniable guide to ethical conduct, in politics and public life as in private life. It is also a dignified affirmation of pacifism and its values in the face of overwhelming physical force. For Michnik is a pacifist who believes in non-violence as an absolute principle. On one famous occasion, in Otwock in May 1981, he intervened, at some risk to himself, to stop enraged Solidarity supporters from lynching a policeman and setting fire to his police station.

He begins this letter by setting out the difference between Kiszczak and himself:

I cannot foretell the future and I have no idea whether I will yet live to see the victory of truth over lies and of Solidarity over this present anti-worker dictatorship. The point is, General, that for me, the value of our struggle lies not in its chances of victory but rather in the value of the cause. Let my little gesture of denial be a small contribution to the sense of honour and dignity in this country that is being made more miserable every day.

Michnik then explores the meaning of imprisonment in Poland under martial law.

For me, General, prison is not such painful punishment. On that December night [in 1981, when martial law was declared and Michnik was arrested] it was not I who was condemned but freedom; it is not I who am being held prisoner today but Poland.

For me, General, real punishment would be if on your orders I had to spy, wave a truncheon, shoot workers, interrogate prisoners, and issue disgraceful sentences. I am happy to find myself on the right side, among the victims and not among the victimisers. But of course you cannot comprehend this: otherwise you would not be making such foolish and wicked proposals.

In the life of every honourable person there comes a difficult moment, General, when the simple statement *this is black and that is white* requires paying a high price. It may cost one's life on the slopes of the Citadel, behind the wire fence of Sachsenhausen, behind the bars of Mokotow prison. At such a time, General, a decent man's concern is not the price he will have to pay; but the certainty that *white is white and black is black*. One needs a conscience to determine this. Paraphrasing the saying of one of the great writers of our continent, I would like to suggest that the first thing you need to know, General, is what it is to have a human conscience. It may come as news to you that there are two things in this world, *evil and good*. You may not know that to lie and insult is not good, that to betray is bad, to imprison and murder is even worse. Never mind that such things may be expedient – they are forbidden. Yes, General, *forbidden*. Who forbids them? General, you may be the mighty minister of internal affairs, you may have the backing of power that extends from the Elbe to Vladivostok and of the entire police force of this country, you may have millions of informers and millions of *zlotys* [Polish currency] with which to buy guns, water cannons, bugging devices, servile collaborators, informers and journalists; but something invisible, a passerby in the dark, will appear before you and say: *this you must not do*.

That is conscience.

Adam Michnik was released under a general amnesty in July 1984, only to be rearrested six months later and sentenced to three years in prison.

It is good to be able to report that Michnik had the last word in this exchange years later, in June 1989, when he was elected to the sejm (parliament) in Poland's first open elections in forty years.

Kiszczyk had also stood in these elections, but without success. When the two men met in the course of political negotiations soon after the elections, the soldier spoke first:

"I welcome you to the *sejm*."

"No, General," *Michnik replied*, "in the *sejm* I do the greeting."

THE VALUE OF DISSENT is a continuing project. Readers are invited to send their suggestions for future issues in this series to:

CRM DISSENT Project
31, Charles Place
Colombo 3
Sri Lanka

Drawings and cartoons are also welcome.

Louis Brandeis (1856 - 1941)

WHITNEY vs CALIFORNIA

Mr. Justice Brandeis, giving his judgment in the case Whitney vs. California, in 1927, delivered this noble summary of the original principles of American liberty. At the time this was a dissenting judgment, Brandeis was in disagreement with the majority of the Court. Subsequently however it has been accepted as a correct exposition of the law relating to free speech.

Those who won our independence [from Britain] believed that the final end of the State was to make men free to develop their faculties; and that in its government the deliberate forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness, and courage to be the secret of liberty. They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly, discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the great menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American government. They recognized the risks to which all human institutions are subject. But they knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope, and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones. Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law - the argument of force in its worst form. Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed.

THE KALAMA SUTRA

An important element of the Buddha's teaching was that people should think for themselves, and should not accept a thing simply because it has been handed down by tradition, or has come to them from hearsay, or out of respect for a religious leader. His advice on this is described as follows.

The Buddha is not only calm and tolerant, he is also rational in his approach to problems, in his search for truth for its sake. It was the custom of the Buddha, throughout the forty five years of his long ministry, to roam all over the country preaching and teaching except for the four rainy months when he remained at one place. While on such a wandering mission he came to a place in the kingdom of Kosala where the intelligent Kalama peoples lived. When it became known that the Buddha had arrived, the Kalamas went in great numbers to greet him and then sat at his feet and the following discussion took place.

The Kalamas said, "Venerable Sir, many religious teachers come to our place from time to time and expound their respective doctrines in detail. All of them say that what they preach is the only truth and the others are wrong. Thus, while glorifying themselves and their doctrines they find fault and despise others. Now, Sir, we are at a loss. How are we to know which of these teachers speak the truth and which speak falsely?"

"Yes, Kalamas," said the Buddha, "it is quite natural to doubt where doubting is proper. Now come, do not accept a thing merely because it has been handed down by tradition or from generation to generation or from hearsay. Do not accept a thing because of mere scriptural sanction, nor by mere logic or inference, nor by superficial knowledge, nor yet because of your fondness for some theory, nor because it seems to be suitable, nor again just out of respect for a certain religious teacher. But Kalamas, when you know for yourself that certain things are unprofitable, blameworthy, censured by the wise, and when performed or undertaken conduce to loss and suffering, then you should reject them.

* According to Theravada tradition. 563 - 483 according to Mahayana tradition.

"Now what do you think, Kalamas, when greed arises within a person, does it arise to his profit or to his loss?"

"To his loss, Sir."

"Well, by becoming greedy or being overcome by greed and thereby losing balance of mind, does he not indulge in killing, commit theft, go after another's wife, tell lies and not only that, mislead others into evil and immoral acts which lead to his own loss and misery for a long time?"

"Yes, he does, Sir."

"Likewise, when hatred or malice, delusion or ignorance or such other evil states arise do they not make people lose control of their minds and thereby lead them to perform all kinds of evil and immoral acts which end in loss and suffering?"

And when the Kalamas answered in the affirmative as above, the Buddha continued, "It is precisely for this reason, Kalamas, that I told you not to accept a thing merely because it happens to be traditional, and so on, and that you should reject a thing when you know for yourself that a thing is harmful and will bring misery to yourself and to others. On the other hand, when a person is not greedy, nor malicious, nor deluded - that is to say, is liberal, kindly, and wise - what do you think: will not these qualities be to his own profit and happiness?"

"They will, Sir."

"And by being liberal, kindly, and wise will they not become self-controlled and refrain from the immoral acts of killing, and so forth? And will that not be for their own and also for others' profit and happiness?"

Anguttara Nikaya, I. 188

from the chapter by Bhikku J. Kasyap
in THE PATH OF THE BUDDHA. Ed. Kenneth W. Morgan

Stephen Spender (1909 -)

COMMENTARY

For the first in this series of compilations on the value of dissent, the English poet Stephen Spender shares with us his reflections on the momentous events taking place in Eastern Europe and the former Soviet Union. He voices his concern - which finds an echo in our own minds - for the flickering flames of dissent in the new political structures replacing the dismantled regimes in that region of the globe.

With the total collapse of Communism in Eastern Europe and what was formerly the Soviet Union it seems to be taken for granted by many people that, from their earliest days, the Communist leaders - with a few possible exceptions, Lenin among them - were as tyrannical, corrupt and cynical as the Ceausescus, Honeckers etc are now seen to be, after their fall.

Yet many of those very leaders who are today exposed as corrupt were, in their youth, idealistic, courageous, unself-seeking, though perhaps ambitious for power in order, as they thought, to transfer the world into a socialist earthly paradise. Some of the leaders who in their old age are now condemned for corruption, would, if in their youth they had died as anti-Fascists in Germany, Austria or Spain - as they well might have done - today be regarded as heroes.

What, after seizure of power, corrupted these leaders was the absolute character of the ideology of their 'materialist' and supposedly wholly 'scientific' interpretation and attempted directing of history. The belief of the leaders that their policies - the Party Line - were based on a scientifically correct interpretation of events, that they themselves were 'objective' and that, once they had decided on the policy of Party or government, any criticism of that policy would be harmful - and to the advantage of their opponents, the 'class enemy' - resulted in a kind of petrification of the State into the pattern of the will of the Party leadership.

It is perhaps banal to say that the concept of a benevolent dictatorship - the dictatorship of the Proletariat by its supposed representatives in its supposed interests - is contrary to human nature. But one of the depressing things about the collapse of the Soviet Union is the way in which it has brought us up against the banal: in this case the evil resulting from men who may, in the first instance have been well-meaning and disinterested, acquiring absolute power.

A great deal of rejoicing and finger-pointing on the capitalist side has resulted from the apparent failure of Communism : which is widely interpreted as the triumph of capitalism. But this has happened at a time of recession which is at least partly a failure of the capitalist system; a time also of great monetary scandals in America and England and other capitalist countries. It is not capitalism which has triumphed so much as democracy which has been justified as putting some kind of brakes on the great and powerful and corrupt in the West, preventing, say, a Robert Maxwell from becoming a Ceausescu.

A visitor from Mars today, looking at our world, might draw the conclusion that one part of the world - the democratic West - had escaped the disasters falling on the Communist countries only because in the Western democracies, there is institutionalised dissent. Dissent at the very least means that individuals are permitted to criticise and caricature those in power, stinging them and their followers into awareness of their fallible humanity. At the most it means that dissidents are able to put forward views of the world which challenge the orthodoxies of those who exercise power over their neighbours.

Within the whole historic development of a society, dissent keeps open the possibility of the emergence of aims of living which are alternative to prevalent ones. Dissent is that condition of openness which permits free development and does not petrify the present, in a pattern imposed by dictatorship.

Looking at the world today, it is difficult to feel optimistic about the future of democracy as such. The break-down of the Soviet Union into several national components of a new Commonwealth is no guarantee that all, or indeed any, of these separate units will enjoy parliamentary government. All one can hope for is that within several of these separate units individuals will have the power to dissent. Dissent is a hundred or a thousand little flames being allowed to cast their flickering lights within areas which would be total darkness without them, and which with them may be able to pass through what will almost certainly be very difficult times until dissenters and rulers come together to form truly democratic systems of parliamentary government. What I hope and do believe is that in coming years whoever is in power in the new countries emerging from the collapse of the Soviet Union and in other parts of the world will at least have learned that totalitarian dictatorship is in the long run no way of solving a nation's problems. For the time being dissent is the lamp that has to be kept burning.



STEPHEN SPENDER



A
CRM
PUBLICATION

Printed by Karunaratne & Sons Ltd.

Digitized by Noolaham Foundation.
noolaham.org | aavanaham.org