

Gandhi and the Sovereignty of Death

Faisal Devji (Oxford)

“We love death the way you love life.”¹ These words were uttered by Shehzad Tanweer, one of the London suicide bombers, in a video released on the first anniversary of the attacks in July 2006. Other terrorists have gone further in claiming to love death more than their enemies do life, but whatever its form this striking statement appears calculated to challenge the primacy given to life in contemporary definitions of humanity. Although such a primacy has roots in the Christian sanctification of life, it is fundamentally modern in its overwhelming reference to the present, since the kind of humanity that is defined by humanism, humanitarianism and human rights tends to be strictly positive and contemporary in nature, eschewing any notion of an afterlife for instance. In other words: we are not dealing with a metaphysical conception of humanity that includes both the dead and the unborn, or a philosophical conception that would treat it as a regulative ideal, but rather with humanity as a global fact amenable to technical manipulation and administrative measures.

However, by erasing the past as much as the future from its definition and confining humanity, future generations included, to a purely empirical existence, we end up making it much more vulnerable to attack. Humanity thus becomes the eternal victim of history, always teetering on the brink of an apocalypse, whether of an atomic, environmental or even terrorist kind. It was the threat of nuclear war that first transformed humanity into a planetary fact, whose empirical existence alone made it capable of becoming an historical victim – and therefore potentially an historical actor as well. So the proliferation of fantasies about alien invasions and mutant infiltrations during this period only underlined humanity’s vulnerability in the age of the atom bomb and the moon landing. Indeed these fantasies often rendered the earth into a kind of prison for the human race, a home under siege from hostile forces, or even a dead planet that a few lucky individuals bearing the future of their race might escape in a spaceship. Humanity thus assumes its mortal reality in popular imagination only within a war of the worlds.

The primacy given to life in the definition of a planetary humanity makes it prey to every kind of fear and anxiety. Moreover, the militant negation of life as humanity’s defining feature provokes all these fears and anxieties by challenging it as a category familiar to us from the language of humanitarianism and human

¹ “American Al-Qaeda Operative Adam Gadahn, Al-Qaeda Deputy Al-Zawahiri, and London Bomber Shehzad Tanweer in New Al-Sahab/Al-Qaeda Film Marking the First Anniversary of the 7/7 London Bombings”, *Middle East Media Research Institute*, Special Dispatch Series, no. 1201, 11.07.2006, 2, URL: <http://www.memri.org/report/en/print1738.htm://memri.org/bin/opener.cgi?Page=archives&IDSP120106> (retrieved 21.07.2013)

rights. What the hysteria over militant Islam's "death cult" or "nihilism" entails then, is an attempt to re-draw humanity's borders around the love of life in such a way as to deprive those who would love death of their status as human beings. So the novelty of the legal measures put into place in America and Britain to imprison people accused of being potential terrorists, if only because of the things they say or read, lies in their assumption that such people are automatons who can be set off on a murderous rampage by the slightest provocation, and who are more dangerous than wild animals because they do not value their own lives.² These men indeed resemble Hollywood's robots in the imagination of their enemies – killing machines set off by some invisible switch like bit-part Terminators. Yet in placing so much emphasis on the love of life that they profess to find the love of death incomprehensible, the humanists of our time divorce their conception of humanity from Christianity more than they separate it from Islam, since the love of death is arguably more familiar in the former than the latter.³

In any case, life has not always provided the definition or even the ideal of humanity, so that in Roman Antiquity for example, there were many circumstances in which life was not considered worth living. And in these circumstances suicide was not only accepted but also seen as a noble act manifesting the quintessence of all that is human. I do not mean to equate Muslim terrorists with Roman suicides, only to claim that, when confined to life, humanity becomes a much narrower category than it ever was in the past. For even as a global fact, the human race can be and is indeed divided into a hierarchy of those more or less human than others, whether by moral, legal or medical criteria, since the inhuman always lurks behind any empirical definition of humanity as its shadow. It is even possible to claim that the more civilised a people is, the more stringent its criteria for humanity will be, and therefore the more likely it will be to condemn others to the status of the inhuman.⁴ No better example can be given of this than the impassioned debates among modern humanists as to militant Islam's evil and inhuman nature. By contrast, the militants themselves entertain no ideas of the West's evil or inhuman character, no matter how much they may loathe and despise its representatives.

The Christian concept of evil is not one that exists in the rhetoric of militancy, and certainly not as a kind of external force, its place being taken by the Muslim's own sin in refusing to sacrifice himself for humanity. And since this humanity is not conceived of merely in terms of life as an empirical fact, being half in love with easeful death, it cannot become a category of exclusion but includes both friends and enemies within its embrace. Is this why Islam's terrorists always insist on referring to their enemies in the most familiar of ways, to the ex-

² See for this Judith Butler, *Precarious Life: The Powers of Mourning and Violence*, London 2004.

³ For this see Talal Asad, *On Suicide Bombing*, New York 2007.

⁴ This is an argument made by Carl Schmitt in *The Concept of the Political*, trans. George Schwab Chicago 1996, 54.

tent of joking about their hatred of each other? The paradox of loving death more than others love life is that in doing so the militant ends up rejecting humanity's status of victim together with the evil that produces it, since dying for him no longer figures as the negation of all that is human. Indeed, terrorist accounts of martyrdom invariably describe the militant's corpse as being far more beautiful than his living body ever was, becoming in this way more human than the human being it had once belonged to, and even exuding a perfume that made it seem more lifelike than its own life.

Rather than seeing in such statements a pre-modern religious inheritance, or examples of moral and psychological perversion, I want to link them to a tradition of anti-humanist political thought. The militant's contempt for life becomes meaningful as part of a general challenge to concepts like humanitarianism and human rights, which today dominate the rhetoric of global politics. To reject the priority given to life in such a politics is, of course, to move decisively beyond the accusations of "hypocrisy" that terrorists are not alone in levelling against the claims, made by Western powers in particular, to defend it. While an illustrious lineage of anti-humanist European thinkers exists, from Friedrich Nietzsche to Michel Foucault, very few if any of these men have challenged the politics of life by focussing on the love of death. And yet, simple though it may seem, such an inversion is surely an important part of any critique to which humanism might be subjected, especially given the value still placed on sacrifice in even the most humanitarian of societies.

I. Mahatma and Militant

In this essay I want to look at the way in which Gandhi, another militant who, as we shall see, advised people to love death more than life, might have been the most original critic of humanism in the history of modern politics. Although he was a critic of terrorism as well, I will explain how the Mahatma recognised that a complex relationship existed between its violence and his own advocacy of non-violence. Gandhi's language of sacrifice drew upon a number of traditions, including Hindu, Muslim and Christian, taking from the latter two roughly equivalent terms like the English martyrdom and the Arabic *shabāda*. Indeed, his ideas of self-sacrifice were largely indebted to this monotheistic terminology, since the Hindu tradition does not possess an independent conception of martyrdom. Instead, Sanskrit terms like *tyaga* or *tapasya* refer to renunciation and penance, while *yagnya* or *balidan* mean an offering that is distinct from the person making it. In modern times, *balidan* has come to include martyrdom among its implications, probably as a borrowing from Christian and Muslim notions, though the Arabic *shabāda* still remains the most common word for self-sacrifice in all north Indian languages. And like monotheistic conceptions of the term, the Mahatma's view of sacrifice placed witnessing at its centre. Not only did the nonviolent protestor

bear witness to the cause he supported by his suffering, but more importantly this sacrifice had to be witnessed by others so as to be capable of convincing and converting even his enemies to the ways of righteousness. In this way Gandhi, himself an early star of the international press, turns out to have created an inadvertent precedent for the globally mediated witnessing and conversion of terrorist forms of sacrifice in our own times. And indeed Gandhi was not averse to comparing nonviolent suffering with revolutionary terrorism, not least because both courses of action resulted in the courting of arrest, punishment and even death. For as he put it to some companions in Bengal in 1946:

Bengal had tried the method of violence for a long while. The bravery of the revolutionaries was beyond question, but it had failed to instil courage in the mind of the common man. But although the non-violence of the past twenty-five years had been of an indifferent quality, yet nobody could deny that it had succeeded in elevating the character of the whole nation to a certain extent.⁵

While Gandhi's is not a name to be uttered alongside that of a militant like Osama bin Laden, he, too, spoke of the necessity of bloody sacrifice in the cause of justice. In doing so the Mahatma was responding, in the early days of his career, to the Indian terrorists whose arguments, as he recounted them, bear a remarkable similarity to those that "experts" of all kinds attribute to the jihad movements of our own time:

At first, we will assassinate a few Englishmen and strike terror; then, a few men who will have been armed will fight openly. We may have to lose a quarter of a million men, more or less, but we will regain our land. We will undertake guerrilla warfare, and defeat the English.⁶

To this political argument Gandhi offers the following religious response, which to my mind is far closer to the response that suicide bombing offers us today: "That is to say, you want to make the holy land of India unholy. Do you not tremble to think of freeing India by assassination? What we need to do is to kill ourselves."⁷

If the Mahatma so frequently advocated killing oneself for a just cause, this was not because he thought it an effective and ethical way of achieving some end, but rather because sacrificing one's life could not in fact be an instrumental act and was thus thrown back upon itself to become not a means so much as an end unto itself. Choosing death therefore transformed political acts into religious ones by demonstrating their unworldly and disinterested nature. Gandhi was quite clear that the terrorists of his day partook of sacrifice in its religious form, though they did so in a perverted way. Referring to one such suicidal assassin he wrote: "Dhingra was a patriot, but his love was blind. He gave his body in a wrong way; its ultimate result can only be mischievous."⁸

⁵ Nirmal Kumar Bose, *My Days With Gandhi*, New Delhi 1999, 106.

⁶ M.K. Gandhi, *Hind Swaraj and Other Writings*, Cambridge 2003, 77.

⁷ *Ibid.*, 77.

⁸ *Ibid.*, 78.

By the time Gandhi's movement of nonviolence had achieved maturity, the mutual violence between Indians had far outstripped their combined violence against the British. But this only made the Mahatma more determined on sacrifice. While not advocating the killing even of noisome insects, he was, in other words, willing to countenance the voluntary sacrifice of a million human lives for righteous ends. Indeed, towards the end of his own life, Gandhi longed for as many such Hindu and Muslim deaths as possible, so that these rival communities might cement their unity in blood. As it turns out, Gandhi, who was assassinated by a Hindu militant, ended up shedding his own blood to mix the cement of this unity. Gandhi's ideas of sacrifice were meant to retrieve another sense of the human from the idea of humanity that informed terrorist as much as humanitarian acts. After all, it was no accident that the Mahatma's assassin described his own act of violence as a "humanitarian" one, since he identified Hinduism with a statistical conception of humanity: "For, is it not true that to secure the freedom and to safeguard the just interests of some thirty crores of Hindus constituted the freedom and the well-being of one-fifth of [the] human race?"⁹

Faced with the increasingly murderous enmity between Hindus and Muslims in the India of the 1940s, the Mahatma was determined to transform this violence, not by futile pleas for harmony, but by turning it inwards in acts of sacrifice that would invite, if not compel, a different kind of response from those spoiling for a fight. The purpose of this sacrifice, which Gandhi had also mobilised against the British rulers of India, was to lay claim to the noblest human virtues such as courage and fearlessness, and so provoke the collapse or conversion of those who were bent on violence. All this was to be achieved not by prating about non-existent ideals, but instead by separating the already existing practice of sacrifice from that of murder, and this was to be done by emphasising it to such a degree that the courage and fearlessness of sacrifice were turned into gestures of hospitality.

In other words, for Gandhi, the display and witnessing of sacrifice was not important as a way of engineering sympathy and conversion among bystanders and opponents. Instead, the Mahatma could only tolerate violence and value suffering because he thought the nonviolent resistance they displayed constituted moral as well as political sovereignty in its own right. Indeed, he frequently described such resistance as the "sovereign method" or the "sovereign remedy" for every kind of political ill. And if we define as sovereign any authority that can ask people to kill and die in its name, then we must recognise that what Gandhi did was to split the concept of sovereignty down the middle. By separating dying from killing and prizing the former as a nobler deed, the Mahatma was doing nothing more than retrieving sovereignty from the state and generalising it as a quality vested in individuals. For while such individuals might be unequal in their ability to kill, they were all equally capable of dying and, therefore, able to demonstrate the universal-

⁹ Nathuram Godse, *Why I Assassinated Mahatma Gandhi*, Delhi 1998, 26 (parenthesis mine).

ity of suffering and sacrifice over violence of all kinds. And because he had fragmented sovereignty in this way, Gandhi held that the nonviolent hero's most intimate rival could only be the revolutionary terrorist willing to kill and die for India's freedom. What was sovereign about the terrorist's act, after all, was the fact that it already represented freedom and did not serve merely as an instrument for its realisation in some undefined future. Indeed, the Mahatma believed that the sovereignty of terrorism resided in its sacrificial immediacy, which was what gave it nobility in the eyes of other Indians, and not in the murderous element that merely obscured it with the rhetoric of instrumentality. Hence, in a speech delivered in 1916, Gandhi blamed the militants of his time for degrading the truly sovereign act of dying, achieving it by killing:

I honour the anarchist for his love of the country. I honour him for his bravery in being willing to die for his country; but I ask him: Is killing honourable? Is the dagger of an assassin a fit precursor of an honourable death?¹⁰

The Mahatma can therefore be described as a philosophical anarchist, since he not only disconnected sovereignty from the state, but also believed that, as a willingness to suffer and die, it lay in the grasp of anyone who wanted it. As early as *Hind Swaraj* or "Indian Self Rule", his manifesto of 1909 which by no coincidence is structured as a dialogue with a violent revolutionary, Gandhi had made it clear that freedom and thus sovereignty was immediately available to anyone fearless enough to accept suffering and death by withdrawing cooperation from an unjust order. Indeed, only that freedom was real which possessed this existential and therefore individual character, even if the rest of India remained in chains.¹¹ Departing in this way from the long-awaited collective utopias of revolutionary politics elsewhere, Gandhi linked his movement to the kind of immediate gratification that arguably inspires all mass action at some level.

II. *Throwing Life Away*

Early in July of 1937, a well-known Nazi journalist, SS officer and advisor to Hitler named Roland von Strunk visited Gandhi at his ashram in Segaon. As befitted a National Socialist concerned with the cultivation of a nation's health and power, Captain Strunk was interested in the Mahatma's criticism of machinery and modern medicine. In the course of their conversation, Gandhi pointed out what he thought was the fundamental contradiction in the attention that Europeans paid to the preservation of life:

¹⁰ M. K. Gandhi, "Hindu University Speech", in: *Speeches and Writings of Mahatma Gandhi*, Madras 1922, 256.

¹¹ See M. K. Gandhi, *Hind Swaraj and Other Writings*, ed. by Anthony J. Parel, Cambridge 1997, 73.

But the West attaches an exaggerated importance to prolonging man's earthly existence. Until the man's last moment on earth you go on drugging him even by injecting. That, I think, is inconsistent with the recklessness with which they will shed their lives in war. Though I am opposed to war, there is no doubt that war induces reckless courage. Well, without ever having to engage in a war I want to learn from you the art of throwing away my life for a noble cause. But I do not want that excessive desire of living that Western medicine seems to encourage in man even at the cost of tenderness for subhuman life.¹²

Having expressed his horror of the hatreds sweeping Europe, the violence of Spain's Civil War, in which he had accompanied Franco's Army on its march to Madrid, and even what he said was the "overdone" targeting of Jews in Germany, Strunk must have been surprised to hear that Gandhi was in some ways even more contemptuous of life than Hitler. For the Mahatma's desire to learn from the "reckless courage" of European warfare was not in the least premised upon the need to protect one's own life, nor indeed the lives of one's countrymen, racial brothers or partners in civilisation, as was true both of the Nazis and their enemies. In fact, Gandhi was clear that justifying war by means of the conventional link between taking life in order to save it could in no sense be considered rational. What the Mahatma found disturbing, in other words, was not that an inordinate concern with preserving life stood opposed to its casual disposal in battle, but rather that one led to the other in such a way as to make the love of life itself guilty of the desire for death. Only by giving up the thirst for life that was represented in modern warfare and medicine alike, he suggested, could the urge to kill be tamed.

From the kind of "subhuman life" that modern medicine sacrificed in its vivisections, to men and women rendered "subhuman" and thus available for fascism's killing machines, Gandhi blamed humanity, or at least its definition in terms of life as an absolute value, for the massive scale of modern violence. And this not only allowed him to put the Nazis in the same category as their enemies as far as the espousal of such a value was concerned, but also to hold humanitarians and pacifists equally responsible for its violence. Indeed, in some ways those dedicated to the cause of peace and humanity were even more culpable than the rest, if only because they might value life in far greater measure than others who were at least willing to sacrifice it in war. For in the very recklessness of this sacrifice the Mahatma saw the possibility of going beyond and even destroying life as an absolute value. The kind of violence that entailed risking one's life, in other words, was capable of providing an opening for nonviolence, something that preventing war in the name of life's sanctity never could. And this was why Gandhi wanted to learn the art of throwing one's life away from those parts of European warfare that still involved such risk. As if convinced by the Mahatma's words, Ro-

¹² M. K. Gandhi, "Interview to Capt. Strunk", in: *Harijan*, 03.07.1937, in: *The Collected Works of Mahatma Gandhi* (hereafter *CWMG*), New Delhi 1976, vol. LXV, 361.

land von Strunk died in Germany a few months later, the casualty of an old-fashioned duel fought with pistols, which resulted in Hitler banning the custom altogether.

It was only by refusing to treat life as an absolute value that Gandhi was able to accomplish his aim and spiritualise politics, for he thought that as long as life remained its basis, political action could never answer to moral principles.¹³ After all, the preservation of life was an aim that all political actors shared, and therefore no moral principles could be drawn from it, these having been reduced merely to second-order justifications for valuing some lives over others. The courage of a Nazi, for instance, would be deemed in this way to possess less value than that displayed by an American or Russian soldier fighting him, but only because it was dedicated to taking life for an immoral cause. The paradoxical thing about the Mahatma's glorification of sacrifice in the name of an ideal rather than a gross reality such as life, however, is that its rejection of this reality as an absolute value also entailed protecting it. Only by disdaining life could it be saved, while even politics in its most sacrificial forms, including the Cold War doctrine of "mutually assured destruction," continued being devoted to life's preservation. By disregarding the saving or protection of life as a justification for sacrifice, Gandhi of course managed to exit the monotheistic narratives of martyrdom that otherwise provided him with so much of his conceptual vocabulary. For in line with the Hindu teaching of "desireless action" as expounded in an ancient text like the *Bhagavad-Gita*, which was one of the Mahatma's chief sources of inspiration, sacrifice could only be dedicated to the cause of truth in its own right and not defined by the sordid calculation of means and ends that would make something merely instrumental of it. Martyrdom, then, even when undertaken in somebody's defence, had to be informed by duty alone, this being the only way in which it could set limits to the instrumentality of everyday action that yet remained unpredictable and prone to failure.

The Mahatma was not being idealistic, I think, in calling for sacrifice in the name of duty, since such an invocation is familiar enough in the figure of the soldier who is also asked to die out of duty, such a task taking strict legal priority over his propagandistic role in saving or protecting the lives of his countrymen. But this form of sacrifice is perhaps more visible in the suicidal acts of contemporary terrorists, who in places like Iraq, Afghanistan or Pakistan can rarely be said to behave in the way that counter-terrorism analysts say they should: by disposing of their lives in an asymmetric way, with one suicide bomber bringing about as much death and destruction as possible. The fact that this happens so infre-

¹³ In a brilliantly provocative essay, Shruti Kapila has argued that truth rather than nonviolence was the key to Gandhi's politics. And this meant that not only life but morality itself had to be subordinated to the imperative of truth as the only absolute value. See Shruti Kapila, "Gandhi before Mahatma: The foundations of political truth," in: *Public Culture*, vol. 23, no. 2, Spring 2011, 431-448.

quently should be attributed not to any misjudgement on the militant's part, but instead on his or her deployment of martyrdom in a non-instrumental way. Indeed, this is borne out in al-Qaida documents, which often speak of potential martyrs having to be restrained in the offering of their lives on any occasion. And rather than seeing these frustrated martyrs simply as the deluded instruments of others, we might do better to reflect upon the non-instrumental form their sacrifice takes, something that gradually deprives the militant's cause itself of any conventionally political character.

Gandhi went further than asking people not to love life, if only because he wanted them to love death more. Thus in his response to a letter from Bengal describing the exodus of Hindus from what had in 1947 become East Pakistan, he claimed that by loving death those in peril could avoid the cowardice that might save their lives but leave them consumed by shame and the consequent hatred of Muslims that was meant to atone for it:

Man does not live but to escape death. If he does so, he is advised not to do so. He is advised to learn to love death as well as life, if not more so. A hard saying, harder to act up to, one may say. Every worthy act is difficult. Ascent is always difficult. Descent is easy and often slippery. Life becomes liveable only to the extent that death is treated as a friend, never as an enemy. To conquer life's temptations, summon death to your aid. In order to postpone death a coward surrenders honour, wife, daughter and all. A courageous man prefers death to the surrender of self-respect.¹⁴

A life devoted solely to self-preservation, in other words, would not be one worth living. Though he was willing to tolerate spectacles of sacrificial destruction, Gandhi did not pay as much attention to such events in places like Stalingrad, Dresden or Hiroshima as did the politicians who waged war in the name of life. Instead, his disregard for life in the name of principles took far more quotidian forms. Thus, during the time he spent in Noakhali just prior to India's partition trying to make possible the return of Hindu refugees there, the Mahatma repeatedly forbade private persons and charitable organisations to provide them with help. This was in order to compel the Muslim League government of Bengal to fulfil its responsibilities in caring for this displaced and terrorised population, while at the same time teaching the latter to behave as the citizens of a democracy. Nirmal Kumar Bose, in his luminous account of Gandhi's days in Calcutta and Noakhali during this period, makes it abundantly clear that the Mahatma's concerns were not in fact humanitarian at all but political, since it was in politics that the root of violence as well as its potential for conversion was lodged:

But, in spite of the magnitude of material damage, Gandhiji was more concerned about the political implications of the riots. Later on, he told me one day that he knew, in any war brutalities were bound to take place: war was a brutal thing. He was therefore not so

¹⁴ M. K. Gandhi, "Death—courageous or cowardly", in: *Harijan*, 30.11.1947, in *CWGM* (1984), vol. XC, pp. 87-8.

much concerned about the actual casualties or the extent of material damage, but in discovering the political intentions working behind the move and the way of combating them successfully.¹⁵

The conversation with some friends who had come on behalf of the Gita Press of Gorakhpur had more than a usual interest. They came with an offer of blankets worth a lac of rupees for distribution among the evacuees. But Gandhiji wished them to hold back the gift for the present. He said, it was the duty of the Government to provide warm covering, and it was within the rights of the evacuees to press their demand. If the Government failed, and confessed that it had not resources enough, then only could private organizations step in to help the evacuees. Unless the people were conscious of their political rights and knew how to act in a crisis, democracy can never be built up.¹⁶ Gandhiji dealt with the problem as a whole and explained that we should proceed in such a manner that the Government might be put in the wrong and the struggle lifted to the necessary political plane. Whatever steps had to be taken, whether it was relief or migration, should be taken only after the Government had been made to confess that they were unable to do anything more for the sufferers, or had failed to restrain the rowdy Muslim elements. If, in the meantime, which he hoped would not be more than a week or so, a few of the sufferers died of exposure, he was hard-hearted enough (main nirday hun) not to be deflected from his course by such events. The whole struggle had to be lifted to the political plane; mere humanitarian relief was not enough, for it would fail to touch the root of the problem.¹⁷

My purpose in quoting Bose's text so extensively is not only to show that Gandhi's politics of nonviolence was as far removed from humanitarianism and its cult of victims as it could possibly be, but also to demonstrate how it was that his idealism was the least "idealistic" of things. His response to suffering was thus not in the first instance to ameliorate it, but instead to make sure that those who had been wronged behaved like moral agents and not victims, thus allowing them to enter into a political relationship with their persecutors. These men, after all, were themselves in need of a moral transformation, for which their victims were to be made responsible, preferably without the humanitarian intervention of any third party. If the spiritualisation of politics meant anything, it was this eminently realistic dedication to an ideal that took precedence over life's own reality. And in fact the nihilistic or even apocalyptic elements in modern politics all seem to derive from the fears of those who value life either in its weightiest forms, as represented by the survival of nations, races and even species, or in its lightest and most impoverished ones, such as the desire to safeguard one's profit, lifestyle or wellbeing, both forms being part of the same continuum. For it is the fear of this value being threatened that makes possible a defensive politics with no limits as far as its violence is concerned.

¹⁵ Nirmal Kumar Bose, *My Days with Gandhi*, New Delhi 1999, 43.

¹⁶ Bose, *My Days with Gandhi*, 43.

¹⁷ *Ibid.*, 87f.

III. *The End of Human Rights*

When in 1947 he was asked to express his opinion on what might go into a report for the United Nations Human Rights Commission in Geneva, which was to draft the Universal Declaration of Human Rights, Gandhi rejected the whole idea of inalienable rights. Chief among these, of course, was the right to life, which like all other rights the Mahatma would instead make dependent on duties, since these had nothing passive about them and involved dealing with violence in an effort to convert it.¹⁸ Indeed it was precisely in violence that Gandhi claimed to discover the possibility of its overcoming, something that the great revolutionary figures of the past two centuries had always maintained, though none in his intensely moral if idiosyncratic way. It was the moral relationship between enemies rather than friends that created rights, which meant that such relationships had to be prised despite the violence they entailed, and not what the Mahatma considered the deeply suspect ideal of life as an absolute value. It might be appropriate, then, to end this essay with a passage from Gandhi's letter to Julian Huxley, the first Director of UNESCO, condemning the rights of man:

I learnt from my illiterate but wise mother that all rights to be deserved and preserved came from duty well done. Thus the very right to live accrues to us only when we do the duty of citizenship of the world. From this one fundamental statement, perhaps it is easy enough to define the duties of man and woman and correlate every right to some corresponding duty to be first performed. Every other right can be shown to be usurpation hardly worth fighting for. I wonder if it is too late to revise the idea of defining the rights of man apart from his duty.¹⁹

If Gandhi's vision of nonviolence is to be taken at all seriously today, we ought to acknowledge that one of the great challenges facing its proponents is to think about what a "citizenship of the world" might look like that does not invoke the rights of man as its justification. For unlike rights, which can only be guaranteed by states and are thus never truly in the possession of those who bear them, duties belong to individuals and cannot be stripped from them.²⁰ They represent in this sense the inalienable sovereignty of men and women, and therefore stand alone in their ability to create rights. Yet first among all duties, of course, is the disposal rather than preservation of life, something that is familiar enough from our own notions of morality and politics, or at least such of them as stand outside the demesne of rights. Indeed, it is even possible to say that duty is dominated by death and the individual as right is by life and the collective. And in this sense the Mahatma's nonviolent idea of individual duty bears comparison to al-Qaida's violent conception of militant activity as a *farḍ al-ʿayn* or individual

¹⁸ For Gandhi's conception of duty and criticism of rights, see Richard Sorabji, *The Stoics and Gandhi: Modern Experiments with Ancient Values*, Oxford 2011, chapter 5.

¹⁹ Gandhi, "Letter to Julian Huxley, May 25, 1947", in *CWGM* (1994), vol. XCV (supplementary vol. 5), p. 142.

²⁰ I am grateful to Ramin Jahanbegloo for this insight into Gandhi's idea of duty.

moral duty like praying and fasting. For unlike the *farḍ al-kifāya* or collective obligation, within which category jihad has generally been placed and which has a political and therefore instrumental purpose, the individual duty glorified by militants today is clearly denuded of such a function. Like the militants of our own day then, by thinking of duties before rights Gandhi was able to think of sovereignty beyond the state and its violent politics of life.