

zation, and many human rights organizations have appealed to other international laws which are directly the result of human rights, e.g., the right of self-determination for peoples. UN resolutions referring to the Palestinian-Israeli conflict, especially 242, have the character of international law. To achieve peace, it's lost time, if not counter-productive, to think about the application of the laws of war in this case. However, the civilian resistance of the Palestinians as well as opposition inside Israel—for instance by different organizations of the Israeli peace movements, such as Peace Now, Women in Black, Yesh Gvul, and others—can both be justified by the UN declarations.

Thus, in my opinion, it's useless to discuss whether the Intifada has been in accordance with or in contradiction to the law of belligerent occupation. It is likewise useless to make rules for civilian-based defense within the framework of the war conventions.

Human Rights: The Legal Basis for a Civilian-based Defense

Today, the most important standard of moral conduct for international relations and the organization of societies is human rights. The United Nations and the International Court of Justice are the advocates for human rights and have to take care that they are granted and respected all over the world.

Over the past few years, inside the international community, the conventions of war have been cited less and less. However, there is continuous discussion about the meaning of human rights. The war crimes in former Yugoslavia, for instance, are scarcely being judged by the rules of the Hague or Geneva conventions, but by the standards of human rights. This is a positive development.

Many texts that have the character of international law and are useful for civilian-based defense could be cited. To mention only one: In Chapter VI of the Charter of the United Nations, there is a list of means for the resolution of conflict. All of these are "peaceful" means and are seen in all the basic texts of the United Nations. From there, it is not difficult to draw a line to civilian-based defense. Hence, the task of supporters of civilian-based defense is to present it as a peaceful way of engaging in conflict. We should consider how the concept of civilian-based defense can be used in the main tasks of the United Nations which are—according to "*An Agenda for*

Peace" by Boutros Boutros-Ghali—preventive diplomacy, peacemaking and peace-keeping, and postconflict peace building.

Conclusion

I'll finish with a comparison. People inside the conscientious objectors' movement do not try to incorporate the right of conscientious objection or desertion into the conventions of war. However, there have been many efforts to protect these rights through international declarations within the framework of the United Nations or, for instance, the Council of Europe or other international bodies. Similarly, as advocates of a civilian-based defense, we must ground our ideas in the framework of international declarations that are based on human rights.

FURTHER READING

Literature selected with the help of Suzanne Pearce.

Benvenisti, Eyal. *The International Law of Occupation*. Princeton University Press, 1993.

Boutros Boutros Ghali, *An Agenda for Peace*. New York: 1992.

Charter of the United Nations.

Falk, Richard A. and Weston, Burns H. "The Relevance of International Law to Palestinian Rights in the West Bank and Gaza: In Legal Defense of the Intifada." *Harvard International Law Journal*, vol. 32 (winter 1991).

Goodman, Davis P. "The Need for Fundamental Change in the Law of Belligerent Occupation." *Stanford Law Review*, vol. 37 (1984-1985).

Roberts, Adam. "Prolonged Military Occupation: The Israeli-Occupied Territories." *American Journal of International Law*, (January 1990).

Walzer, Michael. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. Basic Books, Second edition, 1992.

REBELLIOUS OCCUPIED

POPULATIONS A review of *Unarmed Against Hitler: Civilian Resistance in Europe 1939-1943*. Jacques Semelin, translated by Suzan

Husserl-Kapit. Published by Praeger, Westport, Connecticut. 1993.

Mary Cawte

Mary Cawte is a research assistant in the Department of Science and Technology Studies, University of Wollongong, Australia. She is working with Brian Martin on the project "Science and technology for nonviolent struggle", funded by the Australian Research Council.

For students of civilian-based defence and philosophers of nonviolence, this readable, thoroughly researched book is essential. While many military and diplomatic histories of World War II have been written, there have been few systematic and analytic accounts of the unarmed resistance to Nazi occupation. Semelin's work is even more specific, restricted to "civilian resistance" which he defines as "the spontaneous process of resistance by civilian society using unarmed means, and mobilising either its principal institutions or its people—or both at the same time" and "oriented toward goals that were explicitly 'civilian'" (p.2). Of course in occupied Europe not only was there much overlapping of armed and unarmed resistance, but unarmed action itself intelligence gathering, support of the *maquis* (draft resisters living in the woods), or sabotage of the German war effort, for example—often served military or paramilitary goals. Semelin deliberately limits his field of investigation to autonomous, collective civilian resistance with nonmilitary goals—to preserve the collective identity and fundamental values of the occupied society. It involved both populations and institutions (either state bodies such as the courts or the political administration, or organisations such as churches or unions). Examples of its goals include keeping various institutions beyond the control of the occupying power, protecting people being chased, and so on. (This restriction of the study explains why the historic cases are drawn principally from the period from 1939 to 1943, when armed opposition was still more or less undeveloped.)

In Norway in February 1941, for example, when Hitler's Reichskommissar Terboven authorised the Norwegian Nazi party (led by Quisling) to create an organisation to which all public service professions were to belong, there were protests by unions, groups and other concerned citizens. When Terboven also

attempted to create a New Order in sport, there was a total sports strike, and athletic competition ceased until the end of the war. In May 1941 such protests culminated in a common declaration by 43 professional, cultural, athletic, religious, union, and other associations, protesting against attempts by the Nazi party to control public life. Five of the signatories were arrested at once, some organisations were dissolved by decree, and Nazi members were placed at the head of others. Mass resignations followed, the new leaders found themselves in charge of paper organisations, and the former leaders organised an underground committee (Sivorg) which became the leading civilian resistance organisation, the counterpart of the military resistance (Milorg). As the lawyer editor of one illegal newspaper *Norsk Front* wrote: "The front line is to be found in the mind of every woman and man, in their unquenchable hatred for injustice and in the demand that life shall be lived in accordance with the voice of conscience. It is a front line which ... exists independently of German or English victory" (Gjelsvik, 1979, p. 38).

Although that quotation is not taken from Semelin's book, it epitomises his concept of civilian resistance. His book is replete with similar examples of institutional and popular resistance, and on that count alone would make fascinating reading. But Semelin, in his own words, was "not motivated by historical curiosity alone"; he was "inspired by a profound ethical and strategic questioning about society's capacity for unarmed resistance against aggression from a military occupation or a totalitarian power" (p.1). He wanted "to understand *why* and *how* men and women can accept and engage in unarmed combat against a heavily armed adversary devoid of morality" (p.2).

Most of the research for the book was done while the author was completing a doctorate in contemporary history at the Sorbonne. The work was developed into a book during a postdoctoral fellowship in the Program of Nonviolent Sanctions in Conflict and Defense in the Center for International Affairs at Harvard, during the directorship of Gene Sharp.

Although Semelin does not see his study as a work of history per se, but rather as historical sociology or political science (p.186), he has some interesting comments on particular historiographic problems, related to knowledge of the facts and the possibility of comparing them. In the first

place, all historians of the resistance have difficulty in getting reliable documents; resisters who survived had soon learnt not to keep journals or make records. Historians of unarmed resistance have a further problem: emphasis on military or paramilitary resistance has resulted in a "bibliographic imbalance", and cases of civilian resistance are mentioned but rarely explored. Secondly, in developing comparative studies, historians walk a fine line between analyses that are either too general or too particular. While each occupied country has a unique history, events must be abstracted from their national context to assess their general relevance. While aware of these methodological problems, Semelin has been able to show the relevance of several key concepts—legitimacy, social cohesion and opinion—which make the bases of civilian resistance more understandable.

According to Semelin, civilian resistance was a "means to dig a trench between military domination, which was the actual state of affairs, and political submission, which was a state of mind" (p.3). In other words, the goal of civilian resistance was to preserve the collective identity and fundamental values of the occupied societies, and finally Semelin invites his reader to examine the values and collective identities of contemporary societies and the implications for their defence.

German objectives in the occupied countries were economic, political and ideological. Despite rhetoric about a new order in Europe and despite racist obsessions, Hitler's prime objective was to win the war, and his immediate concern in the occupied countries was to maintain order and security with minimum interference with the war effort. Usually, help was required from the local administration, either in maintaining civilian life or in repressing opposition. Also of course, industrial resources were pillaged. Either the conquered populations were forced to work for the German war effort, or raw materials, industrial equipment, food and workers were forcibly transferred to Germany.

At the same time, extreme racism was a cornerstone of Nazi policy. In October 1939 the office of "Race and Population", established in 1935, was attached to an Office for the Reinforcement of Germanity directed by Himmler. In Western Europe, ethnic groups like the Scandinavians, perceived as racially close to the Germanic peoples, were to be "reeducated". In Eastern

Europe, the inhabitants, labelled in 1941 as "untermenschen" (subhuman), were to be destroyed or driven out to provide "lebensraum" (living space) for the Aryan master race. An even more sinister racial obsession of the Nazis was the "contamination" of Europe by "international Jewry", and the war eventually enabled earlier threats to eliminate the Jewish race in Europe to become a reality. The systematic extermination of the Jews began in Eastern Europe in 1941 and in Western Europe in 1942. Semelin sees this "industrial plan to eliminate certain categories of civilian populations, principally Jews" as the "defining trait" of Nazism (p.8).

Granted that Nazism was an ideology and not just a political regime, many Nazi partisans and admirers in occupied countries were disappointed to find that they were relegated to minor roles such as organising the propaganda press and hunting out Jews and resisters. In order to exploit the resources of occupied countries, Hitler's immediate goals were to maintain order and public peace with minimal disruption of his overall war effort, and it was not in his interests to place local pro-Nazi political leaders in power.

Sometimes German officials were in direct command of the national administration, as in Norway after King Haakon VII and his government departed for London. Here Reichskommissar Terboven directed an administration containing many pro-Nazi sympathisers. The Netherlands government also fled to London, but in this case the Nazi Dr Seyss-Inquart directed a team of permanent heads of departments remaining in Holland who were recognised by the government in exile. In Denmark the continued presence of a government which (until August 1943) had the support of the administration and of the general population offered propaganda and practical advantages for the Germans. The Danish "policy of negotiation" aimed to avoid active participation in the war and to prevent or delay the introduction of Nazi rule, but it involved a slippery slope of concessions. According to Danish historian Henrik Nissen (1983:p.126), it was neither resistance nor collaboration, nor neutrality in the strict sense of the term. But while the Danish government struggled to preserve independence and integrity, in France the collaborating Vichy government was concerned less with the defence of the national interest than with political conflicts as old as the Dreyfus

affair. Before 1942, the national interest could well be seen as acknowledgement of German supremacy in Europe, in any case.

As Semelin points out in his second chapter, "Which Resistance?", the resistance is a misnomer. Semelin asks further: "Which history of the resistance?". One line of interpretation sees it in the context of the whole war, emphasises sabotage and intelligence, and interprets unarmed demonstrations, for example, as subversion or psychological warfare. Other researchers focus on "institutional resistance", political parties, governments and leaders in exile, and difficulties of administration. Others stress moral and spiritual aspects. These limited approaches are in fact complementary, and are best analysed as "social shifts" through which resistance movements arise, grow and change. The Norwegian writer Tore Gjelsvik, for example, describes the initial confusion and pessimism in Oslo, the King's firm and well founded refusal to abdicate, which was stencilled and circulated, the weakness of the political negotiators and the first stirrings of an organised resistance movement. Meanwhile in the coastal districts of the west and south, intelligence groups were active, and fishing boats and other small vessels sailed to and from Britain, ferrying volunteers, weapons, radio transmitters and so on (Gjelsvik 1979: pp.7-11). Later, Quisling's efforts to form a national government which would make peace with Germany were resisted on many fronts—open resistance in organisations and institutions, illegal establishment of a free press, maintenance funds for public servants, and symbolic actions to isolate the Nazis and Quisling's supporters (Gjelsvik 1979: pp.14-15, and *passim*).

If war is "the pursuit of politics by other means", in the famous words of von Clausewitz, then, as Semelin reminds us, "war is only one of the means of politics" (p. 47). After occupation or military defeat came the struggle for political legitimacy. When Quisling attempted to assume government powers, for example, civil servants in various ministries closed their doors. Furthermore King Haakon refused to recognise Quisling's government. Denied legitimacy by his compatriots, Quisling was dismissed by the Germans. Civilian resistance was based on refusal to collaborate with the occupying power, even though a certain amount of accommodation was necessary. Administrators had to manage, people had to survive; but although the occupier might retain its power, it struggled to keep its legitimacy and authority. Eventually, two societies existed, interwoven with each other, one official and one underground. Daily life provided a series of ditches of noncooperation and bridges of collaboration separating or connecting these two societies.

The struggle for legitimacy was waged within the organisations and institutions of the occupied country. When the Norwegian Nazi

party, trying to secure a political foothold, demanded that teachers give active support to the new authorities and educate their pupils "in the spirit of the new era", the teachers countered with a pledge for teachers throughout the country to take to "remain true to my teaching vocation and my conscience, and ... carry out the decisions relating to my work which are lawfully given by my superiors" (Gjelsvik 1979, p.31).

This declaration provided a pattern for other public servants, and was the first of many nationwide directives (instructions for a definite common attitude in a particular situation), which were to become an effective weapon in the resistance to nazification. "They broke down the isolation of the individual, the dread of standing all alone which was the most important weapon of the Nazi terror" (Gjelsvik 1979, p.32). Semelin devotes a complete chapter to social cohesion, first pointing out that this should not be confused with "ideological control" nor with "political unanimity" and "absence of conflict" (p.64). He uses the concepts of social cohesion and social division to describe "the relative solidity of ties that bind individuals and groups to the heart of a given society" (p.64). Where social consensus was weak, civilian resistance was initially less likely. In France, for example, long-standing internal conflicts before the war led to collaboration and little organised resistance at first. Time was needed for people with common values to "reclaim an identity that transcended the expression of their political divisions" (p.73).

Resistance was always a dynamic phenomenon, and the conduct of the occupying regime itself could increase the cohesion of the occupied society. There was also a close relationship between resistance and "opinion", which Semelin defines as "a society's state of mind" (p.89), in order to distinguish it from normal public opinion, better described in circumstances of occupation as "authorised" or "directed" opinion (p.90). Semelin distinguishes three "circles" of social mobilisation: a narrow circle of organised resistance, a wider circle of occasional accomplices or helping hands, and the much wider circle of opinion favouring resistance and approving or financially supporting its actions. Opinion and resistance were complementary. Without supporting opinion, resistance was doomed to fail; without a resistance movement, opinion could not change the course of events.

Semelin illustrates and develops these concepts of legitimacy, social cohesion and opinion, and systematically applies them in a comprehensive analysis of occupied Europe, including the daunting areas of repression and genocide. For many reasons, collaboration and social dissension were ultimately more dangerous to resistance than violent repression, which could destroy the legitimacy of the occupation, foster social cohesion and fundamentally alter the population's state of mind. In Poland, for

example, the Germans and the Soviets developed very different policies of occupation. In the General Government territories where the Germans did not want collaboration and applied terror indiscriminately, resistance was no more dangerous than obedience. The repression increased social cohesion among the Poles, and mass noncooperation followed. In Soviet occupied Eastern Poland, where there had already been fierce divisions, the Soviets simultaneously encouraged collaboration and played on the region's internal divisions to create a context of suspicion, so that large-scale resistance was impossible (Semelin pp. 124-126).

Violence needs to justify itself, and unarmed struggle provided the occupier with less purchase on the situation. The logic of the resistance was the logic of survival, and nonviolent tactics led to less harsh reprisals than did sabotage or armed attacks on German soldiers. When repression occurred, opinion could undermine the political unity of the occupier, magnifying the internal contradictions in their camp.

Semelin's chapter on genocide, "the most serious syndrome of the worst disease of mankind: violence" (p.154), asks why the "final solution" was limited and even prevented in certain countries. Thus in Denmark 5% of the Jews were killed, and in Norway and Belgium 50%. Semelin identifies three protective screens between the persecutors and their victims: the screen of state, the screen of opinion and the screen of social networks. In Denmark, for example, these three protective screens were present at the same time, and the rescue of the Danish Jews became one of the most remarkable events of the war.

In his final chapters Semelin moves from resistance to defence, via a consideration of the effectiveness of the European resistance movements. "Which role for which results?" he asks, and warns against attempts to "militarise" the resistance phenomenon. The logic of civilian resistance was not the logic of war; it was the logic of survival. It aimed not to defeat the occupier—this was not possible—but to preserve values and to thwart the occupier, while awaiting the final outcome of the war. Semelin provides a wealth of examples in his classification of effectiveness as direct, indirect and dissuasive. And while charting its ebb and flow, outlining its limitations and avoiding exaggerated claims, this history demonstrates that noncooperation and civilian resistance played a key role in making the life of the Nazis more difficult, blocking many of Hitler's objectives, hampering his war effort and protecting his victims.

And resistance had to start from scratch. In March 1941, one and a half years after the invasion of Poland, when the head of the underground Polish state and deputy of the government, went to London, he explained that

"the people simply did not know how to behave toward the occupier. Members of all professions—whether doctors, artists, railway employees, city bureaucrats, and others asked how far they should accommodate the occupier and what would be the best ways to resist at their level. They were all on their own... neither in Poland nor elsewhere had civilian resistance ever been thought out as such." (Semelin 1993,p.175) The Dutch government had in 1937 worked out instructions for civil servants in the case of invasion, so that they could best serve the population. Very few copies were distributed, however, possibly because the instructions were too vague to be of much use (Semelin 1993, pp.58–59).

Civilian defence is not a territorial defence; it is a social defence, with the potential to be effective against political domination, economic exploitation or ideological influence. It could deter a potential invader or thwart an actual invader. Governments, having first determined their political and strategic choices, should organise an appropriate defence based on the two principles of paralysing sectors strategic to the invader and protecting sectors vital to the invaded. Defence cannot be limited to tactical options and technical measures, however. Successful mobilisation for social defence requires social cohesion, as Semelin's historical research demonstrates. From the perspective of social defence, struggles against inequalities and injustices and efforts to develop solidarity among social and ethnic groups—worthwhile goals in themselves help to create a "social and political consensus that allows societies to defend themselves" (p.179).

In his foreword, Stanley Hoffmann refers to the margin of manoeuvre available to today's "aggressors, ethnic cleansers and expansionists", and the urgent need to narrow this margin. If the upper limit is the risk of nuclear war, the lower limit is the risk of "having to control a rebellious occupied population, especially when it receives external support" (p.xii). Organised civilian resistance, or social defence, could raise this lower limit and prove a powerful deterrent. Thus Semelin's book is very relevant to current security studies.

References

- Tore Gjelsvik 1979 *Norwegian Resistance 1940–1945*, London: C. Hurst & Company.
- Henrik Nissen 1983 (ed.) *Scandinavia during the Second World War*, Minneapolis: University of Minnesota Press.
- Jacques Semelin 1993 *Unarmed Against Hitler*, Westport, Connecticut: Praeger Publishers ■.

BOOKS FOR SALE ON CIVILIAN-BASED DEFENSE

John Mecartney

What can be done to spread the great idea of civilian-based defense (CBD)? Because war may not end until people see an alternative defense system, it is very urgent that our idea spread. At a recent meeting with the Civilian-based Defense Association (CBDA) board, Gene Sharp suggested our members read more about CBD, get books about CBD into libraries, organize discussion groups in homes, etc., and that we review books on CBD in this magazine. Where can we secure books? John Mecartney, who has sold books on CBD for over ten years, will sell them to you. The retail price to be charged will mean that CBDA will make the profit.

THE BOOKS LISTED BELOW ARE FOR SALE. Make a check out to NANDI or Nonviolent Action for National Defense Institute and send it to NANDI, PO Box 19900, Detroit, MI 48219-0900. NANDI, which promotes CBD, will remit profits to CBDA. All books are paperbacks except Sharp's *Civilian-based Defense: a Post-Military Weapons System*.

- Olgerts Eglitis. *Nonviolent Action in the Liberation of Latvia*, 1993, 72 pp. How Latvians used nonviolent action (1987-1991) to gain independence. \$4.00.
- Harvard University's Program on Nonviolent Sanctions in Conflict and Defense. *Transforming Struggle*, 1992, 141 large pages. Mostly one-page reports on nine years of the program's Wednesday seminars at Harvard. Includes Gene Sharp, Christopher Kruegler, Mubarak Awad and many others who make a real contribution to

nonviolent theory and practice. A valuable resource. \$10.00.

- Gene Sharp, with the assistance of Bruce Jenkins. *Civilian-based Defense: a Post-military Weapons System*, 1990, 166 pp. Hardcover only. Updated material, good summary of previous works, plus lots of new information and strategies. \$20.00.

- Gene Sharp. "Making the Abolition of War a Realistic Goal," 16 pp. pamphlet, 1980. The best short introduction to CBD, though in light of the strength of the former Soviet Union. (I have sold 5000 of these.) \$2.00.

- Gene Sharp. *National Security through Civilian-based Defense*, 55 pp., \$4.95. 1970, revised 1985. A general overview with 46 pages of research topics. \$4.95.

- Gene Sharp. *The Politics of Nonviolent Action*, 1973. A revision and expansion of Sharp's Oxford doctoral dissertation. Best seller of Sharp's books. Its 3 parts are available separately:

- Part 1: *Power and Struggle*, 105 pp. Examines the nature and control of political power and gives past instances of nonviolent action. \$3.95.

- Part 2: *The Methods of Nonviolent Action*, 349 pp. How political jiu-jitsu works, communications, methods of nonviolent actions, plus several hundred fascinating examples. \$4.95.

- Part 3. *The Dynamics of Nonviolent Action*, 450 pp. How to lay the groundwork, what to do when repression occurs, ways to succeed, and how power can be redistributed. \$5.95.

- Gene Sharp with the assistance of Bruce Jenkins. *Self-reliant Defense without Bankruptcy or War*, 1992, 73 pp. An updated statement in light of changes in Eastern Europe, the Baltics, and the former Soviet Union, along with strategies. \$4.00.

Order Form			
Quantity	Title	Unit price	Total
Subtotal			
\$1.00 for each copy postage and handling			
Total			
Name _____			
Address _____			
City _____ State _____ Postal zone _____ Country _____			
Mail to NANDI, PO Box 19900, Detroit, MI 48219-0900, USA			