

This study uses the term *evasion* to cover appeasement, deception, self-exile, or any attempt to avoid, run away, cover up one's needs, or hide from an aggressor.

The terms coercion and evasion will be here used mostly as descriptions of group behavior, whereas their parallels on the individual level are characterized as *fight* and *flight*. Since the beginning of life on earth, human ancestors evolved in the presence of predators. The most effective rejoinder to an attack by a non-communicative predator is either fight or flight (including hiding as a form of flight)—they are evolutionarily proven survival mechanisms. The concern herein is with predators that can and do communicate well—humans—and in particular, *parties* of humans. In this study, the term *party* can be taken to mean a political party, but is always used more largely, to denote any large group of people sharing some common identity and/or value system, such as ethnicity, religion, ideology, culture or geographical community.

Reinhold Niebuhr, who in his youth was a pacifist socialist activist pastor, matured into a prominent anti-pacifist “realist” in the 1930s. While not agreeing with him on all points, Martin Luther King Jr. was much taken with Niebuhr's perspective (King, Jr., 1954). Niebuhr was skeptical both of the good behavior of uncoerced parties, and of the effectiveness of non-coercive methods. He argued that “[a]ll social cooperation on a larger scale than the most intimate social group requires a measure of coercion” (Niebuhr, 1932, p. 3) and that “[t]he selfishness of human communities must be regarded as an inevitability” (1932, p. 272). He concluded that non-coercive social idealists could never “make their vision of a just society effective” (Niebuhr, 1932, p. 13). This study describes a non-coercive option that arguably Niebuhr never considered and examines this option in the light of his scepticisms.

We are responsible for those actions we could have changed, to the degree we could have changed them. If one assumes the most effective rejoinder to coercion is coercion, then responsibility can become a weasel word justifying coercion and imperial intervention. Under this logic, someone who chose to talk to the leadership of a terrorist organization, rather than kill them when they had the chance, is negligent—bears some responsibility if their intervention did not prevent the organization from attacking. Had they killed the leadership, but the organization nonetheless was able to execute their attack, they would not likely be accused of negligence, which only demonstrates our culture's deep faith in the stature of violence as the best response to violence. This study challenges that faith on empirical grounds.

This study speaks to the body of scholarship on coercive nonviolent political action surveyed, for example, in Sharp, Paulson, Miller, and Merriman (2005). Most activists in the nonviolent movement downstream from Sharp's three part *The Politics of Nonviolent Action* (1973) have generally accepted Niebuhr's view that effective nonviolence must be coercive, including such coercive elements as sanctions, the rule of law, and majority rule. This study, presenting an alternative that is not perceived as coercive by one's opponent, sees coercion as an often avoidable, often unfruitful cost to the real process of establishing justice.

The concept of healthy community is introduced below as a refinement, or perhaps restoration to founding principles, of the *beloved community* as developed by Martin Luther King Jr. and others in the American civil rights movement. Where theKingCenter.org describes *beloved community* as “a realistic, achievable goal that could be attained by a critical mass of people committed to and trained in the philosophy and methods of nonviolence” (“The King Philosophy,” n.d.), this study holds that *healthy community* is a realistic, achievable goal that could be attained by a critical mass of people

committed to and trained in the philosophy and methods of courtship, also introduced below.

This study can be seen as promoting a form of proactive peacebuilding (fostering *healthy community*), via a particular intervention (*courtship*). In the lens of the Dual Concern Model (Carnevale & Pruitt, 1992), negotiators representing a healthy community in conflict with another party enjoy a mandate for strong levels of concern for outcomes for both parties, i.e. to problem solve while shunning either concessive or coercive options. A healthy community even has the capacity, via courtship, to increase the capacity of the opposing party to perform at such a high level. This study also transcends the us-versus-them stance implicit in the Dual Concern Model, in that it demonstrates that we need each other, i.e. it values the continued existence of the other as distinct from us and challenging us, and thus gives grounds for why we should have concern for outcomes of both parties. Healthy community creates a higher notion of us that transcends the lower us/them distinctions that it preserves and values.

The appropriate use of coercion: the limited rule of law

A good metaphor for understanding appropriate coercion is a surgeon's scalpel. While surgery can certainly be beneficial, no one believes that cutting is the root of health. Every use of a scalpel makes a wound, a trauma that will have to be managed until it heals. The least damage done, the better—microsurgery is a great advance over large-scale surgery. Surgery isn't used to treat malaria, or tuberculosis, or dozens of other diseases.

As the scalpel makes a wound requiring healing, coercion creates a social trauma requiring healing. Healing will have to come from elsewhere, later. While competent coercion can exchange greater, irrevocable damage for limited coercion damage, that coercion damage must be within our ability to manage while it heals, or it will fester. And clearly an unlimited use of the scalpel of coercion, such as in war, causes unmanageable trauma.

A fundamental justification of government is security. A government, by violent coercion if needed, prevents the use of violence by anyone else in its territory, and promises to protect the weak (shopkeepers, farmers, all who focus on production rather than proficiency with weapons) from being robbed or oppressed by the strong (raiders, anyone with superior strength or arms) inside its territory, and also from the strong who would invade from outside its territory. A government maintains its monopoly on violence within its territory, since otherwise it can't pretend to offer security.

The rule of law implemented by a government reflects the surgeon and scalpel metaphor, at least in those countries where there is a historical skein of legal development whose clear intent is to limit the trauma from, and abuse of, the violent coercion that underlies the rule of law. As with surgeons, it is required that judges and lawyers have extensive education and qualifications. To avoid abuses many limits (such as defending human rights, requiring warrants, requiring the state to prove its case, and providing appellate courts) are placed on the use of government power.

The rule of law has proper application where there is broad social consensus: to protect from rape, robbery and murder, to regulate vehicular traffic, the marketplace and financial institutions, and to protect the environment. It is within our current competence to manage the limited trauma to society of using coercion to enforce social cooperation on very broadly agreed-upon norms.

There is still much work to be done here, but I affirm the historical intent, the path that many countries are on, to limit the trauma done by the application of violence under the rule of law, and to limit the rule of law to norms which enjoy wide consensus within society. Under such conditions the scalpel of the rule of law is life-saving. I affirm this limited “measure of coercion” (Niebuhr, 1932, p. 3).

The rule of law is insufficient

However, the rule of law, alone, has not brought peace and justice. The rule of law is abused by applying it beyond its proper bounds, for lack of a credible alternative. It's like using surgery to treat malaria. Such abuse turns it into a monster and is the main impediment to progress on the historical path to limiting the rule of law. The rule of law is not sufficient, for at least three reasons.

First, trying to control an ugly situation by long term coercion is analogous to daily surgery to correct a chronic problem—there can be no healing. Occupation fails for the obvious reason: communities rarely change their values just because they are coerced to behave according to someone else's values. Even if you succeed at compromising one generation, the next plots its revenge for the damage inflicted on their identity.

Second, what happens when a society can't agree on a law to be ruled by? Societies having significant parties that cannot agree on the law and are in a state of civil unrest or war, need something to get them to a place where a coherent law can be framed within a broad consensus. Even perfect majority rule can establish laws that oppress minorities. What can people do who find themselves on the short end of a broad consensus? For the oppressed, the law is the problem, not the solution.

Third, jurisdiction presents a problem. A legal system must exercise a monopoly on violent power within its territory, its jurisdiction, otherwise it can't offer security. What happens when the territorial boundaries between different legal systems are in dispute? Our planet has been cursed by turf wars between competing governments.

In short, the rule of law is helpful for the me-us problem (how to maintain collaboration within a group sharing common values), but doesn't do well with the us-them problem (how to maintain collaboration between parties having different values). An option is needed beyond the rule of law.

This study would dispense with both evasion and coercion (including the rule of law) between parties and proposes an alternative. It is easy to think “Nonsense. There are very tough people in this world. If the weak cannot flee them, and are not protected by coercive strength, the strong will just come and take all their stuff, move them off their land, reduce them to slavery, or eliminate them.”

To respond adequately to the above objection, this study has to offer an alternative to coercion or evasion, and evaluate the effectiveness of the new alternative relative to coercion or evasion in conflicts involving large groups of people.

To evaluate the effectiveness of different strategies this study needs to be clear about the goal. Thus other than the Introduction and Conclusion, this study is in three sections:

The Goal: a Healthy, Just Society

Courtship: an Alternative to Coercion or Evasion

Evaluation: When is Courtship Better Than Either Coercion or Evasion?

The Goal: a Healthy, Just Society

In English, the word *conflict* does not always imply violence. Two parties that live within a commitment to each other to use neither coercion nor evasion can still have a heated conversation where past traumas are exposed, and much grief and anger are expressed, and mutually incompatible perceptions of the same events are asserted, and mutually incompatible requests are made. They are stuck within their commitment to each other to use neither coercion nor evasion, to face their problem and muddle through it together, even when there does not seem to be a resolution at hand. I value such conflict, it is a hallmark of every healthy community, and I contend below that it is the signature of a just society.

Healthy Community

A *healthy community* is founded when overwhelming numbers of people from two or more conflicting parties—ethnic groups, movements, religious groups, communities—demonstrate their mutual commitment to life together while refusing both coercion and evasion. Their public commitment is that they will not attempt to control the situation coercively, nor to evade the conflict inherent in the situation.

Renouncing both control and appeasement can be excruciatingly uncomfortable as we explore and face our real and hard differences without either party being in control of the situation. Healthy community means struggling together, not letting each other go, and not walking out of our commitment to keep struggling with each other until something new is born. Our differences have no value if we sweep them under the rug. Our goal is neither to blend nor compromise, but to create something new that changes the situation for each of us.

The success of either fight or flight is the end of tension, for the enemy is dead, or dominated, or placated, or avoided. The result is silence: the end of communication, the death of relationship and community, and no more public tension. Such silence is not peace.

Healthy community represents a third option. The success of healthy community is life together in tension, life in community despite our differences. Healthy community thrives on voicing our identities and needs, on listening, asking, transparency, respect, assertiveness, calling to account, and hospitality. It weakens with any attempt to coerce, dominate, placate, deceive or hide.

Fight and flight are visceral reactions deeply wired into us by evolution. The sex drive is an equally visceral, deeply wired reaction to difference, and it is a partial metaphor for healthy community. Reproductive sex captures well the value, the complementarity, of difference—two that are different can make a baby, can make something new happen that would be impossible for either one of them alone. Often our opponents can do things we can't, and vice versa. It captures well that we confront each other vulnerably. But it does not capture the mutual labor of birthing that often characterizes a healthy community. Healthy community is not just a nice abstraction. Wooing someone of the opposite... persuasion... into healthy community is as primal and deep a reaction to difference as either fight or flight. But it is certainly more difficult, in

that it takes two to tango. If the other chooses fight or flight, we don't have to retreat to fight or flight ourselves. We can persist in calling the other to community, but it is risky and takes more of a skill set, described as *courtship* below.

Humans are finite, limited and therefore fallible. With the best of intentions or virtues they often misunderstand, they make mistakes, and they thereby sometimes do harm. A healthy society is one where such harms are negotiated between trustworthy opponents—where the relationships between people, and between groups of people, are committed enough, robust enough, that solutions are sought in healthy conflict.

Disagreement can be productive when we disagree within the safety of a commitment to neither coerce nor evade, a public commitment at least as strong as marriage vows: through thick and thin, in sickness and in health, until death. But disagreement can feel offensive. Experienced mediation practitioners know that one party's truth-telling can feel like abuse to another party (Mayer, 2009, pp. 141–145). Constant hospitality—frequent sharing of tea, coffee, alcohol, food, or whatever else might symbolize social acceptance—is needed, because we are constantly offensive to each other.

A healthy community is not a utopia where nothing ever goes wrong. It does not require that everyone behave virtuously nor uniformly. It is rarely utterly peaceful. Rather, it is a robust, just society which can deal with its problems.

Epistemology

My son spent years in China learning Mandarin. He did not come back saying we should all forget about English because Chinese is better. Or, horrors, that a blend between Chinese and English is what we need. Rather, he came back with the ability to look at the world through two profoundly different framing systems, and he is the better for it.

Like the proverbial story of the blind people feeling an elephant, each party perceives the world differently. Every cultural framework has limitations of language and perception and intentions. Some frameworks might feel more of the elephant, some less; each framework is in some error, there are better frameworks and worse ones, but the story reminds us that none of them do very well. If we keep our commitment to each other and keep struggling together even though our perceptions remain different, a healthy community of different parties together can comprehend reality better than any one party can. The community of different parties, muddling through together, has more information about the elephant than has any one party. What we bring to a healthy community is our perception, our framework. Each party owes it to the others to be themselves, to express their perceptions in all their difference, because otherwise there's no point, no value to the relationship. We need each other.

There are a lot of major real-world problems (think “riots,” for example) for which nobody can design a good solution, but some people can design much better solutions than other people. As with the elephant, different people can have different points of view on such a problem. None of these points of view are very good, but some are better than others. In *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* Scott Page (2007) gives strong evidence that a group of experts, those who individually design the best solutions, is not the best group to attack such a problem. Why? Because, says Page, the experts tend to all have the best point of view—not a very good one, but the best one. A better problem-solving group is made

up of people who have some experience but have very differing points of view on the problem, some of them not the best. Those sub-optimal points of view carry information that is not seen from the best point of view. The more diverse group does better because the combination of points of view gets at information that the best point of view misses.

The goal isn't to build the perfect orthodoxy. The goal is a polyglot community of different frameworks, because we need to live in that tension. The goal is not dependent on discovering one framework that describes the whole elephant—we'll never get there, humanity isn't capable of that. Certainly, we evolve better and better understandings, indeed a healthy community is the best place for that evolution, but we will never understand perfectly. The pragmatic goal is to be in community even while we see differently. Healthy community isn't a means, it is the end. It is, of course, a path, a way, but all we aspire to is to live on the way, not to get to the end of the way.

Indeed, healthy community is an epistemology, one not based on reason or objectivity, but on good social process. We need our trustworthy opponents, those who see the world differently, to deliver us from our ignorance, from the narrowness of our own point of view, from the weakness of our good intentions, from our laziness. (As a personal case: I need opponents to deliver me from the ignorance of my privilege as an American, white, Anglo, wealthy, educated, hetero, liberal, elder, male.) An agreement worked out by opponents represents an epistemological advance. Our trustworthy opponents keep us honest and call us to account. Together, we gain some freedom from the limitations of language and perception and intentions.

Justice and the healthy society

Justice is impossible without conflict. In a just, healthy relationship, neither party is dancing around the other, trying to be the perfect partner so that the whole thing won't blow up. A relationship in which one side is catering to the other—to avoid misery—can give the appearance of a peaceful relationship because there is no apparent conflict, all is silent. One side has internalized the load of keeping the peace by submitting or catering to the other. If a relationship is utterly peaceful, someone is oppressed.

Given that we are fallible, and finite, and have needs, and see the world differently, we will inevitably step on each other's toes. We are offenders, we are trespassers. A relationship that is too brittle to support a lot of working-out-of-offenses cannot be just.

Justice doesn't only deal with the past. There is no justice if victims can't prevent an aggression being repeated in the future. Within a healthy relationship, justice is the practical experience that negotiation with one's opponent produces positive results. Both parties' commitment to renounce control provides safety for negotiation.

An individual victim of abuse may be able to escape and avoid the abuser indefinitely, and I affirm that choice. There's nothing wrong with flight when it works for us. But sometimes our abuser is our parent or child or spouse, our community or home culture or legal system. And for parties, evasion isn't always an option. It is very difficult for an oppressed ethnicity, religious group or minority to evade their oppressing culture, which has erected a system that controls the oppressed. The oppressed have to forge a healthier relationship with their oppressors within which they can productively work to dismantle that system. I submit that we don't get justice first, and then have a healthy relationship. Justice flows from the health of the relationship.

Dealing with past injustice

Reparations, restitution payment, or blood money may be appropriate and helpful but can never restore what survivors really want. Survivors want the past undone.

Imagine for a moment a people who have been oppressed for generations, with many dead and many traumatized. They grieve the loss of the beauty, the music, the discoveries, the lives of the people that could have been, the whole world that could have existed. The past is unchangeable, and that future that could have been, is gone—nothing can be done to restore it. The only way to restoration of relationship between the survivors and the aggressors is for the survivors to bear that unredeemable cost, to live in this nightmare of a present that they never wanted, and from there dare to desire a healthy relationship with their enemy.

Often survivors don't want a relationship. They just want to be left alone. That is a natural enough reaction, and for individuals it can work. But short of emigration or self-exile into closed communities such as the Hutterites, avoidance is not an option for minority groups, because interaction with the majority group is inevitable.

In a longstanding cycle of violence both parties have past trauma to deal with. Both parties see themselves as oppressed by the other. Though we live a life we did not choose, if we dare healthy community with our enemy, and they dare to meet us there too, we can arrive at a livable relationship in tension. The experience of that healthy community, in time, can slowly grow our confidence that the trauma won't happen to us again. The experience of healthy community can gradually convince our traumatized psyches that the world has a place for us.

The small contribution that this study brings to King's vision of *beloved community* is that *healthy community* envisions how to live, justly, with tension which may never cease and which is seen as valuable. Where King said "no matter what he [the white man] does to us, our aim must never be to defeat him or to humiliate him, but to win his friendship and understanding" (1960a), *healthy community* aims short of friendship or understanding, accepting the absence of coercion and evasion as sufficient. Where King spoke of the goal of tension being reconciliation and a resolution of conflict, *healthy community* expects and appreciates the tension of longstanding unresolved differences. The one envisions progress towards peacefulness, the other envisions progress towards a dance of partners pulling in different directions. Epistemologically, the one hopes for an eventual integration into a communal truth, the other explicitly values a diverse community of unintegrated voices. King may well have had something like a *healthy community* in mind, but the language of the nonviolent movement has not been clear on this point.

Courtship: an Alternative to Coercion or Evasion

Note to those for whom English is a second language: The verb "to court" has nothing to do with the legal system. Dictionary definitions of *courtship* include "behavior designed to persuade someone to marry you" and "the behavior of male birds aimed at attracting a mate" (Oxford Dictionaries, n.d.).

understood them. If we come to understand that we have done wrong, we change our behavior, make amends to the degree we are able, and ask for forgiveness of the remainder.

If there are needs of our enemy that can be met without compromising our own identity or honor, we share resources to fill those needs. We boldly ask our enemy for what we need from them and keep asking until those needs are met.

Courtship inspires our enemy to see us as trustworthy opponents. We do not beg for mercy. We do not cooperate with oppression—no display of cooperation with oppressors' coercive power will incite them to cooperate with us. We do not bribe them, for we are not appealing to their base instincts. Rather, we are greeting and inspiring their highest and truest identity, that part of them which wants to be fair, present in every human's psyche, though often buried deep under insecurity.

Nowak and Highfield (2012), working at the confluence of evolutionary theory and game theory, argue that evolution has bred us for cooperation as much as competition, and that for eliciting cooperation one's reputation that one will treat others fairly, is paramount. To presume that most individuals have an instinct for fairness is not an idealistic position, but a realistic one.

Courtship is based on the faith that our enemies are, in the main, not subhuman monsters—they have the potential to be trustworthy opponents. This faith may be in the face of bitter evidence, but I submit that any party larger than a few hundred that has sustained itself for more than a generation has had some success dealing with its internal conflicts and has been able to generate strong internal collaboration. Thus, the people in it do understand, to some degree, how to negotiate differences, i.e. they sometimes practice healthy community among themselves. They value fairness, and they are capable of seeing the benefit of healthy community with us, if they come to trust us enough.

Courtship is only non-coercive in that it must be perceived, by our enemy, as revealing our desire for a non-coercive relationship. Courtship can use force as long as few of the enemy perceive it as an attempt to dominate or control them. For example, King (1960b) wrote "When the Negro uses force in self-defense he does not forfeit support—he may even win it, by the courage and self-respect it reflects." That is, courtship does not ask "Is this action coercive?" but rather "Will this action inspire our enemy to perceive us as trustworthy in a non-coercive relationship?"

We offer hospitality and respect and opposition. We do not withdraw any of our requests for what we truly need. We will not accept less than a healthy peer relationship. But our approach must not be tainted with any shred of disrespect.

When threatened by enemies, we ignore the fearful, tyrannical part of them, to speak respectfully to that part of them that we assume is there, that part of them that values fairness. We have a claim on that part of their psyche that appreciates and understands fairness, we press that claim boldly, taking risks in order to fan the flames of their collaborative instinct. We do not let go. Our advocate in this confrontation is their own humanity.

Someone who is fearful or traumatized has great difficulty opening themselves to a healthy relationship—they have a fevered need to control the situation. If they also have more power than we do, they will have some confidence in their ability to dominate. Why should they negotiate with us—risk loss of control—when they have

the power to keep control? Therefore, we comfort our enemies' fears, yes, our oppressors' fears. They especially fear those they have oppressed, since they deeply feel how offensive they have been, and they expect an angry violent response. So, we show them hospitality, and make them feel safe. We listen to their stories of their traumas and their perception of the situation and express all that back to them until they are satisfied that we have understood them correctly. Hospitality, respect, feeling safe, and being heard all decrease our enemies' need to maintain control.

Our only liberation comes from our enemies, our only salvation is our enemies' salvation, our only victory is our enemy's victory in forging a healthy community with us.

Enemies who are under coercive control of a leader or oligarchy are themselves in need of liberation. They form a party exclusive of their oligarchs whose separate identity is forged by their experience of domination by their oligarchs. This can be a very fraught situation, for their identity *with* their oligarchs may be sustained by the oligarchs' control of the media, symbols of nationalism, and calls for patriotism. Here courtship has to deal with a three-way relationship: us, the party dominated by the oligarchs, and the oligarchs, which latter may be a very small and therefore unstable group centered around one person. Often the situation is mixed, for example people will sometimes distinguish "the American people" from "the American government," and sometimes not. Of course governments bristle at the suggestion that they do not represent the will of their people, because that threatens their legitimacy, but it is frequently the case. The point is that there may be multiple opportunities for courtship, and we must not be blind to internal fault-lines in our enemy.

Sustainability

It was said above that a healthy community is founded when overwhelming numbers of people from two or more conflicting parties demonstrate their mutual commitment. By "overwhelming" I mean sufficient that the tipping point of group psychology goes their way, instead of towards violence. Courtship is an attempt to get to that critical mass, which may be far fewer than a majority. Tipping points can be reached by a relatively small number of courageous people willing to stick their necks out before the tipping point has been reached, taking the risk that the crowd might tip against them.

Violence is infectious, but so is courtship. Group action, once a tipping point is reached, can be quite suddenly united and purposeful. To keep it so requires constant positive feedback. I am, like Niebuhr (1932), very skeptical of a party's ability to reason, but unlike Niebuhr, I do not look to reason, but to mutual inspiration. So that's another useful thing our erstwhile enemies do for us: our astonished and glad observation of their courtship of us helps us maintain our own courtship of them. We get extraordinarily strong feedback from observing someone we once feared, practicing courtship on us. It is plausible that healthy community can be sustained by a core of strong individuals who, whenever there is an offense, take the risk of demonstrating courtship.

Distinguishing Courtship from Nonviolence and Diplomacy

The difference between courtship and principled nonviolence is primarily in the intent, and thereby in many pragmatic details. Nonviolence is a negative term, focused

on what it isn't—violence against the enemy—whereas courtship is a positive term that values the enemy's identity and distinctives. Coercive nonviolence has a binary win-lose dynamic—you agitate, sanction, use the court system, pass legislation and vote until your side wins and the other side loses. This polarizing dynamic induces both sides to feel that their enemies are evil. However, if we don't believe that our enemies are capable of fairness, we have demonized them. Courtship is the opposite of such demonization in that it bets on the fairness of the enemy and values their different point of view even while it refuses their control. Courtship succeeds only when both sides join in a mutually positive healthy community.

The difference between courtship and traditional diplomacy is that diplomacy is interstate, whereas courtship, like traditional nonviolence, is a movement within civil society. Diplomacy is built on the need for the nation-state to maintain its monopoly on violence within its territory, whereas courtship would let an occupying army sweep over the land, which for courtship broadens the opportunity to relate to the occupying humans and culturally woo them into a just relationship, though this may take decades. Courtship does not accept the partitioning of humanity into states. Courtship does not accept a state's use of coercion solely to maintain the state's existence.

What if they ignore us?

The classic frustration of the oppressed is that their protests are ignored by the powerful. The powerful will have a myth—the myth of the inhumanity of those they oppress—that permits them to sustain the privileged life they have. All they want is to continue that myth, that status quo, why should they change it and plunge into uncertainty? They believe they "own" their privilege, why should they give up what they own? The tired dynamic is that the oppressed then turn to violence, or sabotage, or terrorism, to try to force the powerful to the negotiation table.

But an oppressor cannot completely ignore the oppressed. Oppressors must actively maintain the oppression, which presents an opportunity. They need laws, treaties, regulations, tax incentives, and bureaucratic processes that make the oppressive system a web that is difficult to grasp at any strategic place. But there are people who implement and maintain the web where it meets the street—the police, the regulators, the lawyers, the legislators, the bureaucrats, the soldiers. And there are people in the chains of command above them. Being human, all of these people are vulnerable to courtship.

Systemic oppression usually has cultural support. Usually there is a language in place that rationalizes and justifies the system. There are voices—preachers, politicians, songwriters—who champion that language. They have blinded themselves to the injustice—they've blocked it out, it's too painful to look at. And they can't face the ostracism they would face within their own group were they to draw attention to the painful reality. But they too are human, and thus vulnerable to courtship.

In *Eichmann in Jerusalem: a Report on the Banality of Evil*, Hannah Arendt (1963) wrote that even Adolf Eichmann, the chief of operations of the Nazi program to exterminate Jews, was not an inhuman monster but a horrifyingly normal human. It is a corollary that even Eichmann could have been vulnerable to the hospitality and respect of courtship evoking in him his birth right allegiance to fairness.

Finally, no party is homogenous. There will be some people within the oppressing party who are more open to courtship from the oppressed party. Those who

belong to a party that enjoys privilege over some other party with whom they want to live in healthy community, can join with others in their party who think like they do, and they can practice courtship towards those who oppose them within their own party. The risk is that they may be shunned, exiled, or persecuted along with the oppressed, but it is the sole option that expresses their own spirit of fairness. Such courtship can loosen the logjam of hardened defensive positions that oppressing parties find themselves invested and trapped in.

An historical analysis

The successful use of courtship is not new, though it is rarely practiced unadulterated. This section examines the American civil rights movement of the 1960s through the lens of courtship. The Public Broadcasting System video “Birmingham 1963” (AmericanHistoryRules, n.d.) includes TV news footage of Birmingham police chief Bull Connor’s fight against black civil rights demonstrators that summer. The images of peaceful black marchers, many of them children, being attacked by police with fire hoses and vicious dogs ignited the nation, as white Americans struggled with the feeling that they identified more with the black marchers than the white police, that they admired the marchers more than the police. The video states:

He [King] was asking white Americans in a sense to, finally, after hundreds of years, confront this contradiction: they believed in freedom, and yet they denied freedom to African Americans. Which was their true self? In a sense asking white America, “Are you Bull Conner, or are you someone who believes in human rights?” Forcing people to make a choice, in a non-threatening manner.

In the eloquent letter he wrote from a Birmingham jail, King (1963) writes:

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth.

People who parse the world into winners and losers, who believe that having coercive power over one’s enemy is the only pragmatic way to bring about justice, cannot understand King. His direct actions were very public and persistent ways to not comply with unjust laws, to ask for what the black community needed, and to inspire the fairness response in white Americans. The purpose of direct action was to get to confrontation at the negotiation table. The power of direct action was the realization by white Americans that they admired the black resisters' courage, that the resisters were

their heroes, that the resisters were displaying their, white Americans', deeper identity and spirit. This was courtship.

As already mentioned, King accepted violent self-defence. However, King chose not to use violence in direct mass actions, because *courtship is not a defensive posture*. They were crossing enemy lines of control. Their direct actions were deliberate trespasses onto what southern law reserved as white turf—white-only restaurants and facilities, the front of the bus. Courtship is invasive—we are asking for a relationship of peers—so be successfully courted, our enemies must feel our commitment not to coerce or dominate.

Many in the nonviolent movement make the mistake of using power politics—they really want the other side to *lose*—and so deprive themselves of being lastingly effective.

In (Lewis & D'Orso, 1999), now U.S. Congressman John Lewis gives a first-hand account of the whole civil rights movement of the 1960s. By the end of chapter sixteen, after the movement had endured all the beatings, shootings, teargas and bombings of the Freedom Rides and Birmingham and Mississippi and Selma, Lewis writes:

Something was born in Selma during the course of that year, but something died there, too. The road of nonviolence had essentially run out. Selma was the last act.

...

We're only flesh. I could understand people not wanting to get beaten anymore. The body gets tired. You put out so much energy and you saw such little gain. Black capacity to believe white would really open his heart, open his life to nonviolent appeal, was running out. (Lewis & D'Orso, 1999, p. 347)

The movement attempted to use the federal government to force the southern states to end segregation. They built on Supreme Court decisions declaring segregation unconstitutional in education and in interstate commerce. Their strategy was to generate national political momentum that would force the Kennedy and Johnson administrations to intervene against southern states to uphold federal law.

Their strategy worked, in that it attained its goal of forcing southern states to end legalized segregation. Their nonviolent courage inspired the nation, and the widespread political support they generated resulted in the US Civil Rights Act of 1964 and US Voting Rights Act of 1965. In terms of courtship, they successfully courted the majority of American voters, whose political power then turned to demolishing legal segregation in the south. By Lewis' account, the political impact of the horrific TV footage of the peaceful marchers' fate on the bridge out of Selma impelled the federal government to send federal troops, federal marshals, and the FBI to protect the marchers from the sheriff posses and the populace as they walked through the hate-laced countryside from Selma to Montgomery. Lewis continues:

Now we needed to deal with the subtler and much more complex issues of attaining economic and political power, of dealing with attitudes and actions held deep inside people and institutions that, *now that they were forced* to allow us through the door, could still keep the rewards inside those doors out of our reach. Combating segregation is one thing. Dealing with racism is another. (Lewis & D'Orso, 1999, p. 349) [emphasis mine]

really think you can talk your way out of a death camp? Do you somehow think those Jews didn't try to evoke mercy from the guards, or that none of those prisoners were as sophisticated or spiritual as you? Never again."

If evasion is not possible, the most reliable defense against evil such as the Glock scenario is not courtship, but to call 911, i.e. to invoke the coercion of the rule of law, since broadly accepted social values condemn rape and murder. And in the Birkenau scenario the prison guards were pawns, many chosen for their lack of apparent empathy, within a very coercive command hierarchy. So, these are worst-case scenarios for courtship, though I still want to examine them closely.

What happens if we can't appeal to the law to help us, either because it has failed us or because it is not available to us? In the Glock scenario, if we're staring down the barrel of a pistol, calling on the law is perhaps not an option. In the Birkenau scenario the law is part of the systemic evil, it is part of the problem, not the solution. In either case, supposing we have some weapon—mace, a gun, a grenade—the question here is whether violent self-defence is more productive than courtship.

The question here is not moral, but pragmatic. If we're cowering in our church or mosque, temple or synagogue or arena, surrounded by a bloodthirsty genocidal mob, and some of our young guys want to make a brave sortie to either cow the mob or fight a path for us all to escape to a safer place, more power to them. In those circumstances I affirm flight or fight. I affirm those who hide in holes or deceive their way out, or those who turn at bay, show their teeth, and fight to the last. The last-ditch defensive fight against all odds is not the cause of the great evils in this world, save that the media and the politicians push us to panic before we are truly threatened, and cite "the best defence is a good offense" to legitimize state pre-emptive violence against another state.

But pragmatically, if we've got a bullhorn, or if the mob has effective leadership and we've got a mobile phone to talk to them, courtship could be a better bet. If there is any way to effectively communicate to those threatening us, and they are in any state to listen, courtship could be a better bet. *And most certainly courtship is a better bet if they are a whole people, an ethnicity or nation.*

Even the worst-case scenarios for courtship do not justify the belief that the sole effective response to violence is violence. Courtship is not a reliable solution to these scenarios, but neither is violence nor hiding. The chance of having a happy ending to the nightmare situations is tiny, whether we choose coercion, evasion or courtship. But beyond revealing our blind faith in violence, our thinking about such nightmare scenarios often suffers from the following defects.

The first is to ignore reliability. Violent self-defence isn't very reliable. We daydream about getting the drop on the perpetrator, but reality usually doesn't work that way. In the Glock scenario, if we are surprised, then even if we're carrying a gun and are trained, the chance of our surviving our attempt to fire is small. The same is doubly true for the Birkenau scenario. So, to outperform violence as a practical means of self-defence, courtship does not have to be always successful—just more often than violence is. There will of course be cases in which violence would have worked, and courtship wouldn't, and vice versa. We'll never be able to perfectly predict which are which, so we've got to go with probabilities.

In the Glock scenario, it is not hard to imagine conditions under which one should shoot. If I'm a good shot and I have the drop on the guy and yet he still makes a move to shoot, I shoot first. In the more likely case that he's got the drop on me and is

Conclusion

This study takes the establishment of a healthy society as the highest goal, where the term *healthy* implies a capacity for robust, sustainable struggle over longstanding differences of values within a commitment to use neither coercion nor evasion. Short of such a society, if a group is attacked their *right* to hide or counterattack is not here disputed, nor are these choices labelled morally bad. Rather, the wisdom of either under many conditions is questioned, and an alternative called courtship is recommended to move the conflict towards health.

This study would have us limit the role of government to enforcement of laws which enjoy a broad consensus. The practice of extra-national courtship is not the purview of governments, at least not any more than that of any other institution, culture, ethnicity or other human party that can court its adversaries. On a thumbnail, the model of change espoused here is that if we strengthen the capacity of parties to inspire and sustain *healthy* relationships, the rest (good governance, robust justice, sustainable peace) will follow.

Thus, it is our duty, opportunity and responsibility as participants in civil society, our duty as religious leaders, politicians, educators, authors, journalists, NGO activists, song and script writers, media creators and so on, is to increase public understanding of the practices of healthy community, which lead to robust civil health. Civil health should be as highly regarded and widely understood as hygiene and public sanitation.

However, no amount of education will change people's gut reactions. Only the experience in smaller, local, less threatening conflicts, of the justice flowing from a healthy relationship with a trustworthy opponent, can prepare a party to brave courtship during a larger, more global and more threatening conflict. We cannot expect the latter without long experience in the former. So, we must lead our communities in the practice of what we teach. The opportunities are many.

King admired the phrase "The arc of the moral universe is long, but it bends toward justice" (1958, p. 14). Betting on courtship is a calculated, long term evolutionary strategy. Conflict can be temporarily extinguished by killing or fleeing, oppressing or placating now, but that only defers the costs to future generations, when the conflict will be even greater. To minimize the total cost to all generations, we should bring the whole risk into now, into our lifetime. It may cost us our lives, but we may save the lives of many in the future. We should risk being open to a mutual salvation with our enemies, or else the future costs will be far greater. Courtship is our opportunity, it is within our agency, it is our responsibility. Over time, the lowest cost and least reversible path to justice and peace is for us to face our enemies, invoke the human fairness in them, state our needs, court them to join us in a healthy relationship, and not let go, today.

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