

Resistance

Carl von Ossietzky, Albert Leo Schlageter,
and Mahatma Gandhi

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1. INTRODUCTION

Carl von Ossietzky, after whom this university is named, led a life synonymous with resistance. But, he was quite unlike those who are readily cited as examples in Germany and described as the men of 20 July 1944, i.e., those who, after much hesitation and considerable pangs of conscience, finally, even though much too late, decided to eliminate Adolf Hitler in an assassination attempt. Instead, he was one of those to whom it was clear from the very beginning that Hitler's takeover had to be prevented by all possible means that were available and permissible in a democracy, however flawed it may be. It was equally clear to him that Hitler would not come to power on his own. Therefore, as the editor of the left-wing, social-democratic, and pacifist weekly, *Weltbühne* (lit. the World Stage) he repeatedly warned against the unholy alliance of nationalist and conservative circles, including the military and the militaristic cliques.

Hence, when Ossietzky exposed the secret arms build-up of the *Reichswehr*, the German Armed Forces of the Weimar Republic, in violation of the Treaty of Versailles, he was sentenced to eighteen months imprisonment by the end of 1931, and this gave him an opportunity to emerge as a sort of second Socrates. As Plato's dialogues, "Apology" and "Crito" state, although Socrates was well aware of his innocence, he was willing to accept the incorrect and unjust death sentence meted out to him out of respect for the laws of the polis. However, on his arrest, Carl von Ossietzky behaved in exactly the opposite manner and stated,

Let there be no mistake about this. And, I emphasize it for the sake of all the friends and foes, especially those who shall be monitoring my legal and physical wellbeing in the months to come: I am not going to prison on the grounds of loyalty, but because as a prisoner I would cause the most inconvenience. I do not submit to the Majesty of the Imperial Court of Justice [*Reichsgericht*], wrapped in its red velvet robes. Instead, as an inmate of a Prussian penal institution I shall continue to be a living reminder of the judgement of the highest judicial authority, which in this case appears to be politically motivated and legally skewed. (691)

After his release and reimprisonment by the National Socialists at the end of February 1933, Ossietzky, who was then critically ill, had to undergo an odyssey through the otherworld of the Nazi concentration camps: from Sonnenburg near Küstrin in Poland to Esterwegen near Oldenburg, where with other inmates he had to work on draining and dewatering the Emsland bogs until overcome by a state of complete exhaustion. The Swiss diplomat Carl Jacob Burckhardt notes coming across a “trembling, pale something, a being that seemed to be bereft of feeling, with a swollen eye and apparently his teeth knocked out” (60-61). After three years of incarceration in the concentration camps, Ossietzky was discharged in 1936 due to his friends’ campaign for his release. Suffering from an advanced stage of tuberculosis, he was first transferred to the Governmental Police Hospital in Berlin and later shifted to Niederschönhausen, where he subsequently died in 1938. Two years earlier, i.e., in 1936, the concentration camp inmate had been awarded the Nobel Peace Prize retrospectively for the year 1935, an award that he was not allowed to receive due to the travel ban imposed on him. However, an article of his that appeared in 1932 in the *Weltbühne* characterizes him as a Prussian Socrates:

In the long run, the political journalist [*Publizist*] in particular cannot simply escape the connection with the totality, against which he fights and for which he struggles, without succumbing to exaltations and imbalance. If one wishes to combat the polluted spirit of a country, one has to partake in its common fate. (691)

Yes, Carl von Ossietzky indeed practiced resistance. Whether he actually did so being conscious of the threat to his person, or whether he underestimated the dangers of National Socialism, and hence, acted thoughtlessly as regards his wife’s and his own fate, is still a matter of dispute in contemporary

history. But, it scarcely plays a role while answering the question, what can be understood as ‘resistance,’ and specifically, as ‘political resistance.’

Or, does it? Basically, resistance is seen as something positive, and resistant attitude or the willingness to resist as opposed to the willingness to obey or even to be subservient is regarded as a virtue particularly worthy of esteem. Moreover, despite the circumstances human beings are ready to put up sustained resistance for the sake of decisions and structures generally considered to be morally and politically correct. Resistance implies the ability to say no, and according to Klaus Heinrich (1964), it can be seen as a “problem of identity under the threat of loss to identity” (57), as a “problem of language in the state of speechlessness” (97), and as a “problem of resistance in the movements of self-destruction” (131).

Thus, it is debatable, if resistance, i.e., the ability to withstand all of the three problems, represents a position that is basically to be valued positively, or whether the value of resistance depends upon that against which it is directed. In order to clarify this, I shall remain faithful to the hitherto practiced biographical mode and discuss two cases, which can be read—*cum grano salis*—as cases of anticolonial resistance: of Albert Leo Schlageter and Mahatma Gandhi.

2. RESISTANCE AS AN EXPRESSION OF EXISTENTIAL HARDNESS AND CLARITY

Karl Radek, a Communist politician of Jewish descent, who was later denounced as a Trotskyite and murdered by the Stalinists in 1939 in the Soviet Union, had advocated in 1923 the so-called Schlageter course of action in response to the occupation of the Rhineland by the French and Belgian troops as mandated by the Treaty of Versailles. This ‘Schlageter course’ was a strategic proposal of the KPD, the Communist Party of Germany, through which they had hoped to attract the nationally disposed, or even the nationalist segments of the German electorate to the KPD. Thus, on 21 June 1923, Karl Radek stated in a speech at a meeting of the Comintern, which later adorned the first page of the party mouthpiece, *Rote Fahne* (Red Flag) on 26 June,

The Communist Party of Germany must openly declare to the nationalist, petty bourgeois masses that those, who in the service of the profiteers, the speculators,

the owners of steel and coal try to enslave the German people and shove them into reckless adventure, have to reckon with the resistance of the German Communist workers. They will answer violence with violence. We shall combat with all means possible those who ally themselves, out of ignorance, with the mercenaries of capital. But, we believe that the vast majority of the masses with national sensibilities do not belong to the faction of the capital, but instead to the workers' faction. We wish to and indeed shall seek out and find the way to reach these masses. We shall do everything that men like Schlageter were ready to do, to seek death for the general good, not wander into oblivion, but become wanderers into a better future for the entire humanity [...]. (147)

Who was this Albert Leo Schlageter, praised with these words by the Communist, Karl Radek? Born in 1894, Schlageter was not only a soldier in the army of Imperial Germany during the First World War, but also a member of the National Socialist front organizations as well as a militant, nationalist activist, who carried out bomb attacks, was captured and subsequently sentenced to death by the French courts in May 1923. In other words, he was a man, who stood for political options that were diametrically opposed to those chosen by Ossietzky.

In fact, Schlageter's death sparked the political imagination not only of the Communist politician, but also that of one of the most significant, albeit equally controversial philosophers of the twentieth century, i.e., Martin Heidegger. However, Heidegger expressed his opinion regarding Schlageter ten years later, in May 1933, when he was already the rector of the University of Freiburg. At that time Heidegger not only stated that Schlageter had to die a "hard death" in a field of "darkness, humiliation and betrayal," but also that he needed to "achieve the greatest thing of which man is capable. Alone, drawing on his own inner strength, he had to place before his soul an image of the future awakening of the Volk to honour and greatness so that he could die believing in this future" (Farias 145).

Heidegger, who hailed from the Black Forest region and who was now the rector of a university that lay on the outskirts of the Black Forest, enjoined the value of Schlageter's courage with an ode to the Black Forest:

Whence this hardness of will to survive arduous conditions? Whence the clarity of heart to envision the greatest and the most remote? Student of Freiburg! German student! Experience and know the mountains, the forests and the valleys of the

Black Forest, when you enter the homeland of this hero on your hikes and outings: the mountains are of primitive rock, of granite, betwixt these has grown the young farmer's lad. They have been long at work hardening the will. The autumn sun of the Black Forest bathes the mountain ranges and forests in the most glorious clear light. Since yore it has nourished the clarity of the heart. (Farias 146)

In this speech, Heidegger defines the homeland (*Heimat*) in its physical, geographical and geological aspects as the mediating authority between the individual and the nation, and thus, between each individual being and a people. He ends his speech with an appeal:

Student of Freiburg, let the strength of this hero's native mountains flow into your will... let the power of the autumn sun in the native valley of this hero shine into your heart! Preserve both within you and carry them, the hardness of the will and the clarity of the heart, to your comrades at the German universities. (Farias 146-7)

Even if one were to discount the by now obscure sounding, geomantic imagery, it is evident that the character traits invoked here describe what can be characterized as heroic, i.e., "clarity" and "hardness." Both of them are characteristics belonging to Schlageter, who according to Heidegger was ready "to die for the German people and its empire with the Alemannic countryside before his eyes" (Farias 147) and as resistance against the French occupation forces.

3. NONVIOLENT RESISTANCE—GANDHI

The best-known politician of an anti-colonial resistance who stood up against occupation, not in Europe but against a European power, is Mahatma Gandhi. Born in West Gujarat, Gandhi lived from 1869 to 1948, his lifespan corresponding to that of Schlageter, agitated for the civil rights of the Indians first in South Africa and later in India, and travelled as a lawyer for years and over decades between India, Great Britain, and South Africa. Finally, around 1906/1907 as a married man in his mid-thirties and a father of three sons, Gandhi decided to take a vow of celibacy not only motivated by the Hindu religion, but also to organize political resistance against the laws in Transvaal, which in many ways discriminated against the Indians living there.

The forms of passive resistance associated with Gandhi, which are even today considered to be exemplary, drew on the teachings of *Ahimsa*, i.e., non-violence, from a variety of Indian religions, i.e., the prohibition of any kind of active violence, as also on the principles of *Satyagraha* as they were developed by him. It was a theory of character traits which are, not coincidentally, reminiscent of the classical catalogue of virtues from the Christian Occident, i.e., truth, nonviolence, chastity, renunciation of possessions, as well as courage, dietetic life, renunciation of the desire to acquire the property belonging to others, insistence on the equality of all religions, rejection of the division of the Indian society into castes, and the willingness to promote regional economies. Human beings who follow this path prove themselves, according to Gandhi, to be the agents of passive resistance, which is ultimately more effective than any violent uprising. And, this held true even in extreme cases. Thus, Gandhi had suggested to the Jewish religious philosopher Martin Buber in an open letter, just before the November pogroms of 1938, that the Jews living in Germany should defend themselves against their discrimination through passive resistance. On 26 November 1938, Gandhi published an article in the weekly journal, *Harijan*, where he wrote:

Can the Jews resist this organised and shameless persecution? Is there a way to preserve their self-respect, and not to feel helpless, neglected and forlorn? I submit there is. No person who has faith in a living God need feel helpless or forlorn. Jehovah of the Jews is a God more personal than the God of the Christians, the Mussalmans or the Hindus, though as a matter of fact in essence, He is common to all and one without a second and beyond description. But as the Jews attribute personality to God and believe that He rules every action of theirs, they ought not to feel helpless. If I were a Jew and were born in Germany and earned my livelihood there, I would claim Germany as my home even as the tallest gentile German may, and challenge him to shoot me or cast me in the dungeon; I would refuse to be expelled or to submit to discriminating treatment. And for doing this, I should not wait for the fellow Jews to join me in civil resistance but would have confidence that in the end the rest are bound to follow my example. If one Jew or all the Jews were to accept the prescription here offered, he or they cannot be worse off than now. And suffering voluntarily undergone will bring them an inner strength and joy which no number of resolutions of sympathy passed in the world outside Germany can. Indeed, even if Britain, France and America were to declare hostilities against Germany, they can bring no inner joy, no inner strength. The calculated violence of

Hitler may even result in a general massacre of the Jews by way of his first answer to the declaration of such hostilities. But if the Jewish mind could be prepared for voluntary suffering, even the massacre I have imagined could be turned into a day of thanksgiving and joy that Jehovah had wrought deliverance of the race even at the hands of the tyrant. For to the godfearing, death has no terror. It is a joyful sleep to be followed by a waking that would be all the more refreshing for the long sleep. (240-41)

Martin Buber replied to this letter and the corresponding article respectfully and in detail, emphasizing above all the immense difference between the German and the Indian situation. However contemptible the colonial inequality between the British and the Indians might be in India, it could not bear comparison with the brutal repression and discrimination of the Jews in Nazi Germany. As far as is known, Gandhi did not reply to these letters, and neither did he address the National Socialist annihilation of Jews even after the Second World War.

In the meanwhile, due to in-depth historical research, questions have been raised regarding Gandhi's positions on resistance and regarding the universal character of his critical stance on colonialism. They bear not only on the beliefs expressed in *Hind Swaraj* from 1909 that machinery "represents a great sin," that the railways would "spread the bubonic plague," that hospitals were "institutions for propagating sin," and that peasants needed no "knowledge of letters" (Anderson 21). They also do not only refer to his misogynist sexual ethics, but in particular to his position vis-à-vis the Indian caste system. Although Gandhi was critical of the racial discrimination against the so-called Untouchables, he was nonetheless not ready to accept separate electoral rolls for the *Dalits*, i.e., the Untouchables.

In 1932, the government in London agreed to the proposal to allow for separate electoral rolls for the Untouchables during the elections in India, which would have increased their representation in the parliament considerably. During the internal debates within the Congress Party, Gandhi—indeed also due to party-political and tactical considerations—categorically opposed such proposals with the reasoning that no soul was more and less inferior in the logic of the Hindu doctrine of reincarnation, since its position in the structure of the society depended wholly and exclusively on its actions.

Moreover, as regards the intermixing of the castes, he stated, “Interdrinking, interdining, intermarrying, I hold, are not essential for the promotion of the spirit of democracy” (Anderson 37). Furthermore, Gandhi, the virtuoso of non-violent resistance, recommended the caste system “as the best remedy against heartless competition and social disintegration born of avarice and greed” (Anderson 38).

For Gandhi, the perpetuation of the caste hierarchy, and hence, the rejection of the separate electoral rolls for the Dalits were so vital that after the British government announced its readiness to permit such lists, he was ready to go on a fast unto death, which finally forced his political opponents to give in (cf. Anderson 41; Stein and Arnold 323). However, subsequently Gandhi travelled across India, campaigning for the social advancement of the so-called Untouchables.

The other protagonist of these contentious debates, who was Gandhi’s primary opponent, if not the enemy within the party, and whose name has remained, at least in our parts of the world, far less known as regards the history of modern India, was Bhimrao Ramji Ambedkar (1891-1954). He was an Indian lawyer who actually came from an Untouchable caste, and who, despite his opposition, remained associated with Gandhi and emerged as one of the most successful and active politicians in India. What needs to be emphasized in this regard is that Ambedkar was at least equally scathing in his criticism of the subjugation of women practiced within the Indian Muslim community, and critical of child marriage as well as polygamy as he was of the caste system. Ambedkar’s own form of resistance both against the caste system as well as against other forms of religious inequality resulted in his conversion to Buddhism in 1950, which attracted a great deal of attention in the public sphere.

4. PARADOXES OF RESISTANCE

If one observes the three forms of resistance that have been described so far, as also the three very different personalities, i.e., Schlageter, Gandhi, and Ambedkar, the concept of resistance seems to either simply disintegrate or reduce to a merely formal category. Hence, it all depends on which kind of evil is resisted.

If this is indeed the case, then it seems unavoidable that we return to Jesus’ Sermon on the Mount, in order to formulate a consistent doctrine

of resistance. Thus, we find in Matthew 5, 38-39, “You have heard that it was said, ‘An eye for an eye and a tooth for a tooth.’ But I say to you: Do not resist the one who is evil. But if anyone slaps you on the right cheek, turn to him the other also.” Indeed, this commandment seems to circumvent all the difficulties that the concept of resistance otherwise elicits. Those who renounce resistance do not in any case run the risk of resisting an objective that in the end turns out to be morally good. Indeed, what resistance can mean in a substantive and not only in a formal sense always depends on the principles or—as one would phrase it today—‘values,’ to which a person or a group of persons feels committed. Nonetheless, even those who resist for the sake of a correct principle could still turn out to be morally misguided.

As is well known, it was Immanuel Kant who made an attempt to circumvent or resolve this problem by postulating a purely formal, ethical rule that refrained from stating any concrete values or maxims. The categorical imperative states in one of his formulations, “Act only on that maxim whereby you can at the same time will that it should become a universal law” (73). Thus, for instance, it would be impermissible to rob someone for the sake of aggrandizing one’s property. According to the categorical imperative, if generalized, this action would destroy in terms of logic the very concept of property. But, it could still be asked, what if the theft were committed only for excitement or thrill, but not with the desire to augment one’s property? And, how about lying? In one of his most contentious reflections, Kant grappled with the “supposed right to lie from philanthropy” (605). In this text, Kant attempts a thought experiment: A person, who is being pursued unjustly, flees from a murderer and seeks refuge with a local resident. After a while, the pursuers knock on the door of the house, in which they suspect the pursued has found refuge, and ask the householder, if the person they are searching for is indeed in his house. The host knows that handing over the person they are hunting down would result in her/his certain death and finds himself in the dilemma, i.e., either having to lie or to dispatch an innocent person to a certain death. In this context, Kant attempts to show that according to ethical and political laws, whatever turn the case might take, the householder can only then ethically and legally prevent punishment, if he were to reveal the truth to the murderer. In case he lied, it could still come to pass that the murderer would later see the intended victim and kill her/him. And, this action could still be attributed to the person lying from altruistic motives:

Thus one who tells a lie, however well disposed he may be, must be responsible for its consequences even before a civil court and must pay the penalty for them, however unforeseen they may have been; for truthfulness is a duty that must be regarded as the basis of all duties to be grounded on contract, the law of which is made uncertain and useless if even the least exception to it is admitted. (Kant 613)

The possible objection that still works within the Kantian sphere of argumentation, namely that such situations already indicate a state of exception in which contracts are no longer a valid basis of coexistence, could only then, if at all, hold water, when we are no longer dealing with a lawful state but with a tyranny. According to Kant, under civil conditions it would be imperative to refrain from rendering help that is based on a lie.

5. RESISTANCE, FREEDOM, AND HAPPINESS

Thus, a question of further interest, and it is not a mere coincidence that it was vigorously debated in the middle of the twentieth century, concerns which moral, and not positive, laws may be broken to put an end to a political-moral state that is identified as being untenable. Bertolt Brecht addressed this problem in his play “Die Maßnahme” (The Measures Taken) as also in his poem “An die Nachgeborenen” (To Those Born Later), which was published in 1939 during his exile in Paris. The third part of the poem states,

You who will emerge from the flood/In which we have gone under/Remember/
When you speak of our failings/The dark time too/Which you have escaped./For we
went, changing countries oftener than our shoes/Through the wars of the classes,
despairing/When there was injustice only, and no rebellion./And yet we know:/
Hatred, even of meanness, contorts the features./Anger, even against injustice/
Makes the voice hoarse. Oh, we/ Who wanted to prepare the ground for friendliness/
Could not ourselves be friendly./But you, when the time comes at last/And man is a
helper to man/Think of us/With forbearance. (Willett and Manheim 319-20)

The existentialist philosophers, most notably Simone de Beauvoir and Jean Paul Sartre, as also Albert Camus engaged as intensively with the subject of resistance as Brecht did. In Beauvoir’s novel *The Blood of Others* from

1943 as well as in Sartre's play *Dirty Hands* from 1948, the moral dilemma of resistance is discussed, i.e., the readiness and the will to murder human beings, presumably in order to prevent greater injustice. As for Sartre's personal biography, he rejoined the Paris Condorcet Gymnasium as a teacher from 1942 to 1944 after his release from a German war prisoners' camp based on a medical certificate, and participated in the resistance movement as an intellectual discussant. He later looked back on this phase as a period of intensive existential experience. He reiterates in a film made in 1978,

We were never more free than during the German occupation. We had lost all our rights, beginning with the right to talk. [...] Everywhere, on billboards, in the newspapers, on the screen, we encountered the revolting and insipid picture of ourselves that our oppressors wanted us to accept. And, because of all this, we were free. (Sartre, "Republic of Silence" 498)

In fact, he went even further, when thirty years later in retrospect (cf. Biemel 21) he declared the French Resistance, i.e., the resistance against the National Socialist and Franco-Fascist dominance, the epitome of true democracy:

[T]he Resistance was a true democracy: for the soldier as for the commander, the same danger, the same forsakenness, the same total responsibility, the same absolute liberty within discipline. Thus, in darkness and in blood, a Republic was established, the strongest of Republics. Each of its citizens knew that he owed himself to all and that he could count only on himself alone. Each of them, in complete isolation, fulfilled his responsibility and his role in history. Each of them, standing against the oppressors, undertook to be himself, freely and irrevocably. And by choosing for himself in liberty, he chose the liberty of all. (Sartre, "Republic of Silence" 500)

What Sartre does here is nothing less than endorse an existentialism of action in loneliness and liberty, thus ultimately celebrating a specific form of heroism as the embodiment of liberty. In contrast, Bertolt Brecht does not care for such a celebration of heroism, as is clear from a famous passage in the *Life of Galileo*. After Galileo has denied important aspects of his conclusions on astronomy under the threat of torture, he states,

Andrea: Unhappy the land that has no heroes.

Galileo: Unhappy the land that is in need of heroes. (98)

Thus, it can be seen that a multitude of questions of profound moral, ethical, and political import are tied to the concept of resistance.

6. FROM RESISTANCE TO ZIVILCOURAGE

The moral point of view concerns itself with the problem whether the end justifies the means in the resistance against immoral circumstances, and moreover, whether human beings have to be ready to admit blame for the sake of morality. The ethical viewpoint addresses the question whether only this readiness and this willingness to admit blame, if required even in isolation for the sake of a higher good and hence to prove one's own freedom, redeems that which could be called a good and humane life. From the political perspective, it is ultimately a question about the readiness of the citizens for resistance, or in Brecht's words, for heroism to aid a country and a society to its collective wellbeing.

On the contrary, to elevate the concept of resistance or the readiness to resist to a fundamental category of a free political system based on liberty depicts above all its formality, as I have attempted to illustrate with the example of Albert Leo Schlageter. Whether resistance is meaningful, good, or even morally necessary, depends entirely on that against which it is directed. In this context, based on the theory of the 'Authoritarian Personality,' developed as early as the 1930s by Max Horkheimer et al., it can be stated with some justification that the readiness to be subservient, i.e., authoritarianism, certainly contradicts a political system based on liberty. Nonetheless, it can also be seen that these Critical Theorists do not only criticize authoritarianism but also its opposite. In Horkheimer's *Studies on Authority and Family*, the personality type of the rebel is also analyzed, who, in his blind rejection of any kind of authority, is especially prone to violence.

Fritz Bauer, the Attorney General of the State of Hessen and the initiator of the Frankfurt Auschwitz trials, suggests at a minimum a conceptual way out of the dilemma of a heroically existential, but substantively vacant concept of resistance and also out of a faith in the inner logic of liberal institutions. He does so with regard to German history and in particular

to Eichmann's behavior in Jerusalem during the trials by paradoxically referring to Martin Luther:

In Jerusalem, certainly a part of the German history and perhaps even that of the German present stands accused, i.e. a certain authoritarian thinking and action vis-à-vis the state by the government officials and the citizens, a blind faith in the state and its idolatry, slavish subservience, fear of authority and arrogance towards those below, aggressiveness, herd and horde mentality, formalism and technocracy [...].

Citing a quotation from Luther's "Sermon on Good Works" *in extenso*, where the protestant reformer actually invalidates the duty to obey the authority, if "worldly power and authority would render the subject against the commandments of God" Fritz Bauer asserts:

Here allegiance to the good, and disobedience and resistance against the evil are promoted and made a virtue, which is rare to come by in these parts, i.e. the *Zivilcourage* or everyday, moral courage.

One could dispute whether Martin Luther actually called for *Zivilcourage*, but nonetheless, perhaps it is just this concept, or rather both the concept and the content of *Zivilcourage*, which can vindicate Brecht's insight from *Galileo*, i.e., only a country that is not in need of heroes is a happy one.

Thus, *Zivilcourage* is that sort of boldness that is not at all heroic, which allows one to raise one's voice in conditions that do not as yet represent the state of emergency, or even in those conditions in which it only appears as though liberty is threatened and human beings demeaned. "Happy indeed is the land that needs no heroes."

Translation, including quotations: Radhika Natarajan

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