

THE 8TH ANNUAL MINORITY RIGHTS GROUP LECTURE

'MINORITY RIGHTS AND MINORITY RULE'

delivered by

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The contradictions of modernity are many, but some of them hurt more than others, and among them the perversion of the heartland of liberal values is the most painful. This is my subject in this lecture: how it came about that those who needed the protection of the forces of freedom and the rule of law most, turned into modern tyrants, and how the friend of liberty finds himself defending the rights of the majority rather than those of minorities.

Defence of minority rights is certainly the litmus test of liberty and the rule of law; more than that, it is in a sense what they are about. For if the social contract means anything, it must mean the inviolability of the individual, of every individual, and his or her right to express their views, interests and beliefs. These in turn presuppose the reality of citizenship rights for all, a decent level of universally available life chances. Ruling interests and beliefs need no protection; power protects, though it may corrupt as well. Official oppositions need no protection, once they are recognized as such; though the process of such recognition is itself long and painful, and often involves a fight for minority rights. Even those who are playing the glass bead game in Castalia usually do not need protection, at least not any more. They may lose popularity and public finance; but when all is said and done, the greatest threat to the "pedagogical province" comes from within and not from without.

At least all this is true in the societies which we call free (and which may well be defined by the fact that it is true). Though this is not my central subject in this lecture, it is important to note that the free societies of the world are themselves in a minority, and that essential rights of minorities are denied or



threatened above all in countries which are passing through the perilous transition to modernity. It is a sad fact of social life that the German and Russian examples of modernization have found many more followers than those of Britain and the United States. It is all the more important to insist on the universality of essential human rights. They need to be defended in practice, as Amnesty International does it for individuals in many countries, as well as in principle, as President Carter began to do it in the early period of his term of office. There is no excuse ever for torture, for arrest without warrant or trial, for labour camps and the abuse of psychiatry, for the harassment and expulsion of achieving minorities. Nor should we be misled by those who propose to weigh the essential rights of man against poverty. Both are central issues, both require urgent action, but poverty is no excuse for torture.

However, my main concern here is with the developed countries of what one may call the OECD world. And the first point to be made is that despite enormous progress in safeguarding the rights of minorities, there are still unresolved issues. Women are not in a minority, of course, but in a sense they were treated as one; the end of discrimination may be nearer today than it was two decades ago, but it is still not here. Homosexuals still find it necessary to advertise their difference, and their right to be different, publicly and sometimes stridently; this documents the lack of public acceptance. But the most serious minority issues in developed countries arise around the subject of race (as it is somewhat imprecisely called), that is, of cultural difference, and we have so far failed to come to grips with it.

This is more true in Britain than in the United States, more on the



European Continent than in Latin America. Let me make a doubly unpopular statement about this issue so far as Britain is concerned. First of all, the sympathetic outsider is bound to be puzzled by the extent of immigration into this country (as he is by that of emigration from this country, though that is another matter)..

Immigrants to Britain from the Sub-continent, from East Africa and the West Indies - now amounting to not much less than 5 per cent of the total population, and more than twice as much in certain regions - are not "guest workers"; they are citizens. Could this be due to a strange coalition between a Left in search of a new proletariat and a Right unable to abandon the fiction of a quasi-Roman Empire with universal citizenship? . Whatever the answer, one should perhaps not be too harsh with those who wonder whether it was right to make the promise implicit in citizenship for immigrants - though the more important question is whether the country was ready to honour it.

Such questions are of course academic. The practical issue is how this minority of obviously underprivileged Britons can be guaranteed a humane life of full citizenship. This is not easy. It cannot be done by a benevolent "Race Relations", or, more ashamedly, "Community Relations Commission" alone. Since I hold no official brief of any kind, I can perhaps offer a somewhat direct comment. I fear that the first generation of immigrants is in many cases in an all but hopeless position. There are of course important differences between individuals and groups; some are quite likely to be successful as an achieving minority in a country which is not unduly bent on achievement; but by and large many first-generation immigrants are likely to lead fairly miserable lives in slum areas, with casual or no employment, subject to cultural, and at times physical assaults from "poor white trash", on balance slightly better



off than they would have been in the shantytowns of Bombay or Port-of-Spain, but only slightly. This is not to say that they should not be helped; but it is to say that such help is likely to be relief work rather than effective integration. Let me add that I say this with dismay and a sense of shame; but it is in my view an indisputable fact.

Given this fact, it is all the more important to assure - or, more modestly perhaps, to do everything in our power to bring about, the integration of the next generation, those born in Britain, or who arrived at an early age, into this society with its blessings (for what they are). This is a complicated, indeed an immensely tough job which requires more than high-minded promises by trade union leaders, vice-chancellors, cabinet ministers. The United States has shown the way to some extent; it has also shown the obstacles and hurdles on the way, and the time it takes to overcome them. Like most libertarians, I have an instinctive aversion to "affirmative action", or as it is called in Britain, "positive discrimination". Yet the disadvantages of immigrant children are such that only a massive programme of affirmative action will turn them into citizens rather than a running sore of an anxiously indolent society. Affirmative action means special educational opportunities; it means special job opportunities including obligations for employers similar to those for the disabled; it means special efforts to bring services, including legal services, to the disadvantaged; it means efforts in housing and community development. Britain may have made an historic mistake in promising its Imperial subjects citizenship; but in the years to come, what matters is not to moan about the mistakes of the past, but to transform them into the achievements of the future. And indeed, at a time at which so many find it impossible to live with



difference - in Montreal, in Nicosia, in Beirut, in Belfast, in Délémont, in Saigon, in Phnom Penh; oh unending list of horrors! - Britain is probably better equipped than any civilized country other than the United States of America to set an example. Homogeneity is fine, but heterogeneity in peace and cooperation is better, as a test of human tolerance, but also as a source of human creativity. Need one add that democracy and the rule of law are there to deal with rainy days as much as with those in which the going is easy?

Immigrants in Britain are of course a traditional minority, a minority of victims, if the term is not too offensive. There are actually two kinds of minority victims. There are those who cannot help themselves, who remain the objects of history until, by affirmative action, doors are opened for them to find the place which every human being deserves. So far, I have been talking about these passive victims, and about the need for measures which guarantee them full citizenship rights. The other kind of minority victim is in no less serious a predicament. It includes those who are persecuted precisely because they are able to help themselves. Since the great plague of the 14th century, this country has time and again been a haven of toleration and understanding for such victims, and I trust that this will not change at a time which abounds with examples of the cruelty of massive and stupid majorities against achieving minorities. The most recent example, the plight of the minorities of South East Asia which makes one cringe with horror, adds to Auschwitz and Gulag the third great story of mass murder by the action of those in power in the last half century. There can hardly be a stronger case for asserting once again the rights of minorities.

Yet, as we return and look more closely at the advanced societies of the world, we find that this is only half the story. Great as the



need for defending elementary human rights, and for extending the chances of citizenship may continue to be, "minority" is once again becoming an ugly word, if with a different complexion. For some of those whose right to organize and to participate in the social process was the subject of liberal campaigns not so long ago, have today turned into oppressors themselves. While their own concern with the rights of minorities is suspiciously selective, they have arrogated to themselves the right to intimidate others. Thus while we are still defending minority rights, we find ourselves surrounded, not to say smothered by what can only be called minority rule; and while we have begun to understand how minority rights can be safeguarded, we are at a loss when it comes to curbing minority rule. This is a delicate and sensitive subject; but as in the case of immigrants I must ask you to allow me to say the unspeakable, because unless I do so, I shall simply repeat familiar expressions of vested interest or of easy polemic. Let me begin by describing what I have in mind.

During the noisy years of university troubles, it has often been said that these events were the work of small minorities invoking the support of the majority in vain, the majority allegedly consisting of hard-working students who wanted nothing to do with sit-ins, barricades, and other forms of disruption. Today, this same point is often made about trades unions and industrial disputes. The great and powerful trades unions (it is said) are run by people who have been elected by five, indeed sometimes less than one per cent of their members. Few attend meetings, fewer vote; trade union democracy is an empty word at any rate in terms of participation; reference to twelve million members is a hollow boast. Nor is it only the national leadership of unions which consists of a minority chosen by a



minority; at the local level too, it is vocal minorities who determine whether strikes are called, other forms of disruption are adopted, and thus whether the majority remains free to do what it wants or not. As a consequence (it is argued) we need not so much the assertion of minority rights as the protection of the majority against active minorities.

The same can easily be argued for political parties, notably in Britain. In the case of the Labour Party, the argument has come to a head in connection with the composition of the committee set up to inquire into the constitution of the Party. But the point about minority rule is of wider application, especially in the present phase of radical politics on the Right. It is many years since a government in Britain was based on a majority of those who turned out to vote; and political leaders find it strangely easy to claim that support by little more than a quarter of the electorate gives them a mandate to implement a manifesto which few have read or even heard about.

These are, however, comparatively harmless, perhaps even inevitable forms of minority rule. Things get more serious when minorities prevent others by intimidation or force from doing what they want to do. Such action ranges from the strange magic of picket lines through the imponderable pressure exercised by mass meetings, and even by the hermetic language of professional troublemakers, all the way to what is generally recognized to be criminal action, assault, gang warfare, the taking of hostages, terrorism. In her eminently readable book on the 14th century, Barbara Tuchman has reminded us of the brigands of that time, often indistinguishable from the barons, but certainly leaders of minorities which terrorized the innocent. We have not quite reached the point at which everybody has to take the law into



his own hands to survive, although there are frightening statistics in some countries about the number of people killed by home-owners and others in self-defence, imagined or real. However allergic some may be to the words, only the socially blind can deny the reality of the fundamental problem of the social contract - law and order - in the OECD world. As we have freed ourselves of traditional linkages of dependence, we seem to have created a desert of disorientation in which the most violent and unscrupulous are in a position to hold individuals, groups, indeed entire countries hostage without any obvious recourse to non-violent remedies.

This has had unfortunate effects of many kinds. In Germany, the Baeder-Meinhof successor groups have managed to change public attitudes to law and order from a liberal approach promulgated on the basis of the work of legal reformers (the Alternativprofessoren) in the 1960s, to one in which sub-machine guns are in evidence all over the country, and anybody who either looks radical (whatever that means) or has expressed unorthodox views must fear to have his or her life chances severely curtailed. In Britain, there was and is fortunately no such reaction, although I for one have never shared the strained attempts of some to describe the situation in Northern Ireland as fundamentally normal. Terrorism and counter-terrorism, and above all a kind of mental terrorism which defines the other side as sub-human, tear that community apart. In the new Swiss canton of Jura (itself created as a result of terrorism first, and a referendum next), a meeting of Francophone "minorities" from all over the world took place last summer which included many a terrorist. One of the theses propounded by the spokesman of the Swiss Jurassiens, Roland Beguelin, was that in the part of the old canton of Berne which had decided not to join the Jura, only French speakers should have the right to vote



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on this matter. There was an audible "or else" behind his statements.

One could go on listing examples. They show, among other things, how vulnerable modern societies are. There is hardly an institution in our world which could not be disrupted by a dozen determined men, and hardly a society in which a few hundred cannot create havoc.

Terrorism is easy, even nuclear terrorism (as Lord Flowers has argued through the Royal Commission on the Environment and since). In his angry book on La Revolution Introuvable, the elusive revolution of May 1968, Raymond Aron makes the nice point that the French Government, faced with the barricades of the students, was confronted with the choice of either creating martyrs or losing face (and managed to do both within 48 hours). The double bind is real for anybody who is dealing with a violent minority. The vulnerability of modern societies is such that a handful of people have a destructive power which millions and their representatives cannot curb.

Nor is this only true in the OECD world of developed countries. The phenomenon of minority rule is, on the contrary, very much in evidence on the wider international scene. Henry Kissinger's "peace with dignity" in Vietnam had the predictable result; many have argued that the events of Cambodia were similarly predictable. The introduction of the prerequisites of Westminster has not prevented active minorities in Commonwealth countries from getting things their way. The notion of "majority rule", plausible as it sounds, and is in a sense, is nevertheless capable of vexing, indeed perverse interpretations. It may sound gloomy and even cynical; but the experience of recent years suggests that as long as there is, in any one of the new nations of the world, a determined militant minority, the probability is that it will win in the end.



If this is the world which we live in, the obvious question arises: what do we do about it? For it is clearly not a very desirable world. Majorities are subjected to the often successful demands of more or less violent minorities. Sometimes they give in, if only to have their peace. Sometimes, they are made to give in, and their peace becomes that of the cemetery. Sometimes, they express their frustration by voting against the active minorities, but one suspects that such votes are often cast without much hope of success. Most of the time, the majority seems strangely silent, and it is this fact which I want to consider above all in looking for answers.

I have painted the picture of minority rule in stark colours, and the first thing to do is to temper them somewhat. By this I do not mean the fact that many areas of life in the OECD societies are little, if at all affected by minority rule; this is true, but not relevant to this argument. Furthermore, it is certainly necessary to distinguish clearly between the power of a few shop stewards in Coventry and that of the "students" outside the American Embassy in Teheran. But the more important point is another one; it has to do with that complicated and important notion, legitimacy. Legitimate rule has two aspects; it must work, and it must be right. The first of these has to do with effectiveness and the social realities of power, the second with justice and the moral justification of power. As we look at both, we may be able to distinguish between the inevitable and the intolerable aspects of minority rule.

For there are inevitable aspects, and it would be silly to ignore them. Robert Michels has argued many years ago that all organizations tend to be run in the end by small groups of activists; he called it the "iron law of oligarchy". We might of course go much further back in the history of political theory to make the point that democracy,



taken literally, has always been a misleading notion. There is not, and never has been, a country in which the people in the sense of all people were in fact ruling (and the same is true for organizations and their members). The best that can be achieved is an effective system for making sure that those who rule do not ignore or trample on the interests of the majority. Elections, parties, a free press, even opinion polls are all instruments for preventing such aberrations. In this sense, legitimacy is a negative concept. No one should expect the enthusiastic agreement of majorities with what governments, trades union leaders, students' union presidents do; what matters is the absence of active protest.

Let me take this important point a step further. What it means is that the ancient idea of a mixture of democracy and oligarchy is not merely an aristocratic dream, but makes sociological sense; it is a plea for the rather old-fashioned idea of representative government. Legitimacy in this first sense can be upheld most effectively in countries, and organizations, in which leaders have the power to take decisions, but can be checked, indeed replaced, if they go astray. General political participation, including high turnout at elections, is often overestimated as an index of political maturity; what matters is that the feed-back of action and protest works. Some are not satisfied with such forms of legitimacy. If they tend to the Right, they demand more participation by referendum democracy, or by ballots. If they tend to the Left, they go even further. Let me evade domestic references and quote, by way of illustration, Colonel Ghaddafi's three principles of democracy: everybody must have the same economic position, thus all wealth must be distributed equally; everyone must have the same political position, thus all decisions must be taken by the permanent participation of all in



everything; everybody must have the same access to means of coercion, thus all citizens must carry weapons. Far from checking minority rule, I would argue that both prescriptions in fact promote it.

Given Ghaddafi's theories, it is not surprising that the economy of Libya is run by a small group of mostly foreign businessmen, and that Libya is one of the main sources of world terrorism, to say nothing of the fact that naturally Colonel Ghaddafi himself determines what democracy is to mean. And so far as referendum (or ballot) democracy is concerned, it may work if no one expects more than an informed minority of, say, 20 per cent to participate (as in Switzerland), but otherwise it too is very likely to be abused as a justification for minority rule which it was never meant to be.

For to return to matters nearer home, and state a first conclusion which may well shock some: in many respects there is nothing either surprising or even objectionable to what appears to be minority rule, nor should one exaggerate the importance of what appear to be assertions of majority views. As long as it is possible to express dissent, to vote on issues, to elect new leaders, the fact that in many areas of public life we are faced with minorities representing minorities is strictly irrelevant. Government and the running of organizations is not about counting uninterested members; it is about doing things which are by and large acceptable, or at any rate not unacceptable to those who are represented. It is incidentally only on this assumption that leadership and progress are ever possible, and that minority rule - controlled, representative minority rule, to be sure - is almost a condition of freedom. It is worth adding that minority rulers in a free society usually have a fairly shrewd sense of how far they can go. Britain's trades unions know that they have contributed to Labour losing the last election; and



the Conservative government will know when the moment has come at which more of the same economic medicine may lose them the next election.

These topical examples lead me to two comments of equal topicality which have nevertheless a more general relevance. There is an argument that the British election of last May, and to some extent the much-cited shift to the Right elsewhere, indicates among other things a protest against big organizations, notably trades unions, and justifies therefore action to curb the power of these organizations. The argument is in a strange way both right and wrong. It is true that people do not like being pushed around by giant organizations, whether they be public or private, and they certainly do not like a series of "winters of discontent"; but it is equally true that people realize that they need organizations to defend their rights and their social position - and what is more, the same people feel both. The position is a bit like that with respect to public expenditure cuts: everybody wants to see them happen, except where they are themselves affected. Reading into a protest election a mandate for positive action against certain organizations may therefore easily turn out to be a costly mistake. Modern societies are complicated, and individuals live with conflicting roles; they need unions and hate them at the same time; they need government and hate it at the same time. There are certainly no simple answers to this dilemma.

The same is true for the use of ballots to indicate employee attitudes in industry. It is quite likely that many workmen, to say nothing of their wives, intensely dislike extremist shop stewards whose actions endanger their jobs and their future; it does not follow that they therefore love management and its programmes for re-structuring,



especially if these involve massive redundancies. There may be a case for having more ballots in industry, so long as it is clear that not too much must be read into them. No ballot is ever a carte blanche for management action; most ballots have a highly scientific, and usually a negative significance rather than one of endorsing positive action.

There is indeed no better way of summarizing what my first conclusion is meant to suggest. One aspect of legitimate rule is that it should be effective in the sense of avoiding disruption and radical change such as would follow from the systematic neglect of the interests of the majority. Effectiveness in this sense requires leadership, but it requires sensitive, open, even exposed leadership and a subtle understanding of the paradoxes which characterize people's interests in a modern society. This is minority rule, but it is neither absolute nor maleficent, if and only if it remains possible to disagree, to voice such disagreement, and to bring about change.

These are big "ifs", and they lead me to the other, much more worrying, indeed frightening aspect of legitimate power in relation to the rule of minorities, the moral aspect. In part, this may be a technical issue. No organization with public functions - and this includes trades unions as well as enterprises and other organizations - should be allowed to get away with a system of organization in which the majority cannot express its dissident views effectively. Indeed, I see no objection to legislation governing the internal structure of all such organizations (analogous to the Parteiengesetz in the Federal Republic of Germany). In larger part, however, the issue is not technical, but moral. It has to do with the protection of individual rights which must not be subject to minority rule, or even to decisions by majorities for that matter. I thought it perverse,



indeed frightening when last year, Conservative members of the students' union executive at LSE accepted a majority decision by the executive not to give Sir Keith Joseph a platform unless he signed an absurd capitulation first. It reminded me of one of the most shocking, if slightly comic stories in connection with Hitler's seizures of power in 1933. When the five-man liberal parliamentary group that was left at the time (and which included such distinguished figures as Theodor Heuss, later the first President of the Federal Republic, and three others who came to hold high political office in post-war Germany) discussed what to do about Hitler's Enabling Law which evidently meant the end of democracy, they could not agree and decided to hold a secret ballot. Three were in favour of voting for the Enabling Law, two against; and in the Reichstag the "minority" abided by the "majority" view: all five voted in favour. Here, the minority has acted as illegitimately as the majority. When the essential rights of the inviolability of the person and of freedom of expression are in jeopardy, there cannot be any right of majorities to dictate their view. More than that, effectiveness is not an argument for violating human rights. The fact that most Germans did not actively protest against Hitler's policies does not make these policies legitimate in any meaningful sense. And while I do not intend any comparison in scale or quality, I would add that the fact that most trades union members do not actively protest against the harassment of uninvolved citizens by pickets, or the consequences of anyone being "sent to Coventry" for having been a "scab" twenty years ago, does not make these actions in any sense legitimate. Sir Keith Joseph had a right to speak at LSE once he had been invited by students, whether a majority of the students' union executive liked it or not.

Yet it is in this moral dimension that the real problems of minority rule arise today. Many people do not have either the opportunity or



the courage to assert their rights. Yet this has to be done. Before I turn to the more institutional aspects of the problem, let me sing the praise of those who react in the only appropriate way and scream on behalf of others, make public the scandals of minority rule, never tire of arguing the case of individual liberty in the face of the threats of organization - people like Peter Jenkins, Bernard Levin, Peregrine Worsthorne among journalists, or Tom Stoppard in his own impressive way, and fortunately they are not the only ones. So long as they can expose violations of the rights of powerless individuals, all is not lost.

But individual protest is only one side of the solution; the other has to be institutional. Here, the obvious and difficult question is how to draw the line between areas in which effective government is also legitimate, and others in which certain basic moral values are violated. This is a more difficult question in Britain than on the Continent, or in the United States; because it is precisely the function of a written constitution to define this boundary.

Constitutions can err of course; they may need amendments; they are interpreted by the Courts; they too can turn out to favour certain groups and to put others at a disadvantage. But they are about the moral boundaries of legitimacy, and in that sense they are meant to counterbalance what Lord Hailsham has called "elective dictatorship", that is illegitimate minority rule. (Dare I add that the Federalist Papers, though more than 150 years old, are still the most instructive document on this score?) But of course Britain does not have a written constitution; it has an elective dictatorship. And one of the unfortunate results of this fact is that parliamentary majorities are tempted to deal with minority rule by what, with a Nazi-tainted ugly word, would be called Sondergesetze in Germany, that is legislation directed at particular groups rather than applied to



all citizens whatever their memberships and qualities. I regard this attempt to protect people from minority rule as misguided, setting a dangerous precedent, and above all unnecessary.

When Lord Justice Scarman gave his Hamlyn Lectures in which he demanded if not a full constitution for Britain then at least a written, and if possible entrenched code of certain elementary human rights, he encountered much scepticism. Indeed, I myself argued at a meeting convened by Mr. Timothy Raison that Britain had been a haven of safety for many thousands who had to flee countries with beautiful written constitutions, and that there was therefore no good reason to go the Continental way. Since then, I have however changed my mind. In modern societies with their vulnerability to minorities there is a definite need for giving the individual, whether or not he or she is represented by powerful groups, effective tools for his or her self-defence which are tools of the law rather than guns, or airline tickets to distant places to which people emigrate. These tools are especially important insofar as protection against overpowering organizations is concerned, be they giant employers, small or big trades unions, government bureaucracies, or even students' unions. This is not the place nor am I the right speaker to discuss the details of such tools. Lord Scarman himself seems to favour nowadays some kind of entrenchment of the European Convention of Human Rights. I am less sure about this particular instrument; it seems to me that Britain's Magna Carta is almost bound to have elements which are peculiar to the cultural traditions and political institutions of this country. In any case, it is good news that the Lord Chancellor has now agreed to hold all-party talks on the question; and I for one hope that their results will make special legislation for the protection of individuals against minority rule superfluous.



No doubt, these remarks fall short of a practical solution. They are in fact meant to do just that. The intention of this lecture is to vent principles rather than to map a practical course of action in any detail. The principles are however applicable not only to the milder forms of minority rule to which I have referred so far. They apply, mutatis mutandis, to the more violent versions of minority rule as well, and two brief comments may be in place in this connection.

First, so far as terrorism is concerned, my own answer is simple, although I would not claim that its implementation is equally simple. Even the minimal state requires elementary instruments of law and order. Insofar as they are legal instruments, they should again be general rather than specifically directed at terrorist groups. If special prisons are necessary, or a special force to deal with terrorists, this is regrettable though possibly unavoidable for a period. On the legislative side, however, the very basic rights which I would like to see entrenched in this country as in others should suffice to deal fairly and firmly with violence by representatives of minorities. At the same time, the law does not suffice in order to deal with these minorities themselves, let alone with the latent support which they enjoy. Here, the complex question of "political" solutions arises. The Swiss were wise to accept the formation of the new canton of Jura by a nationwide referendum. Many German politicians were unwise to define the issue of terrorism as one of a tiny criminal minority; as a result, more than fifty per cent of all first- and second-time voters in the city states of Hamburg, Berlin and Bremen have not given their vote to one of the parliamentary parties in recent elections. On Ireland, I have no more of an answer than anyone else; that is to say, whatever answer



is given, will be painful and, one fears, bloody. However, this is not to say that the double thrust of legitimate rule, insistence on basic human rights coupled with a subtle sense of effectiveness, is not applicable here as well.

This is also true - secondly - for the issue of minority rule in the new nations. Lord Carrington has shown a singular ability to combine a sense of reality and a sense of morality with firmness and courage in the Zimbabwe-Rhodesia talks. What we find here is that tragic conflict of effectiveness and morality which is also characteristic of revolutions. There is no question of the moral offensiveness of guerilla warfare, as of the official warfare of governments. Let me repeat that there can never be a moral excuse for violence, whatever practical excuses may be offered by those at the successful end of the trigger. Moreover, it would certainly be preferable if only for these moral reasons, if a gradual transition from illegitimate to legitimate government turned out to be possible. It is also clear that in terms of effectiveness at least, this is not possible in Zimbabwe-Rhodesia without the involvement of the Patriotic Front.

What if the valiant attempt to bring about legitimate government without violence does not succeed? The story of democracy in Africa, indeed in the entire developing world, is even more sad than that of democracy in Europe. Where mild and humane Western-type democrats tried - like Kofi Busia in the naturally peaceful country of Ghana, or even Pandit Nehru in a Subcontinent much more given to turmoil and violence - they did not get far enough. In a sense, countries were fortunate if all they got instead was a General Acheampong or even an Indira Gandhi; Idi Amin and Jean Bokassa are at least as likely candidates. The transformation that is needed in these countries, or at any rate the one that is wanted by their new elites, may well



be too radical to be possible by means of parliamentary democracy. Unless they choose to remain in traditional tribal, familial, or caste dependence, their societies will have to be turned upside down. If they are fortunate, this will be done by someone who faintly respects the rule of law even though he or she abolishes democracy; but most are less fortunate and fall victim to the kind of minority rule for which Europe has set such terrible examples.

More often than not, the resulting picture is gloomy. Minority rule is effective but immoral; majority rule is more nearly moral, but ineffective. Hic Rhodus - but where is one going to jump? What is the choice of those involved, of those who have an historical responsibility outside, and of those who regard the scene with a view to the greatest life chances of the greatest number? In practical terms, it is probably difficult to do better than all those involved in the talks at Lancaster House have done in recent months. More generally, it cannot be repeated too often that there will be no progress without legitimacy, and there can be no legitimacy without justice as well as effectiveness.

I began this lecture with a reference to the contradictions of modernity for which the transition from minority rights to minority rule is but one example. Making sure that citizenship rights are extended to all was, and is one of the tasks of modern, civilized societies. But it does not solve all problems. Indeed, minorities have not only learned to be vocal, they have also discovered how easy it is to disrupt the flimsy texture of advanced democracies. Institutions crumble, individuals can be removed all too easily, and those faced with the alternative described so vividly by Aron - that of creating martyrs or losing face - have a frightening tendency to waver and dither. Clearly, this is not good enough. The defence of



minority rights certainly continues to be a defence of minorities, but increasingly it has also become a defence of rights. If we want to inject an element of stability into the foundations of free societies, it has to be the unwavering insistence on the inviolability of the individual and his or her right of expression. Moreover, such insistence must not stop at the boundaries of countries which like to invoke non-interference or the argument that human rights are a mere Western idea in order to preserve their own inhumanity. Human rights are not a Western idea; they are truly universal; the life of a Cambodian peasant is worth as much as that of a British admiral, and as important to defend. Non-interference may be a sound diplomatic principle in some respects; the Soviet Union is certainly free to run down its economic potential without having to listen to lectures by Milton Friedman; but with respect to human rights, boundaries of states cannot exist. However, here as in other respects, not only charity begins at home. If there is any one theme of these remarks on the changing role of minorities, it is that tradition, however splendid it may be, is probably not enough to guarantee essential human rights to everybody. For those who are victims, affirmative action is needed. For the rest of us, effective protection against minority rule requires a bill of rights and the watchful attention of all.