

León Olivé

# OFFENSE AND PUNISHMENT



*The Frown* by Thomas Webster (1800-1886). Photo by Alejandra Novoa

One way of ending a difference of opinion is by exterminating those who differ from us. This is not a new idea, but perhaps it is not acceptable to us from an ethical point of view. This idea is at least as old as humanity itself, although some would argue that it is even older—maybe they consider it eternal—or at least as old as the beings in the Universe who have had to confront others who hold different viewpoints, that is, surely as old as those beings who at some point could have held an idea.

Another way of ending a difference of opinion—which is perhaps the most recent in the history of humanity—is that of holding a discussion through means of which we try to define the difference precisely, so as to later find the means of overcoming it. But what does it mean: overcome a difference of opinion? And how can it be done?

In the first place, we note that overcoming a difference of opinion does not mean ending the difference at all costs. One of the most effective means of achieving the latter is that men-

tioned at the beginning of the first paragraph. A difference of opinion can also end due to the natural death of those in conflict, or at least of those who defend any of the different opinions. Another way of ending a conflict is through the use of power to make the dissidents submit, forcing them to share the same opinion, or at least, to act as if they shared it.

Yet another option is negotiation: an agreement is reached, not because one is convinced that the other is right, but simply because they both consider that they have achieved all they can for the moment and that it is best to detain the confrontation there and make a concession. Finally, there

Director of the Philosophical Research Institute, UNAM.

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exists another possibility, that of rational discussion, which tends to end discrepancies with an agreement where one party is convinced, by well reasoned arguments, that the other is right.

In a rational discussion, the idea is to take advantage of a great number of points held in common, and of shared suppositions— many of which will be implicit— so as to then debate, and in a given case, *modify the conflicting viewpoints. But a rational discussion is a relatively rare event. In fact, it is located at one end of a continuum, where the best possibilities for communication exist, that is, when the participants are interested in convincing the other, or are open to being convinced of some idea through the presentation of valid arguments. Besides, this process of convincing or*

*of being convinced, consists of a debate where only reasons are accepted, and where the parties are agreed that the best argument will win, according to shared criteria.*

*On the other end of the continuum, we find attitudes that we consider irrational, where, for example, the opposing parties try to end their differences of opinion through the physical elimination of the adversary.*

#### The Satanic Verses

A recent case which on first sight could be analyzed as an example of a difference of opinion where one party proposed resolving the conflict by assassinating the other, is that of the Ayatollah Jomeini, who put a price on the head of Salman Rushdie.

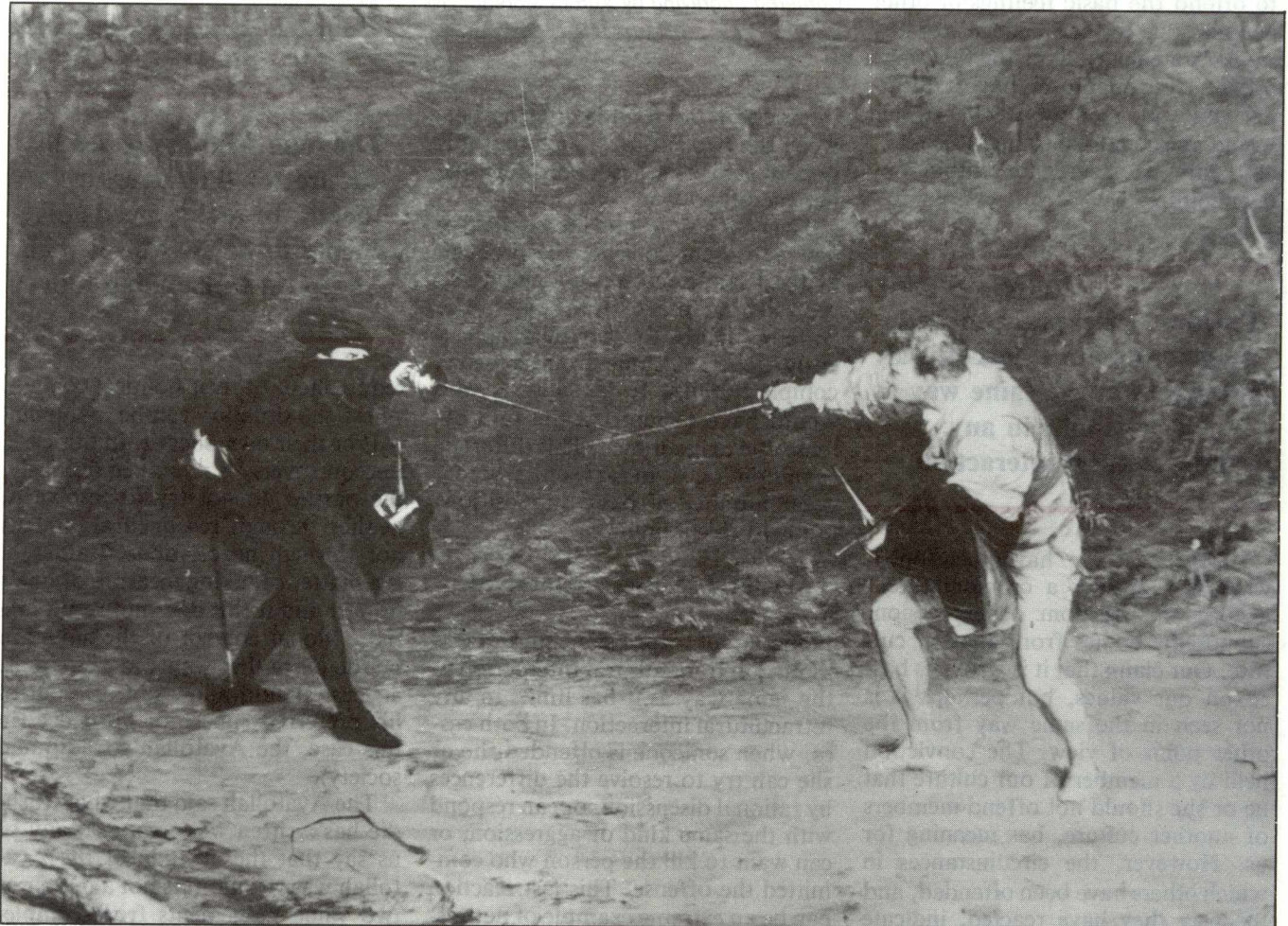
If we make an effort to *understand* the Ayatollah's action, we will probably manage to comprehend that a fundamentalist Moslem put a price on the head of someone who, in his opinion had offended him, or offended an entire population because of

its basic beliefs. But, can we justify or condemn him? An important current of opinion in the Western world has said that we cannot justify him and we must condemn him—but why? I believe that the basic reply is because it is wrong, fundamentally wrong, according to our values, that is, according to the values of a culture which we can vaguely call Western—to assassinate people, whatever the motive be; and besides, as it limits freedom of expression (especially in such a radical and violent way), it violates our fundamental values and beliefs.

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**In attitudes we consider irrational, opposing parties try to end their differences through the physical elimination of the adversary**

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Sword and dagger fight by John Pettie (1839-1893). Photo by Alejandra Novoa

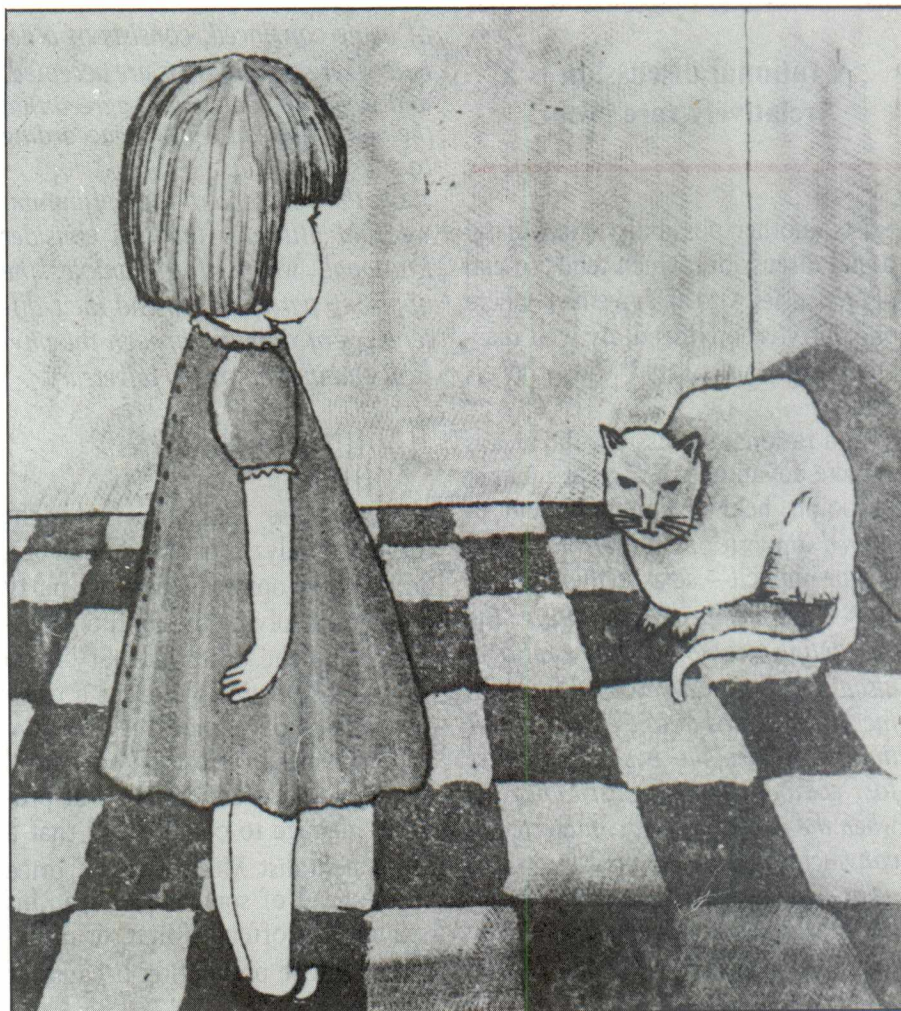
But it should be clear that neither can we condemn him, because any judgement would take into account the Ayatollah's reasons for proposing Rushdie's death—a proposal that we consider criminal, but which he judged the due punishment for someone who breaks established laws (in *his* context). Our condemnation of the Ayatollah, or of his actions, is internal to our culture, and therefore he was not obliged to assume our conclusions, or to follow our rules and laws. The justification and condemnation would seem to be relative to the principles, rules, values, basic beliefs and metaphysical conceptions of each society or culture.

**Any Condemnation is Based on Cultural Values**

Thus, a declaration in the sense that “we condemn restrictions on the freedom of expression”, especially if this involves the threat to kill (which would condemn the Ayatollah), but which at the same time asserts that “we lament that this freedom be used to offend the basic feelings of other peoples, due to their beliefs” (or any similar statement), implying that those other people or cultures have a different conception of the world, (which would mean admonishing Rushdie), can only be significant within our own culture.

**Freedom of expression finds itself limited in transcultural interaction in the same way as it has limits in any intracultural interaction**

In the case we have mentioned, what we consider a criminal threat against the freedom of expression, supposedly comes from another culture. Our claim that it is wrong is based on our values, but perhaps it is not seen in the same way from the other point of view. The conviction held by a member of our culture that he or she should not offend members of another culture, has meaning for us. However, the circumstances in which others have been offended, and the way they have reacted, indicate that the other culture is not so strange to us. Rather, there is an intense



Cornered Engraving by Aurora Moreno. Photo by Alejandra Novoa

interaction and a wide crossing between the two cultures, such that it is impossible to draw a clear dividing line between them.

The conclusion seems to be that today we cannot consider the problem of the Islamic culture as a culture so radically different from ours. The “offense” felt by the Ayatollah apparently does not come from someone completely alien to his culture, who would have committed the said offense due to ignorance. This difference of opinion is, in fact, one where a great number of basic suppositions are held in common.

**Political Motives are Involved**

Freedom of expression finds itself limited in transcultural interaction in the same way as it has limits in any intracultural interaction. In both cases, when someone is offended, he or she can try to resolve the differences by rational discussion, or can respond with the same kind of aggression, or can want to kill the person who committed the offense. This last reaction can be an extreme example of neurosis, or the impulse might be due to what the offended party considers a

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requirement of their political context, where the situation can be manipulated for their own benefit. In this case, the controversy is not taken seriously, the parties do not try to resolve it, neither through reasoned arguments nor through negotiations. Rather, it is a matter of taking measure of one's power: and if this does not result in a more global control of the situation by the party that wants to exercise it, at least should allow him to control his preferred sphere of influence (in this case, the Ayatollah's traditional society).

The Ayatollah said that what Rushdie has written was *wrong*. Many of us say that the attitude of the Ayatollah was wrong. It is not a matter of two value judgements from completely incompatible positions. It is a matter of a confrontation of two value

judgements in a complex web which could be resolved through the use of reason with all the elements held in common. But this could only take place on the end of the continuum where the opposing parties opt for rational debate. On the other extreme, as we saw, stands the age-old idea of killing the adversary with the aim of ending the discrepancy for good and for all. In the middle, there are interests for the political control of the situation. This, Ayatollah Jomeini had in common with many persons in all parts of the world. This discourse, after all, is one we can understand. In this interaction, the desire for the adversary's death and the interest in end-

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ing the discrepancy does not seem to be genuine: on the contrary, the man who expressed that desire needs his enemy to be alive, so he can keep on threatening him, and by means of these threats, achieve the realization of other interests (such as the control of his community).

The different groups contending in distinct political arenas know this perfectly well, but fortunately most of the time generally only reach the level of insults, not always threatening murder; on other occasions the opponents know how to negotiate, and sometimes there are even cases—unfortunately very few—in which the adversaries discuss their differences rationally. □

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