

# Thoughts on Hunger Strikes

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As I write this a number of Catholic nationalists are on hunger-strike in protest against the operation of the courts and prisons by what they see as a repressive regime which discriminates against Catholics, which was set up by and is now supported by the armed might of another country. There are twenty six of these hunger-strikers and all of them are Polish. Very understandably, the British media which have been giving a good deal of space and time to Polish anti-government protest have not had much to say about this. Nor, indeed, have those clerical super-patriots who have felt impelled to comment on the smaller hunger-strike taking place in Ireland. For the most part these comments have shown a triumph of class-solidarity and national feeling over the free play of reason that must be most gratifying to any marxist. St Thomas says that the eye can see and distinguish any colour because it is itself colourless: if we have rose-tinted spectacles the rose-tints of the world are indistinguishable from white. Some of these clergymen seem equipped with mental spectacles through which the operations of the security forces, the interrogation centres, the courts and prisons of Northern Ireland become indistinguishable from pure white; they are indignant to find that the rest of the world sees in them more of the colour of blood.

These remarks should suffice to alert the reader to the tints he must look out for in my own mental spectacles. It is a great function of debate and argument to clean each other's glasses. that is why hard thinking has to be a communal affair and why argument, even apart from the courtesies of debate, is itself an act of fraternal charity. I hold, with St Thomas, that the mind is, in principle, like the eye, uncoloured: that we need not be barred from truth by invincible prejudice; that if we work hard enough together we can begin to see things as they are. This article is an attempt to achieve some such objectivity with regard to the morality of hunger-strikes.

If a judgment is to be a moral judgment it seems necessary that it should follow from some more general principle. To say that some human activity is good or bad, right or wrong, is to appeal to some general view of what makes human activity good or bad which you hope will be generally accepted. "Hijacking planes is wrong because it is a bad thing to risk innocent lives" and so on. Without this appeal, explicit or implicit, the judgment is no more than an expression of a preference or a prejudice; there is no reason why anyone should accept it.

It is relatively easy to be reasonable when, as in, say, large areas of mathematics, we have agreed axioms and agreed procedures for deciding whether or not a proposition accords with them. Unfortunately this is hardly ever the case when we are dealing with topics which engage men's passions and interests. It is notoriously not the case in the area where politics and morals overlap. In this area when someone produces a simple knock-down argument proceeding from first principles it is prudent to suspect that what we are facing is a rhetorical device rather than a simple argument, that his selection and formulation of the 'first principles' may have been influenced by a prior belief in the conclusions he is purporting to prove. It would be nice if we had a coherent system of ethics based on, say, a generally agreed account of the nature of man, but we have not. As St Thomas said the attempt by philosophers to construct such a system is bound to be very difficult, will take a long time and will mix truth with many errors.

In the circumstances, then, often the best we can do is offer an *argumentum ad hominem*: if you hold *that* position then, are you not, on your principles, logically compelled to ditch these other propositions which you hold dear? Thus a man may say (as indeed I would) that what the Provos do is wrong because killing people will contribute nothing to solving the problems of Northern Ireland. If it then transpires, however, that this man thinks it right for the British army to use their guns then we may properly ask him whether the principle he quotes is the real reason for his opinion. (In practice blanket condemnations of 'violence' nearly always make tacit exception for some favoured group of gunmen.) Most argument in morals, then, is an appeal to intellectual honesty and the great test of intellectual honesty is logical coherence.

Let us, then, look at what in Britain is commonly alleged of the Irish hunger strikers: they are doing wrong because it is wrong to take your own life: they are committing suicide for political purposes. It is said that this would be wrong in itself in abstraction from any political judgment of their cause. It is clear that people who say this but would nevertheless approve of, say, the Czech student who burnt himself to death in protest at the Russian invasion of his country are simply dishonest.

But let us look more carefully at what is being said here: is it the case that the hunger striker is committing suicide?

Suicide has traditionally been thought to be wrong because it is a kind of self-murder, and it is always wrong (to intend) (to take) (innocent) (human) life. Each of the expressions I have here put in brackets raises questions of interpretation for the moralist. It is the first two that will concern us here but we may notice in passing that the meaning of 'human' is at the centre of arguments about abortion, and that 'innocent', too, presents a number of pitfalls.

The innocence or otherwise of an individual in this context refers not directly to his subjective moral state but to his actually committing (or not) some crime which may need to be prevented (as in war) or punished (as in a law court). In this sense the 'innocent' civilian may very well be more sinful than the 'non-innocent' combatant in an army of aggression.

Let us, however, consider the other two words in brackets. In the first place it seems clear that a man who pours petrol on himself and sets it alight is taking his own life. He is taking some positive action which must result in his death and which has no other relevant effect except his death together with whatever may result from his death. To take such action intentionally (not accidentally or absentmindedly or drunkenly . . . etc) is to intend to take one's life. It will not do to argue that what he ultimately intended was not his death but some effect on the Russians or on world opinion, for it is precisely *by* his death that he proposes to have this effect. When what you are doing actually *is* an act of taking your life then you intend *this* quite apart from anything else you may intend.

The case is however not always so clear. That deadpan moralist Fr Henry Davis SJ argued that a girl may jump over a cliff to certain death (though, happily, "not bound to do so") in order to avoid rape. "The distinction between the jump and the fall is obvious. In the case the maid wishes the jump and puts up with the fall." Here a fine fissure has opened between the action the girl is taking and the encompassing of her death, so that it is at least possible to say that what she is doing is escaping her attacker rather than taking her life. In such a case she may be intending the former rather than the latter. Notice that what is in question is not the *inevitability* of the death — that may be supposed to be much the same for the girl and for the student. The difference is that it makes no sense to say that a man who deliberately sets fire to himself does not seek death, whereas it can make sense to say that one who jumps over the cliff is not seeking death. The deciding question to ask in each case is this; supposing that (say, by a miracle) death were prevented, would the agent's intention be thwarted? In the case of the student it would and in the case of the girl it would not.

The fissure of which I have spoken widens considerably when it is a case not of acting but refraining from action. Here it is a great deal easier to say that the inaction of an individual (which results in his death) is not a taking of his life. The classic case here is that of Captain Oates who when food was insufficient during an antarctic expedition left his share to the others and walked away to certain death. It is quite clear that Oates was not seeking his own death; had he, by great good luck, stumbled on a large store of food in the snow he would undoubtedly have returned rejoicing.

Such examples serve to show how tricky it is to interpret the principle that one ought not to intend to take one's own life. We shall now have to ask how far this principle is relevant to the hunger strike.

Those in Britain who have commented on, and usually condemned, the Irish hunger strikers have not commonly adverted to the fact that it belongs to a long tradition of non-violent resistance to the oppressor. (Perhaps the silliest comment of all was the suggestion that a hunger strike is 'an act of violence'). It goes back, in fact to very ancient times when a man who had been treated unjustly and had no redress would sit at his enemy's doorway and starve. It was a way of saying dramatically to the enemy, to the world, to the gods, to God "This is what is being done to me." No doubt such a fast was feared because the starving man silently crying to heaven for vengeance would bring down a curse on his enemy's household. The modern equivalent, I suppose, is the odium that has come upon Britain from world opinion in the present case.

The other traditional strand in the hunger-strike is non-cooperation. From this point of view there is a special significance to the hunger strike of the *prisoner*. A man in prison has been forced to be dependent on his warders for his food and drink. A man unjustly imprisoned is in the hands of (objectively) unjust men. The hunger strike is thus simply the ultimate in refusal to cooperate or collude with an injustice.

It will surprise many readers to hear that convicted violent terrorists could be described as unjustly imprisoned and it may be supposed that this implies some sympathy with the aims and methods of the Provisionals. This is by no means the case. For a great many of their bitterest enemies in Ireland (Irish socialists, for example) the Provisionals in Long Kesh are neither the honourable prisoners of war they claim to be nor are they duly convicted criminals, they are the products of the 'Diplock courts'. These sit without juries and operate with standards of evidence that would not be accepted in any normal legal system. Prisoners may not have the opportunity to confront or question witnesses, and they may be convicted on the basis of statements which have been extracted under what the European Commission for Human Rights (though not the European Court) called torture.

It is likely enough that many of the men convicted by these courts are in fact guilty. It is likely enough that in the conditions of terror and intimidation that exist in Northern Ireland the very rough justice of the Diplock courts is the nearest approach to fairness that is possible. What is not plausible is the British claim that men and women 'convicted' by these courts are indistinguishable from criminals who have been duly convicted after a fair and open

trial. There is, then, some kind of case for a different prison regime for these people. There is also an answer to this case and it is no part of my job here to argue the point, for we are concerned simply with the hunger strike itself. For this purpose we have to suppose that it is undertaken in a just cause; and the claim that the prisoners described as Provisionals have a just cause may seem so implausible to some readers that it seemed worth indicating how it might be argued.

Supposing, then, for the sake of argument that the imprisonment or the conditions of imprisonment are unjust, the hunger striker is simply refusing to receive anything from this regime. His strike is simply the most dramatic way of demanding that he be released (so that his food and drink can come from somewhere else) or that conditions be changed. Essential to this thesis, however, is the condition that the hunger strike will be discontinued as soon as just demands have been met. In such a case it does not seem plausible to describe the hunger striker who dies as a suicide. He is not playing 'chicken' or russian roulette, he is saying that it is up to these unjust prison authorities to mend their ways or take the consequences in responsibility for his death; it is not up to him to let them off the hook.

Is the hunger striker, however, simply a man who threatens to take his own life if his demands are not met? Let us agree that it is wrong to intend directly to take one's own life. In that case it must also be wrong for a man to threaten to do so; for the threat is nothing but the announcement that under certain conditions he will do this thing that is wrong. A man who proposes to commit adultery if the weather should not be good enough for tennis intends to do what is wrong just as much as one who intends to commit adultery whatever the weather. It makes no difference here that the man perhaps thinks that his threat will be so effective that he will not need to kill himself; he has announced an intention to do so under certain conditions. It is not that under certain conditions he will have the intention, but he has the intention now to do so under these conditions. The man, then, who threatens to take his own life under conditions is in no morally different position than he who intends to commit suicide.

I hope it will be clear that even if the hunger striker were threatening to take his own life, this argument against him would not be available to anyone who believes in the moral acceptability of the nuclear deterrent. Those who think that the deterrent is acceptable must hold that it is morally right to threaten to do under certain conditions what is morally wrong. No one who would condone the deployment of Trident submarines, the proposed form of the nuclear deterrent, could complain of the Provisionals 'blackmailing' the government by threats of suicide without con-

temptible insincerity.

But in any case it does not seem that the hunger striker is threatening suicide. He no more intends directly to take his own life than did Captain Oates and hence he cannot be said to threaten to do so.

This has clearly to be distinguished from the case of the hunger striker who seeks by means of his death to discredit the authorities. Such a man's intention would be thwarted if he did not die (as with the Czech student). I am not able to judge whether this was what the Provisional hunger strikers were doing. In the absence of detailed information it can only be said that some people in a better position to know the facts did not seem to think that the prisoners were intending to die and would be thwarted if they did not die. I refer to the British authorities who must be supposed to have wanted to thwart the designs of their enemies but did in fact let them die.

The question whether the strikers intended to put pressure on the government by their fast or intended to discredit the government by their deaths (as we have seen, quite different moral stances) does not depend on the *likelihood* of the government giving in. There was little or no likelihood that Captain Oates would stumble on extra food out in the snows but nonetheless he did not intend to take his own life, there was practically no likelihood of Fr Davis's determined maid landing on a passing helicopter after leaping from her cliff but she did not seek her death.

If the argument did turn on such likelihood (as, incidentally, Fr Davis thinks it does in his account of the justifiable hunger strike) then a special problem would arise with a *campaign* of hunger strikes. The point of such a campaign of successive strikes would be that the government would come under increasing pressure and while the first strikers would certainly die the likelihood of survival would increase as, say, the pressure of international opinion built up. Such a campaign would seem to be based on an expectation of death for the first people involved and would rule out for *them* the 'good chance' of success and thus survival that Fr Davis requires. However, as we have seen, however remote the chance of survival the point is that the striker is not taking his own life and would not be thwarted in his intentions if he did survive.

All this having been said, the fact that a particular hunger strike is not suicide or threatened suicide does not, of course, make it justifiable. There are after all a fair number of sins which are not suicide; amongst them murder. If it can be shown that the hunger strike we have principally in mind is done in furtherance of murder then we have a quite strong enough case against it. Such an argument, however, depends on an assessment of the campaign of the Provisionals, a political assessment. Is what they are seeking



both just and important enough to justify the strike? As it happens, in common with the great majority of the Irish, I regard the Provisionals as at least as dangerous an enemy of the Irish people as the British Army. They may be less well organised and well armed but in recent years they have killed more innocent Irish people than the army have (even if we grant that in some relevant sense members of the security forces and their cooperators cannot be regarded as 'innocent') and destroyed more effectively than the Paisleyite bigots or the Unionist Party any chance of that unity amongst working people on which peace and justice must depend.

This however involves some political analysis of the situation in Ireland, an analysis which, perhaps understandably, British governments have been reluctant to make, relying as they do on the faded imperialist excuse that they are 'keeping the peace between the opposing tribes'. It is simpler for them and their apologists to dismiss the Provisional hunger strikers as 'suicides' without having to consider why they are there, what their cause is, how it might be just and how it is unjust.

One very striking omission from most discussions of the Irish hunger-strike has been a consideration of the moral problem facing the authorities. They have a problem and it is very nearly the mirror image of the strikers' problem. If we are to consider this clearly we shall have to reverse our previous assumptions and suppose the strike to have been wholly unjustified and unreasonable. We have asked: would a hunger strike be justified even if the cause were just? We must now ask: Would an intransigence which lets the striker die be justified even if his cause were unjust?

Let us suppose that the striker is fasting to the death in pursuit of some concession to which he has no right in justice. It is by no means obvious that we should let him die on the grounds that he has consciously and willingly taken this fate upon himself. Anyone who asserted that these are sufficient grounds for letting a man die would be dishonest if he disapproved of, say, euthanasia. We have to ask whether in deliberately allowing a misguided but innocent man to die the authorities are guilty of murder.

It will, I hope, be clear that regardless of any alleged attempted suicide, regardless of any record of crime, Bobby Sands, for example, in prison represents an 'innocent' and hence inviolable life in the relevant sense. (For the record, nobody has ever accused Bobby Sands of murder: what the Diplock court thought fit to give him fourteen years in prison for was possession of an unlicensed gun and membership of an organisation that the authorities had declared illegal. But these, of course, are not the relevant considerations.)

The case for saying that Margaret Thatcher is a murderer is, as it seems to me, as strong and as weak as the case for saying that

Bobby Sands was a suicide. Just as with the accusation of suicide we must appeal to the distinction between bringing about an effect by positive action and doing so by refraining from an action. (Incidentally, any one who dismisses this distinction in order to accuse either Sands of suicide or Thatcher of murder, must, if he be intellectually honest, also reject the papal distinction between the use of contraceptives and 'natural' birth control which depends on precisely this point.)

Bobby Sands could by certain actions (taking food from his warders) preserve his life; Margaret Thatcher could by certain actions (conceding more humane prison conditions) also preserve his life. In neither case can we say unequivocally that to refrain from these actions is to *take* life. The question can arise (as it cannot arise where positive action is in question) whether refraining from action is justified by good and sufficient motive. There are circumstances in which the fast unto death may (unlike suicide) be justifiable. There are circumstances in which 'standing firm' and allowing the hunger striker to die may (unlike murder) be justifiable. It is a matter, once more, of analysing the actual circumstances.

It is quite possible to hold (and indeed I believe it to be the case) both that the strikers had no sufficient grounds for their fast and that the government had no sufficient grounds for its intransigence. We have had to ask what the strikers were ultimately trying to achieve and whether their victory would be good, and good enough to justify such a drastic course – in my view, as I have said, it would not. Similarly we have to ask the same questions of Mrs Thatcher. We have to ask what her armed men are supposed to be doing in Northern Ireland, what they are seeking to achieve. Is it the maintenance of peace or the maintenance of injustice or a hazy unexamined mixture of both? Is the policy in pursuit of which they both kill people and let them die so manifestly just and necessary as to over-ride the obligation to keep a man alive?

In common, I believe, with most of the Irish people and indeed most of the world, I think it is not. If British governments have had a policy for the future of Northern Ireland which goes beyond simply keeping it well off the British political stage it is not obvious to the rest of the world. To us it looks as if Mrs Thatcher and her ministers were simply afraid of losing face, a face which when turned to Ireland is quite blank and indifferent. Saving face is not worth a life, even if it were the life of a murderer.