# Backfire: The Dark Side of Nonviolent Resistance

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Insurgency and national liberation movements traditionally rely on kinetic force to press their claims: assassination, improvised explosive devices, mass casualty terrorism, hijackings, extortion, and kidnapping. However just a national liberation agenda may be, these violent tactics can invite fierce condemnation and excoriation. Searching for more effective and acceptable strategies, national liberation movements often incorporate nonviolent tactics, information operations, hunger strikes, and economic measures to augment their kinetic strategies and to precipitate backfire in domestic and international arenas. The term "backfire" is used here to describe how protesters successfully employ nonviolent tactics to provoke a brutal and disproportionate response from their adversary to solidify domestic support, encourage defections among state military and law enforcement personnel, and swing international opinion to their side. In some cases backfire is clearly the result of a deliberate provocation, while in others it is opportunistic, seized upon by organizers as events transpire. Backfire "increases the resistance, sows problems in the opponents' own camp, and mobilizes third parties in favor of the nonviolent resisters."[1] Backfire may strengthen solidarity among insurgents, sully a state's image at home and abroad, undercut international support for an occupying or repressive nation, and, ideally, force concessions.[2]

A central component of successful nonviolent resistance, backfire nonetheless raises a number of compelling ethical questions. Under what conditions may organizers expose participants to risk of injury or death? Must they secure consent or may they conscript activists without full disclosure if such disclosure would jeopardize or interfere with operations? Do nonviolent activists have a right to resist when faced with the threat of bodily harm? Must organizers prevent disproportionate

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deaths and injuries? Is provoking violence that may result in the deaths of activists antithetical to nonviolent resistance even if effective at achieving larger goals? Before delving into these questions, the section below describes the use of backfire by three national liberation movements.

## Backfire in Context

### *1981: Irish Republican Army Detainees' Hunger Strike*

In 1981, ten imprisoned members of the Irish Republican Army (IRA) starved themselves to death following unsuccessful negotiations with the British government in Northern Ireland.[3] The IRA strike was not a discreet short-term event, but played out over six months as new strikers replaced those who died. It is difficult to know whether the IRA set out to provoke backfire, but after the first few deaths, particularly that of Bobby Sands on May 5, the IRA could see how the strike and resultant deaths were working to their favor. To maintain their momentum, the IRA did not make sweeping or unfeasible demands. They sought neither the withdrawal of the British from Northern Ireland nor their own release from prison. Rather, they simply demanded recognition as *political* prisoners, the right to organize educational activities, and the right to refuse prison issue uniforms or to do prison work. The British, however, refused to negotiate. "Crime is crime is crime," declared Margaret Thatcher, and the hunger strikers were left to die one by one.[4] Their deaths catalyzed worldwide condemnation, brought sweeping domestic and international support for the IRA, initiated a decade-long campaign of terror, and saw the successful entry of the Sinn Féin into British politics. It was hardly an optimal outcome for the British, but a significant strategic gain for the IRA.

### *1991: Dili, East Timor, A Pro-Independence Rally Turns Violent*

East Timorese guerrillas undertook both armed and unarmed resistance to establish independence from Indonesia after it invaded the former Portuguese colony in 1975. Armed resistance by the Armed Forces for the National Liberation of East Timor (FALANTIL) faltered over the years as Indonesian forces successfully decimated their ranks. In its place, two nonviolent political organizations resumed the struggle. The "Diplomatic Front" publicized the East Timorese cause through diplomatic initiatives and lobbying, while the "Clandestine Front" enlisted civilians to "relay messages, smuggle out reports and photographs to Indonesian and international human rights organizations, and launch a number of daring protests."[5]



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Nonviolent protests, strikes, and agitation effectively "provoked the Indonesian military into committing a series of public atrocities and harsh security measures that alienated the bulk of the people" and drew the scrutiny and condemnation of the international community.[6]

The most dramatic event came in 1991 when Indonesian troops opened fire on unarmed East Timorese demonstrators in Dili and killed 275 people in what is known as the "Santa Cruz massacre." Whether the massacre was the direct result of a deliberate provocation by protest organizers or the product of an atmosphere of confrontation and agitation is difficult to know. East Timorese activists claim that the Indonesian response was entirely unexpected.[7] Nevertheless, the Clandestine and Diplomatic Fronts organized quickly to publicize the massacre. After foreign journalists filmed the carnage, activists used phone, fax, and email to bring details of the killings to the close attention of human rights organizations and world governments.[8] In the ensuing years the East Timorese effectively internationalized their struggle for independence, with activists forging ties with human rights organizations and continuing to highlight their efforts against the backdrop of Indonesian brutality. Though the path to eventual statehood in 2002 was long and tortuous (eventually leading to international intervention in 1999), the events at Dili were critical, as they allowed the world community to see for the first time the brutality that met popular demands to end Indonesian rule.[9]

### *2010: Hamas and the Marmara Blockade Run*

With the ascent of a Hamas government in Gaza in 2007, Israel imposed a tight land and naval blockade to prevent shipments of missiles and other war matériel.[10] Although the United Nations recognized the legality of the Israeli measure,[11] a flotilla set sail in 2010 to break the blockade; to deliver foodstuffs, toys, and medical supplies to the Palestinians; and to call the world's attention to the growing humanitarian crisis in Gaza. While the smaller ships of the flotilla heeded Israeli warnings and turned away, the largest of the flotilla, the *Mavi Marmara*, attempted to run the blockade. Intercepting the ship, Israeli commandos boarded and took control by force. Some 40 of the 590 passengers resisted the takeover with improvised weapons, knives, and axes. When the smoke cleared, nine (and eventually ten) Turkish passengers lay dead, with many others wounded.

Israel and Hamas competed to shape the narrative of the clash, feeding passenger interviews, on-ship photos, and video clips to the world press, the United

Nations, and state governments.[12] For Israel, it was a hard sell. Civilians lay dead, and it was confirmed that the *Marmara* and the other ships of the flotilla carried no military contraband. For Hamas, the operation offered a win-win outcome. Either the blockade would be broken or Gaza would gain significant international support. As it was, the confrontation generated significant backfire; and in the days following, sympathy for the activists grew considerably. The deaths of Turkish activists ruptured Israel's relations with Turkey and brought Israel a flood of negative media attention, international condemnation, and high-level commissions of inquiry.[13] In the wake of the episode, Israel significantly eased the passage of goods and the Egyptians opened their border with Gaza, allowing trade and smuggling to flourish and the economy to improve.[14] As was the case in both Northern Ireland and East Timor, the *Marmara* episode was a transformative event and provided activists with significant victories. In the short term, backfire broke Israel's hold on Gaza, trumpeted the Palestinian cause around the world, and enhanced the stature of Hamas. These political and moral victories, however, laid the groundwork for a vibrant black-market economy that would soon fill Gaza with advanced military hardware, which Hamas would later use to squander their impressive gains.

## Backfire: The Moral Issues

Because nonviolent resistance stakes out the moral high ground, its tactics often avoid moral scrutiny. Gene Sharp, a doyen of contemporary nonviolent resistance theory, notes the problem of backfire only in passing: "Nonviolent actionists, aware that brutal repression may produce unease, dissent, and opposition within the opponent group, have on occasion provoked the opponent to violence deliberately. . . . This type of provocation, however, has limited utility and contains its own dangers."[15]

The cases described above belie Sharp's claim about the limited utility of provocation. Perhaps more surprisingly, Sharp is cognizant of its danger, yet still fails to elaborate. One danger is of undermining the moral stature and efficacy of nonviolence by intentionally provoking violence to increase global sympathy. Another is the extreme harm—death and bodily injury—that nonviolent resisters suffer in these situations. How might organizers justify subjecting participants to these harms? What right, if any, do nonviolent resisters enjoy to defend themselves when faced with the violence they themselves provoke? These questions suggest



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deep moral quandaries about the instrumental role of violence in the theory and practice of nonviolent resistance more generally. Paradoxically, successful nonviolence often requires some level of violence by some party and, in some cases, bestows the right to respond violently in self-defense. How does this not impugn any cogent theory of nonviolent resistance?

### *Suffering Harm to Generate Backfire*

Hunger strikers die and nonviolent demonstrators suffer grievous bodily injury in support of their cause. Are organizers justified in subjecting participants to these harms? One route of justification lies in consent. As self-governing, autonomous human beings, each person has the right to voluntarily place him or herself in danger. Pursuing this line of thought, one can ask about the necessary conditions of consent. One condition is mature decision-making capacity. At the very least, this condition seems to exclude minors from political activism that may turn violent. In the annals of nonviolent resistance, however, children have often proved exceptionally effective, leading black civil rights leaders in the United States to debate heatedly the merits of allowing minors to participate in protests during the 1960s.[16]

Among mature adults, information is the key condition for making an informed choice. But what kind of information must participants receive? Many nonviolent activists school their adherents, telling them what they might expect, how risky their activism may be, and how best to protect themselves. IRA hunger strikers had some idea of what awaited them. It is not clear what East Timorese demonstrators knew, and thus the organizers may stand accused of negligence in their planning. The *Marmara* incident, however, violated the duty to inform participants of the possible danger involved. Of the nearly 600 passengers who boarded the ship, most were peace activists who had no expectation of violence, while the organizers, in contrast, had explicitly prepared for it.[17] In this way, the *Marmara* activists egregiously violated the autonomy of many participants, misleading those who did not sign up for a fight.

One wonders, however, whether some principle of proportionality might rescue these organizers from moral censure if we consider that the operation was a political success and casualties were low. This is not the standard conception of proportionality, which refers to unavoidable *enemy* civilian casualties that are incidental and serve no military purpose. Here, proportionality refers to the *compatriot* casualties. These casualties, moreover, are not incidental: they are the

engine of backfire. Nonviolent protestors, in this sense, are not bystanders but participants. Exposing them to harm manifestly violates the rights of the innocent unless participants understand the danger they face and consent to participate. *Marmara* activists should have, therefore, secured the consent of all participants prior to setting sail. Even under such circumstances, however, losses may still be excessive and unjustifiable if gains are meager.

The imperative *to gain* consent raises interesting questions about permissible coercion *to obtain* consent. During a prison hunger strike in California in 2013, the court permitted force-feeding if an inmate was coerced to strike.[18] Authorities feared gang leaders (or, in the IRA case, guerrilla leaders) ordered detainees to maintain their strike. In such a case, ruled the courts, there are no grounds to respect the detainees' decision to refuse food. Underlying this debate is the idea that hunger strikers must agree to participate in a hunger strike and to risk their lives. If they act under duress, the hunger strike is impermissible. Under such conditions, strike organizers violate the rights of the detainees they try to organize. Similar charges could be leveled against organizers who coerce individuals to participate in a demonstration or mission designed to elicit backfire.

The court's decision leads us to consider the forms of pressure or influence that violate autonomy. In medicine, the notion of consent is very strong and requires one to assent freely and in a manner untainted by external influences. As such, consent driven by payment, threat of fines, social pressure, or obedience to religious, military, or political authorities is defective. While this may be true in some rarefied sense of extreme individualism, consent remains very much a social construct, the product of one's shared political, social, and moral environment. Decision-making is always responsive to norms of fidelity, social cooperation and peer pressure, religious or political duties, mutual responsibility, and personal wellbeing. A person's motives are often mixed, and a demonstrator or hunger striker who agrees to participate may be acting freely as he or she considers all of these factors. In this context, individuals also exercise higher, "second-order" autonomy when they freely entrust their decisions to others. This, too, is a form of consent and particularly salient during armed conflict, as hunger strikers and demonstrators—no less than guerrillas—entrust their leaders with the task of pursuing their collective good. Here one expects organizers to assess costs and benefits accurately, and to minimize risk while communicating the understanding that participants may suffer harm. Overt coercion exceeds the bounds of

legitimate authority. In short, organizers of nonviolent resistance who hope to provoke backfire must secure informed consent as broadly, not narrowly, construed.

### *Fighting Back*

Nonviolent activists have long known that their success often depends on their ability to provoke their adversary to respond with unrestrained force. Should they fight back to defend themselves? Gandhi's march on the Dharasana Salt Works in 1930 offers one answer. Marshaling his forces to march on the gates of the factory, activists were brutally beaten back. By all accounts, they were not caught unaware, and yet they did not defend themselves. Gandhi's activists knew what to expect and were prepared to suffer their blows silently. East Timorese demonstrators, in contrast, were surprised by the ferocity of the Indonesian army's response. They simply fled. *Marmara* activists did fight back, leading their critics to charge that they came armed and were spoiling for a fight.

It is important to distinguish between ideological and strategic nonviolence as my focus here is primarily on the latter. Ideological nonviolent resisters such as Martin Luther King or Mahatma Gandhi eschew violence altogether because they regard it as both morally wrong and ineffective, while strategic nonviolent resisters selectively forego violence only because it is ineffective. Groups such as the IRA, Hamas, and FALANTIL strategically turn to nonviolence to supplement or wholly supplant armed violence whenever they calculate that nonviolence can get the job done.

With respect to strategic nonviolence, there seems to be something disingenuous about a theory of nonviolent resistance that provokes violence and then grants the provocateur the right of self-defense. One way out of this dilemma may turn on a larger context that allows the provocateur to assert her status as victim of political injustice and repression, thereby framing provocation and the violence it inflicts on demonstrators as a form of self-defense. There is nothing in the theory of strategic nonviolent resistance that prohibits vigorous self-defense. Nevertheless, self-defensive measures may blunt the state's response and weaken the effectiveness of backfire. Forcefully opposing state agents in self-defense is not necessarily unjustified, but it makes the activist a violent player, thereby undercutting the impact of backfire even as the bodies pile up. Thus, questions of moral justification aside, organizers may choose not to defend themselves for strategic reasons alone.

## Conclusion: The Instrumental Role of Violence in Nonviolent Resistance

Backfire is the dark side of nonviolent resistance not because it is nefarious or antithetical to its principles, but because it remains unilluminated. Both theorists and practitioners of nonviolent resistance widely acknowledge backfire's pivotal role, but perhaps understandably, they shy away from any close scrutiny of the role that violence plays. As Sharp reveals, theorists are sometimes discomfited by the critical role violence must play as part of successful nonviolent resistance; and nonviolent entrepreneurs, it seems, do not always recognize their place in the causal chain of violence. Disproportionate force and backfire seem to materialize deus ex machina when, in fact, activists decisively and sometimes actively facilitate them. In fact, effective nonviolence often embodies a paradox because its success can depend crucially on the ability of activists to provoke sustained violent, brutal, and often murderous reactions from their adversaries.

Which side is to blame for this violence? Hunger strikers initiate self-inflicted violence that they leverage for political gain through brinksmanship. Since hunger strikers put themselves at risk, their deaths cannot be the state's sole responsibility if it does not acquiesce.[19] Similarly, East Timorese organizers and others who confront a heavy-handed regime cannot be fully blameless if they fail to assess the risk of bodily harm accurately or arrange for protestors to flee safely if deadly violence ensues. The *Marmara* activists knowingly pushed the envelope of nonviolent resistance to precipitate the backfire needed to fuel their struggle, while the IRA manipulated their hunger strikers over considerable time for maximum political advantage. Violence abounds amid nonviolent resistance so that the line between the two is not bright. Despite provoking backfire, operations fall within the ambit of nonviolent resistance because they are overwhelmingly nonviolent in nature and do not threaten adversaries with harm other than possibly in self-defense. That said, violence, once uncorked, is difficult to control and may undermine the moral high ground that protesters hope to claim.

To preserve their moral high ground, architects of strategic nonviolent resistance, like purveyors of kinetic warfare, must choose well-defined and feasible ends, convey the risks and dangers of resistance to their compatriots, secure legitimacy through consent, eschew disproportionate harm, and responsibly and repeatedly assess the costs and benefits of their actions and attendant violence. These conditions do not remove the harm that backfire can cause, nor will they

prevent any political actor from choosing violence when it suits its needs. Rather, they are simply a guarantee of some elemental level of justice and restraint in the course of political struggle.

## Postscript: Nonviolent Resistance in Gaza, March–May 2018

In response to deteriorating economic and political conditions in Gaza, Palestinian activists, spearheaded by Hamas, initiated a nonviolent campaign to achieve two goals: the right to return to territory that is now part of Israel and, more immediately, an easing of the tight blockade that Israel has imposed on Gaza since Hamas took control in 2007. Heeding the call, some 30,000 demonstrators turned out on March 30, 2018, for the first day of Friday afternoon demonstrations. After three weeks, 37 Palestinians had been killed and over 4,000 wounded by live fire, rubber bullets, and tear gas.[20] The intensity of the demonstrations waned over the next three weeks, but on May 14, 2018, tens of thousands turned out to protest the opening of the U.S. embassy in Jerusalem. By day's end, more than 60 demonstrators lay dead and thousands were wounded.[21]

What do these events add to the foregoing discussion? Because the events in Gaza were not a one-off event that suddenly turned violent, but played out over time, they offer an unprecedented opportunity to see how activists can successfully implement backfire. More importantly, and perhaps surprisingly, they exemplify compliance with some, but not all, crucial ethical elements of backfire.

First, Hamas stated its goals clearly amid a bid for mass, nonviolent demonstrations. Though the right of return is contentious and unfeasible, easing the blockade is a discrete and viable goal. In fact, following intense international condemnation of Israel by mid-May, Egypt opened Gaza's southern border for the month of Ramadan—an unprecedented move that helped Gazans bypass the Israeli blockade. Talks to increase humanitarian aid are also reportedly underway.[22] Whether these gains are permanent or transitory remains to be seen.

Second, the events show how activists can obtain some measure of informed consent and convey risk levels to participants. When organizers turn out tens of thousands of demonstrators, they are unable to train and prepare any but a small cadre. This cadre has the responsibility of keeping demonstrators safe while mindful of the advantages of provoking backfire. There is no easy way to do this. Hamas failed to keep minors far from the front line, but did construct

berms to shield demonstrators from snipers, maintain avenues to maneuver away from deadly fire, and provide ambulances to evacuate the injured. These measures, coupled with the protracted pace of events, allowed civilians to evaluate the risk they faced. Many, it appears, were able to opt out, while others could choose to engage in more or less dangerous activities by varying their proximity to the border fence. On the other hand, misinformation (for example, reports by Hamas that demonstrators had breached the border on May 14) skewed risk evaluation and weakened the conditions for fully informed consent.

Third, the events of May 14 demonstrate the vexing nature of calculating proportionality. Since backfire by its nature will harm participants, one must ask whether Palestinian deaths and injuries were proportionate to the advantages that Hamas achieved. In this case, the answer might be yes. Past wars in 2008–2009 and 2014 killed thousands and brought no appreciable gains. The current campaign killed over 115 people but brought political achievements that might be proportionate in the absence of alternative, less risky, strategies.

Fourth, organizers exercised tight control over the flow of events, allowing them to continually assess their progress and modulate activity. They ramped up the demonstrations in the first weeks, laid back for several more, escalated the confrontations for maximum casualties on May 14, and then drew back significantly on May 15. This unusually long timeline allowed organizers to gauge Israel's reaction, fine-tune their offensive and defensive tactics, and evaluate the costs and benefits of nonviolent resistance. Through mid-May, they had successfully utilized backfire to achieve short-term political gains. Achieving a long-term agreement with Israel to relax the blockade would cap a successful campaign.

Finally, the recent events in Gaza further demonstrate the lack of a bright line between violent and nonviolent means. To spark backfire, Hamas used mass demonstrations that, while largely peaceful, threatened to breach the border. Hamas further played to Israeli threat perceptions by publishing routes to Israeli schools and daycare centers.[23] Whether Hamas' intent was in fact to kill Israeli children is immaterial: organizers used the *threat* of violence to trigger backfire. The backdrop of sporadic overt violence by protesters—live gunfire, grenades, and incendiary kites to ignite wildfires in Israel—also played a role in Israel's response, despite no deaths or injuries resulting on the Israeli side. In sum, provocation of backfire can take many forms: peaceful civil rights demonstrations, hunger strikes, organized confrontations by a trained cadre, or mass protests accompanied by credible

threats of violence. The success of these measures only reinforces the ambivalent attitude toward violence that characterizes strategic nonviolent resistance.

NOTES

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Abstract: Although nonviolent resistance assumes the moral high ground because its tactics do not intend to harm adversaries, severe ethical difficulties arise when nonviolent activists intentionally provoke harm to themselves. This occurs in a process called "backfire," as hunger strikers or demonstrators provoke a disproportionately brutal and often lethal response from their adversaries to draw world attention and sympathy to their cause. As cases studies from Ireland, East Timor, and Israel demonstrate, backfire can offer insurgents and national liberation movements significant strategic gains. In Ireland, a 1981 IRA hunger strike radicalized the IRA's campaign against Britain. In East Timor, the massacre of hundreds of Timorese demonstrating for independence in 1991 galvanized world opinion and eventually brought international intervention and statehood. In Israel, the *Marmara* flotilla of 2010 and mass demonstrations in Gaza in the spring of 2018 refocused world attention on Palestinian grievances while easing the Israeli-imposed land and naval blockade. These events were transformative, but their success depended upon the careful cultivation of violence. An anathema to ideological nonviolence, backfire is often used by strategic activists who will mix violent and nonviolent tactics as circumstances demand. Ethically discharging this tactic requires organizers to articulate feasible operational goals while protecting minors, to mitigate risk, to obtain free and informed consent from participants, and to constantly evaluate the costs and benefits of political action.

Keywords: nonviolent resistance, backfire, national liberation, protest, proportionality, hunger strikes, insurgency, human right, self-defense