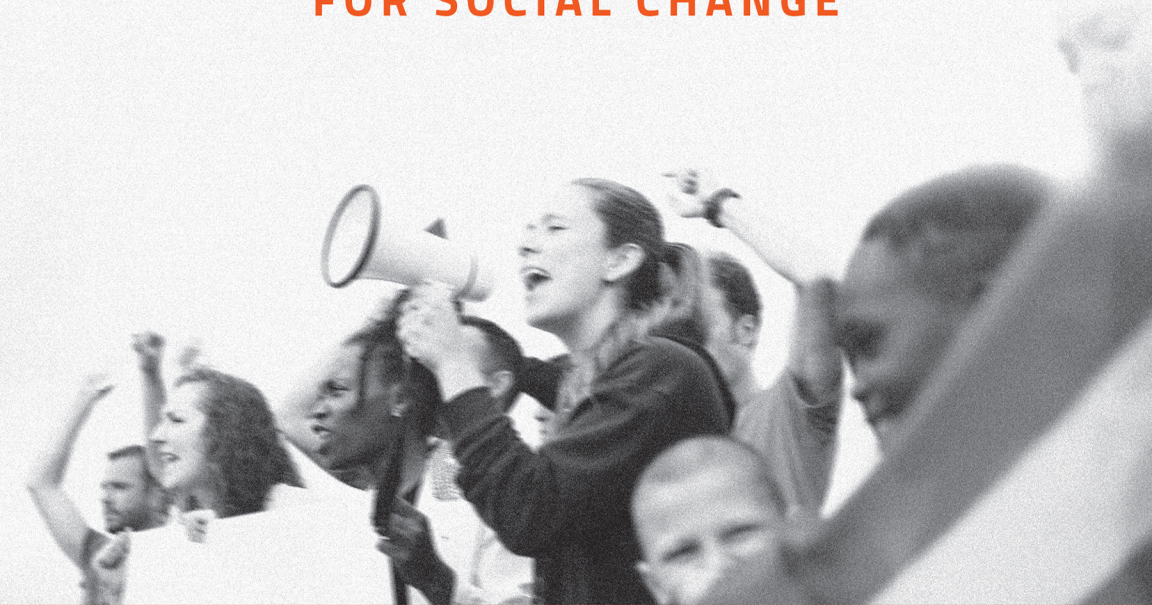


THE NEUTRALITY TRAP

DISRUPTING AND CONNECTING
FOR SOCIAL CHANGE



BERNARD MAYER
JACQUELINE N. FONT-GUZMÁN

WILEY

“The combination of theory, relevant personal reflection, and practical strategies make *The Neutrality Trap* a valuable resource for any practitioner serious about disrupting structural racism.”

—**Cheryl L. Jamison**, J.D., Former Executive Director, Association for Conflict Resolution

“In *The Neutrality Trap*, Font-Guzmán and Mayer make the simple yet powerful point that neutrality—the North Star of dispute resolution processes—might serve more as an impediment than as an agent of social change. Having struck a heavy blow to the dispute resolution edifice, Font-Guzmán and Mayer help us rebuild it by guiding us on how to avoid the neutrality trap, engage in meaningful dialogue, and prepare to endure conflict. An important and timely contribution to the field.”

—**Rafael Gely**, J.D., Ph.D., James E. Campbell Missouri Endowed Professor of Law, University of Missouri School of Law

“If you are a conflict resolution practitioner considering this book, you probably already know (or suspect) that insisting on neutrality in the face of systemic conflicts and prolonged injustices can do more harm than good. Bernie Mayer and Jackie Font-Guzmán move the conversation beyond a critique of neutrality. Drawing on their practical experiences, they offer an engaging, thought-provoking, and inspiring exploration of the ways we can use conflict resolution practices to engage enduring conflicts that require transformation rather than settlement.”

—**Jayne Seminare Docherty**,
Executive Director of the Center for Justice and Peacebuilding at EMU

“*The Neutrality Trap* brings clarity and hope to the dilemma so many of us mediators face these days: How to reconcile our commitment to peacemaking when our hearts are pulling us toward the social justice movements’ cries for disruption. With wisdom and compassion Font-Guzmán and Mayer share their own experiences—professional and personal—to give us a framework for understanding today’s polarization and a road map for moving forward. They model the honesty and vulnerability we all need to function in that intersection of conflict resolution and social justice reform.”

—**Lucy Moore**, Author of *Common Ground on Hostile Turf*

“Read this book. It will take you into fertile, uncomfortable terrain as it dares to address the bitter divisions in America and beyond that, if unaddressed, will only fester and escalate. Dialogue is not enough. Mayer and Font-Guzmán take readers beyond easy prescriptions into difficult, necessary, and fruitful ways to engage and support structural social change. Read this book to change your mind. It can change your neighborhood. Read this book to change the world.”

Though the field of conflict resolution has matured, practitioners have clung tenaciously to the cloak of neutrality, refusing to examine what it hides. Mayer and Font-Guzmán question who the cloak shelters in a world where systemic inequality is perpetuated too-often by conflict interventions. In a conversational narrative, the authors thoughtfully examine the vexing problems that the neutrality myth has obscured, challenging readers in nuanced ways. But they don't stop there. Nestled in a wide range of stories, they offer ways to advance fairness, equality, and justice. Their book is part challenge, part how-to-manual. It deserves to be widely read and applied with courage and heart."

—**Michelle LeBaron**, Professor and dispute resolution scholar | Peter A. Allard School of Law, The University of British Columbia

"Thank you for writing this. You've brought to light what is happening in the minds of social justice leaders and groups and have said it eloquently with much reflection. *The Neutrality Trap* makes me very hopeful for the future and I believe will encourage more people to step up and take an active role in the fight for systemic change."

—**Moya Mcalister**, Board Director of the Black Women of Forward Action (Windsor, ON)

"In *The Neutrality Trap*, Bernie Mayer and Jackie Font-Guzmán challenge conflict workers to rethink our role in dealing with the complex and oppressing social problems our society faces. The authors reflect on their previous work with remarkable frankness and humility, thereby helping the reader to see the problem with standing behind the comfortable shield of neutrality, and in so doing, failing to deal with unjust systems that create and perpetuate harm. They pick up this long-stalled topic and craft it into a call to reexamine how we see our role as conflict engagement practitioners and as citizens."

—**Susanne Terry**, Editor and contributor, *More Justice, More Peace: When Peacemakers are Advocates*

"Conflict specialists have long struggled with how to balance our role as dialogue facilitators with our commitment to expanding social justice. *The Neutrality Trap* explains how these two seemingly opposite roles can and must reinforce each other. The authors, Jackie Font-Guzmán and Bernie Mayer, describe their own journeys as intervenors and activists through truth-telling and fiercely honest self-examination. Social change is hard, and sometimes the hardest obstacles to overcome are hidden; this book challenges us to learn how to balance conflict and cooperation to overcome those obstacles in order to achieve real, sustainable social change."

—**Colin Rule**, CEO, Mediate.com and Arbitrate.com

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*To the People of Puerto Rico—no matter where they are—whose
fearless disruption of an oppressive colonial system and love for their
nation keeps it alive;*

and

*to Daleep, born on November 6, 2021 and his parents, Sibyl and Jagjit.
Daleep represents hope for the future and joy in the present.*

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preface

“Raise your hand if you don’t like Black people.” The class laughed; the Black student targeted in this remark by one of her classmates was in shock—but not at a loss for words. When her teacher took her out of the room, asked her how she was doing and if she wanted to go home, she looked at her and called her out: “What are you going to do about the girl that made that remark in class? I am the only Black student in this class, she targeted me with that comment; what will you do about her? You’ve pulled me out of class like this problem was my fault. How does that look to the other students?” The teacher was planning to do nothing, it seems. The aggressor, a 9-year-old child (as was the target), was “just too young to be suspended, and probably did not understand the full meaning of what was being said.” Nothing was said to the class, no discussion of why what happened was not okay, no effort to deal with the girl who made that remark.

Who was being protected? The aggressor? The other White students? The teacher? The school? The system? It’s clear who was *not* being protected—a 9-year-old Black student who, along with so many others, experiences racism every day. This incident took place in Canada, but it could have happened anywhere. Racism is entrenched throughout our system, as is misogyny,

gender-based discrimination, xenophobia, and predatory capitalism. Our response as a society to these problems has by and large been too little, too slow, and too performative. If we don't blame the victims (which we often do), we focus on individual perpetrators, not on the systemic problems. We look for quick, facile solutions, a nice and neat end to the "conflict," so that we can move on as quickly as possible.

Our Purpose

In this book, we look at what it takes for a system to change in meaningful ways—what is required to dig deeply enough and act decisively enough to make a genuine difference on the most embedded, serious problems we face. We do so by looking at the lessons we have learned at the intersection of our work as conflict interveners and social activists. In both roles, we have dealt with intractable conflicts and systemic problems. In both, we have worked at the intersection of individual actions, interpersonal relationships, and enduring conflicts that have been with us for years, even centuries. These problems will not simply disappear by reaching an agreement or enacting a new policy. As important as improved relationships, resolved conflicts, and good policies are, they are not the same as changing systems embedded in values, identity, power, and privilege.

We argue in this book that by promoting connections across our differences, conflict intervention efforts can play an important role in social change. Approaches such as dialogue, facilitated interactions, and restorative justice can be an integral part of struggles against oppression but only if they are in sync with concerted efforts at system disruption. Dialogue for the sake of dialogue and collaboration for the sake of collaboration, disconnected from a commitment to social change, is likely to reinforce the *status quo*. This is the *neutrality trap*. Unless our engagement efforts are matched by an equally strong commitment to disrupting oppressive

systems, they will fail to make a profound contribution to social change. By trying to remain objective, neutral, impartial, and separate, conflict interveners and academics (along with many other professionals) reinforce system-maintaining norms, narratives, and practices that perpetuate a *status quo* that is calling out for change.

Disruption too is just part of the process of change. Effective social movements need to develop their capacity to participate in constructive engagement efforts as they continue to challenge the power structures that maintain systems of oppression. When and how to connect across our differences is an ongoing challenge because the energy and tactics necessary to disrupt systems can be at odds with the requirements for effective dialogue. How activists manage the tension between these two elements of the change process is a defining feature of how movements evolve and the success or failure of their efforts. Exploring how to navigate this practical challenge is a central theme of this book.

Another dynamic tension that social movements must be sensitive to is the difference between what we refer to as chaotic disruption and strategic disruption. *Chaotic disruption*—for example, when mass protests erupted after George Floyd’s murder, the spontaneous demonstrations that led to the “Arab Spring,” and the Stonewall riots in 1969—are essential to social change efforts because they mobilize support, attract a great deal of attention, and force reactions from those in power. But chaotic disruption is hard to sustain and difficult to keep clearly focused on the systemic nature of the problems they confront. *Strategic disruption*—for example, the ongoing actions of the civil rights, anti-nuclear, and environmental movements—keep the pressure on for systems change over time. They can go hand in hand with the building of sustainable organizational structures necessary for long-term efforts. But without the potential for chaotic disruption from time to time, their power is more easily circumscribed and even neutralized.

We explore these dynamics by looking at a wide range of both successful and faltering social change efforts, the analyses

of activists and scholars, and our own experiences as conflict interveners and activists. We also discuss examples from the institutions and communities we belong to. Most of the stories we share are from public actions and interventions that we have been part of. Where we have discussed confidential matters, we have omitted or changed identifying information. We believe that these efforts, whether or not part of an organized movement, all have a role to play in promoting social change.

Our Perspectives

Of particular importance to us are the concepts and strategies that appear relevant to both the conflict engagement and the social change efforts we have been part of. We were determined not to fall into the neutrality trap. We believe that raising difficult issues and escalating conflict is necessary to understand our world and to bring about change. We do not hesitate to share our points of view, our values, and our commitments throughout this book. We think this increases the authenticity and value of what we have to say, but we also recognize that for some, this openness about our beliefs may call into question our credibility. We don't agree with that but appreciate that this will be easier to read for those already committed to anti-racist, anti-colonialist, pro-environment, and pro-egalitarian points of view. We hope others will find it stimulating and valuable as well.

Our thinking about these issues has developed over many years and is reflected in our previous writing. Bernie wrote *Beyond Neutrality* in 2004 to discuss the limits that conflict professionals place on their capacity to deal with the most important conflicts we face in our families, workplaces, communities, and society. These limits, he argued, stemmed from their focus on the role of the "neutral" and the goal of resolution. He expanded on this theme in *Staying with Conflict*, where he looked at the enduring nature of our most important conflicts, and in *The Conflict Paradox*. Bernie came

to conflict work with a long background in the civil rights, anti-war, and environmental movements and as a labor union activist. His views have been informed by his background as a social worker, psychotherapist, and child of Holocaust survivors.

Jackie has long been concerned about racism, colonialism, and misogyny. In her book *Experiencing Puerto Rican Citizenship and Cultural Nationalism*, she discusses how Puerto Ricans experience and resist colonialism as they forge their national identity at the margin of the United States. Jackie has also written about how structures of oppression operate in the healthcare system and ways to create counter-narratives to transform (or dismantle) institutional and structural injustices. Jackie came to conflict work with a strong background as a healthcare administrator and a lawyer focusing on employment discrimination, civil rights, family law, and health-care law. Her views have also been shaped by her experiences of being raised in Puerto Rico—a US colony—and countless conversations at the dinner table with her mother, who was a psychiatrist.

In all our work as professionals, trainers, teachers, and scholars, we have both been committed to being reflective practitioners. Our ideas are informed by our studies but are nurtured and tested in the cauldron of our practice experience, both as activists and interveners. This book is part of that conversation and will hopefully help others examine their own thinking, experiences, and practice in response.

Our Partnership

The two of us were colleagues for 15 years as faculty members of the Negotiation and Dispute Resolution Program at Creighton University (positions we have both now moved on from). At Creighton, we were allies in efforts to build an educational program that was attentive to long-term conflict engagement and system change and not just to transactional processes concerned with short-term solutions to enduring problems.

We decided to work as co-authors in the belief that a book of this nature requires a diversity of backgrounds. We also felt that our discussion had to continually return to questions of intersectionality, race, gender, and imperialism. Our partnership enabled us to do this by constantly holding ourselves and each other accountable for keeping our eyes on the major purpose and themes we had committed ourselves to.

Even though our partnership brings some diversity of ethnicity, age, gender, nationality, language of origin, professional training, and religious upbringing, for example, there are many elements of diversity we do not offer. We are both light-skinned, straight, cisgender, middle-aged or older, and from relatively privileged backgrounds (we explore this in Chapter 3). We recognize the limits of our perspective but its validity as well. We do not claim any special relevance because of our backgrounds, and, despite our best efforts, we know that we are likely to have exhibited our own implicit biases and limited understanding along the way. But we believe an awareness of that likelihood should not stop any of us from speaking our truths, sharing our insights, and telling our stories. If we were to allow this to restrain us from speaking in our authentic voices, we would be succumbing to the *neutrality trap* ourselves. We hope readers will be open to what we have to say and also keep in mind the limits of our perspectives.

How the Book Is Organized

We have organized this book into three broad sections:

- In Part I, “Engaging Conflict,” we discuss the dynamic tension between engaging in conflict and disrupting systems (Chapter 1), what we mean by the neutrality trap and how to avoid it (Chapter 2), the critical role of race, gender, and intersectionality in social change (Chapter 3), and

the potential and pitfalls of constructive engagement as an approach to social conflict (Chapter 4).

- In Part II, “Deepening Conflict,” we look at the nature of long-term conflicts for which resolution is not a productive or reasonable goal (Chapter 5) and how to get beyond explanations of conflict and oppression focused on individual characteristics and behavior and delve more deeply into their systemic nature (Chapter 6).
- In Part III, “Strategic Disruption,” we focus on the relationship between systemic and chaotic disruption and the role of nonviolent approaches to change (Chapter 7), and the role of alliances, teams, and leadership in social change (Chapter 8). We end with a forward look at disrupting and connecting for social change (Chapter 9).

We have used stories from long ago as well as recent examples, including events that took place while writing this book (e.g. the January 6, 2021, invasion of the US Capitol). We expect between today and its publication, new events will have occurred that will shed new light on our analysis and the stories we have shared. We want this book to be part of a dynamic, ongoing discussion and hope that we can all join in such a dialogue, one which we believe is critical to social change efforts.

—Bernie Mayer
Kingsville, Ontario

—Jackie N. Font-Guzmán
Harrisonburg, Virginia
October 30, 2021

part one

engaging conflict

chapter one

engaging and disrupting for social change

“Freedom is not a state; it is an act. It is not some enchanted garden perched high on a distant plateau where we can finally sit down and rest. Freedom is the continuous action we all must take, and each generation must do its part to create an even more fair, more just society.”

—John Lewis, *Across That Bridge: A Vision for Change and the Future of America*

At a time when our country and our world seem constantly on the precipice of chaos and disaster, we can easily lose faith that the future has anything to offer other than more and worse of the same. Fires rage, hurricanes destroy, pandemics kill, and we seem incapable of doing anything about them. Our political systems seem much better at redistributing wealth upward, maintaining the power of elites, and suppressing dissent than confronting our most serious challenges. Democracy seems in retreat and authoritarianism on the rise across the globe.

But pessimism itself contributes to our political paralysis, and we must never forget that systems do change, people’s lives improve,

and oppressive governments fall. We are on a long and winding road that takes us to some very surprising, sometimes wonderful, but also frightening places.

Sometimes change is painfully slow, and sometimes advances are undone. Then, suddenly, amazing and important moral progress occurs. What were once unusual and unpopular attitudes about same-sex marriage, gender fluidity, and sexuality rapidly become far more widely accepted. A totalitarian system that has held millions of people under its thumb suddenly disintegrates. While racism continues to affect every corner of our societies, racist ideology is broadly rejected by growing numbers of people.

But none of these changes occur magically or without significant pain, and all are vulnerable to the immense capacity of systems of power and privilege to defend themselves and claw back progress toward fundamental change. For broadly based and deeply rooted progressive change to occur and for power structures that maintain an oppressive social order to be upended, those systems must be *disrupted*—*something must occur that forces them to change how they operate*. The disruption may be unplanned and external (e.g. climate or demographic changes) or intentional and directed (e.g. social movements or political campaigns). The seeds of change are embedded in all organic systems, and that includes oppressive systems that seek to maintain a destructive status quo. How they change, however, is not only not foreordained but largely unpredictable. Yet change will happen, and we will necessarily be part of it.

Strategic Disruption

No matter how dramatic the impetus from external sources, intentional efforts at disruption through popular movements and political activism are essential to forcing change and guiding how it occurs. Without intentionality and a conscious change strategy, our capacity to foster system reconstruction (and, in some cases,

system destruction) is limited and haphazard. Each of us has a role to play in this, and we each have a unique set of capacities that we can bring to this process. In order to do so, we have to recognize this potential individually and collectively and find the moral courage to pursue it.

One place to start is by recognizing how often, despite our best intentions, especially when we occupy positions of privilege, we are part of the problem. Much of what we do, including much of the good work we undertake, contributes to the maintenance of systems that we want to change. This is inevitable because we are part of these systems. Our natural desire to believe that we are good people doing good things can lead us to downplay our role in maintaining the structures of oppression and hierarchy.

This paradox—that the good work we do often reinforces destructive systems—can be found in what conflict interveners do to guide disputes toward resolution, but the same is true for all “service professions,” including medicine, counseling, law, human services, and education.

For example:

- When we participate in collaborative efforts to deal with organizational conflict, we may be enabling the continuance of an exploitative hierarchy.
- When we foster dialogue between community members and police officers to try to improve relationships and communication, we may be reinforcing a public safety model that emphasizes law enforcement over community development and mental health.
- When we convene conversations among different ethnic groups to try to resolve tensions that have led to violent interchanges, we may undercut a growing movement to promote the rights of a historically exploited group.

None of these efforts are necessarily misguided or inappropriate. As we seek to change systems, we also have to support people as they navigate these systems. But undertaking them without considering the impact our well-intentioned and even necessary actions may play in the larger pattern of dominance, oppression, or hierarchy is problematic and sometimes dangerous. One of the most important challenges we face in promoting social change is how to develop strategies for increasing constructive dialogue among groups in conflict while also raising the level of that conflict in an effective and durable way.

Disrupting and Engaging

Many of us who have worked in the conflict field (e.g. as facilitators, mediators, peace builders, and trainers) also have backgrounds as social activists where raising the prominence of public conflict is central to the mission of promoting justice. Working to help people resolve their differences has often seemed like a logical and constructive next step. But what seemed like a natural progression has often meant losing the clarity of purpose that the previous focus on social change had provided. While the conflict intervention field has at times helped consolidate changes that social movements have generated, it has also sometimes undercut the energy necessary to build movements by focusing prematurely on dialogue, de-escalation, and resolution.

The two of us have spent a significant part of our professional lives working to understand what drives conflict; the relationship between communication, emotion, power, culture, and structure; and the processes that can be used to support people in working through their conflicts in a constructive way. We have guided public dialogues, high-stakes negotiations, and intense interpersonal interactions in organizations, communities, and families. Much of our work has involved trying to identify how people can resolve differences, arrive at solutions to seemingly intractable problems, and lower the level of tension

and hostility in volatile situations. But in doing so we have also had to support people in raising difficult issues, accepting that some elements of their most important conflicts are not amenable to tangible short-term solutions, and learning to mobilize and use their power effectively.

We have experienced some astonishingly and unexpected transformative moments in our work with others, but we know that profound change does not come easily, predictably, or by the mechanistic application of some formula for human interaction. We believe that just as the lessons we have learned as advocates for social change have informed our work as conflict interveners, our work on conflict sheds light on the struggle for social justice. What those lessons are and how they can be applied to the volatile world we inhabit is the focus of this book.

Three of the most important lessons we have learned are the vital role of conflict in breaking cycles of oppression, the importance of taking a strategic approach to long-term conflict, and the danger that neutrality poses as a central guiding principle for the role that conflict interveners play in the change process. These lessons are relevant not only to conflict specialists but to all those working for social change.

Constructive Conflict

Conflict intervention practitioners frequently assert that conflict itself is not the problem, but how we handle it often is. Labor and management struggle over competing interests, environmentalists and fossil fuel producers look at the world through different lenses, and divorcing parents often have different visions and values about rearing children. The challenge we all face, therefore, is not so much how to resolve these differences but how to find a constructive way to deal with them over time.

What conflict interveners have usually meant by handling conflict constructively, however, has been about bringing these

differences to rapid and peaceful resolution, tamping down the level of emotionality and particularly anger, “separating the people from the problem,” and minimizing the disruptive effects of conflict on people, communities, and institutions. This vision of what makes conflict constructive negates the true importance of creative and constructive conflict in our world.

So what makes conflict truly constructive?

Constructive conflict moves us forward in creating the world we want to be part of, one that reflects our most important values and desires, promotes the systems that will contribute to the changes we seek, and disrupts those that interfere with these. Constructive conflict is also carried on in accordance with our values about human and group interaction and with the fundamental goals we are pursuing.

There are two important caveats here, however. One is that what is constructive is contextual to the person and situation. The other is that no action is pure. The line between constructive conflict and pointless destruction is often a fine one. When does angry, militant, and effective mass action turn into looting, arson, and violence against individuals?

The initial reaction to the George Floyd murder was justified, necessary, chaotic, and sometimes destructive of the very communities who have been historically victimized by the White racist system that the protests were directed against. This is not unusual. It is what happened after Rodney King was beaten, Dr. King was assassinated, and during some of the most important labor actions in American history (e.g. the Pullman and Homestead Strikes). Accepting that such violence may be an inevitable and sometimes energizing aspect of social change efforts may force many of us to deal with an uncomfortable level of cognitive dissonance, but working for social change requires that we do so. Of course, the violence associated with progressive social movements, although generally small in scale and destruction, is frequently exaggerated

and seized upon to discredit these movements in their entirety. This was the response of many supporters of Donald Trump who tried to minimize the destruction and danger posed by the invasion of the US Capitol on January 6, 2021, by equating it with the minor acts of violence that occurred during some Black Lives Matter protests.

The challenge in developing a truly constructive approach to conflict, which of necessity is disruptive, is to move through periods of chaotic disruption to build a multi-pronged, sustainable, strategic, nonviolent approach to disrupting oppressive systems.

Nonviolence and Disruption

As may be obvious, nonviolence is one key to sustainable approaches to systems disruption. Nonviolence as both a philosophy and a strategy has been at the heart of many of the most important and successful social movements in recent history. The anti-nuclear, civil rights, women's, gay rights, and environmental movements have largely adhered to a commitment to nonviolence. This has been essential to sustaining them and to harnessing the moral power that has been vital to their success.

But we should remember that the power of nonviolence lies not only in its moral consistency and vision but in what lurks behind it. The alternative to taking seriously the grievances expressed by nonviolent protestors is often chaotic and destructive violence. This was true of the movement against British Colonialism led by Mohandas Gandhi, the struggle to end apartheid in South Africa, and the US civil rights movement. We should also remember that in a White supremacist system, people of color are held to a very different standard about violence than White people.

At the opening of the Livonia Trial in 1964, Nelson Mandela discussed why after years of a disciplined commitment

to nonviolence, he chose to participate in acts of sabotage against the apartheid regime of South Africa:

“All lawful modes of expressing opposition to this principle had been closed by legislation, and we were placed in a position in which we had either to accept a permanent state of inferiority, or to defy the Government. We chose to defy the Government. We first broke the law in a way which avoided any recourse to violence; when this form was legislated against, and when the Government resorted to a show of force to crush opposition to its policies, only then did we decide to answer violence with violence.”

(Mandela, Statement at the opening of his trial on charges of sabotage, Supreme Court of South Africa, 1964)

Mandela never disavowed this decision, albeit one he was very loath to make. Whether this was the wisest or most effective approach remains an interesting question. The group that engaged in sabotage (Umkhonto—an offshoot of the ANC) was quickly broken up, and these actions led to the long imprisonment of Mandela and his associates. Directly, it did little to disrupt the apartheid system. But 27 years later, Mandela emerged from imprisonment as a widely respected leader who was able to negotiate an end to apartheid and take the critical initial steps to building a new society. His power was in part derived from the widespread recognition that he was perhaps the only one with the credibility to enter into an agreement that would not be immediately rejected or provoke mass outbreaks of violence.

Recognizing that the power of nonviolence lies to some extent in the alternative it provides to a more violent confrontation does not mean that proponents of nonviolence are hypocritical. Effective movements for social change, as noted above, are not pristine or rigidly consistent.