

The Death of Muammar Gaddafi

When we study literature, we learn that the end does not justify the means. We learn that it is wrong to abandon our principles and take the expedient route. Through literary heroes, Antigone and Arjun, and human heroes, Gandhi and Mandela, we are taught that it is noble and wise to adhere to humane principles, to the rule of law, and to eschew the expedient. But ordinary people, especially politicians, mistake the rule of law for the rule of authority. They are not the same. During apartheid we lived under the rule of authority; under coercion. Apartheid demonstrates, most obviously, the distinction between the rule of law and the rule of authority.

Authority means power and that power is most often exercised expediently. This was clearly demonstrated under apartheid; it is not as obvious in the so-called democracies of the world because the vote provides a protective cover and gives politicians a sense of immunity. Through the vote, people invest politicians and lawmakers with power. With this mandate of the people, politicians have a tendency to arrogate to themselves rights that go beyond the rule of law which they abandon for the rule of authority – as in the case of Libya, where Gaddafi ruled at the expense of his people; as in the case of all government corruption. The principles of democracy do not protect the ruled from the machinations of rulers, all of whom have police and armed forces to protect their authority over the people. What difference is there between Gaddafi and the democratically elected governments of Europe who are now enforcing austerity measures on their peoples? What difference is there between Gaddafi and democratically elected governments in African countries that are steadily depleting the resources of their countries and reducing their peoples to unconscionable levels of poverty.

Democracy is an ideal in the Platonic sense; it can never be achieved but it must be that for which we strive. Such a striving requires honesty and integrity. But we are fallible human beings driven primarily by greed. Gandhi is the only politician that I am aware of who did not strive for the material. He lived among the poor and we saw him, to the end, in his dhoti and sandals. Democracy, in most countries if not all, has become a cliché and a cover over the rule of authority.

So what is the rule of law if it is not simply the rule of authority? I believe that the rule of law is not purely a legal prescription; it is based on the moral imperative that is found in *ubuntu*, in doing unto others as you would have them do unto you (mutual respect), in *dharma*, in brotherhood.

The moral imperative requires us to recognise one another's humanity, no matter what we have done; it requires us to be fair and just because a society is founded on trust. And because we are fallible human beings, the moral imperative is backed by the rule of authority. But when the moral imperative is lost, and the rule of authority becomes the prevailing mode, we are in a dictatorship, whether of a ruler, a family, an oligarchy or a revolutionary movement. And there is no democracy. When trust, the foundation of democracy, is broken, as it is by criminals, by corrupt governments, by dictators like Gaddafi, revolutionaries turned vigilantes or elected governments, those who break that trust cannot be summarily executed. The rule of law requires that they be brought to justice where they are given a chance to recognise that they have broken the social contract; that they are accountable to their fellow human beings; that it is accountability that makes one a civilized human being.

The revolutionaries in Libya, with great courage and an understanding of the rule of law, stood up against the rule of authority in the name of democracy. Sadly, in killing Gaddafi, they abandoned the moral imperative and opted instead for the rule of authority. In so doing, they violated the basic principle of democracy, respect for life. The argument that Gaddafi was a brutal and avaricious dictator who denied them freedom and opportunity, does not mitigate their action. They killed in the same way that he had killed, without respect for the rule of law that protects life. They found it as easy as Gaddafi to abandon the moral imperative of the rule of law. So what is to prevent them from becoming the Gaddafis of tomorrow?

The Libyan revolutionaries may have been influenced by the US which set precedents in the attack on Saddam Hussein, on the annihilation of Osama Bin Laden and Anwar al-Awlaki. But the fact that Big Brother set the example does not make murder and assassination right.

We must learn to believe what Sophocles, Vyasa, Shakespeare, Wole Soyinka and other writers tell us: the end does not justify the means.