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Leo Tolstoy and Non-Resistance to Evil by Violence: The History and Critique of the "Innocent Victim" Argument

Konstantin TROITSKIY

Abstract. In this article I defend the non-violence position, assert the immutability of the absolute ban on violence and demonstrate that Leo Tolstoy's criticism of the "innocent victim" argument is valid and relevant. The article describes the first appearance of the "innocent victim" argument in Tolstoy's novel Anna Karenina, critically analyses the subsequent modifications of this argument by Fyodor Dostoyevsky, Vladimir Solovyov, Ivan Ilyin and Anatoly Lunacharsky and sums up Tolstoy's objections to the argument. In addition to describing the historical context of the discussion about non-violence, the article offers a critical analysis of the structure of the argument. The "innocent victim" argument has a number of flaws that concern both its idea, internal structure, and practical orientation. As a result of these defects this argument should be regarded as immoral. The structure of the "innocent victim" argument aimed at refuting the idea of non-resistance to evil by violence, is not unique and occurs in other ethical discussions that took place in Tolstoy's lifetime and after his death. The popularity and constant recurrence of attempts to justify violence makes the task aimed at researching history and criticizing the "innocent victim" argument important and relevant.

Keywords: Leo Tolstoy, non-violence, non-resistance to evil by violence, morality, ethics, the "innocent victim" argument.

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Introduction

Ethical discussions of non-violence at scientific conferences as well as arguments about non-resistance in daily life frequently lead to the discussion of one and the same imaginary "case." At a certain stage in the conversation, those who object to the thesis that the moral ban on violence is absolute often challenge the adherent of non-violence to conduct a mental experiment in which the champion of an absolute ban sees a "villain" threatening violence toward an "innocent victim." It is assumed that the "villain" can only be stopped by killing him. Ending the description of the experiment, the party that maintains that there is no absolute ban on violence asks triumphantly whether the champion of the ban would passively observe or implore the "villain" who is in the process of maiming and killing "the innocent victim."

Thus, the classical version of the argument describes a situation in which the "villain" or "group of villains" (for example, "robbers" or "drunks") threatens to commit terrible violence against an "innocent victim" (for example, "a helpless virgin" or "a child"). Before presenting the argument, the question is asked: what would he/she do if the only way to prevent the terrible act of violence were to kill "the villain"? Following some other Russian scholars, let us call it the "innocent victim" argument (see, for example, [3; 8]). The underlying scheme of the "innocent victim" argument is not unique, it is used in other arguments aimed at dismantling other absolute bans, for example, a ban on lying and torture. A similar scheme is examined by Immanuel Kant in his famous essay *On a Supposed Right to Lie Because of Philanthropic Concerns*, and much later under the "ticking bomb" scenario. Variations consisted in a change of the initial conditions of the imaginary situation, that is, the type of action indicated by the presenter of the argument as being "necessary" to stop the villain's evil designs. The aim of the variations was to prove that the moral ban on lying and torture is not absolute.

The popularity and constant recurrence of attempts to justify violence and lying, usually accompanied by attempts to elevate them to the position of ordinary practice, makes the task of investigating the history of and, most importantly, refuting the "innocent victim" argument and criticizing the underlying scheme particularly relevant and important.

Dostoyevsky, Solovyov, Ilyin, and Lunacharsky vs. Leo Tolstoy

The remarks of Konstantin Levin in *Anna Karenina*, the most autobiographical of Tolstoy's novels, anticipate his teaching on non-resistance to evil by violence, with the objections raised by Sergey Koznyshev, Levin's brother, being the first presentation to a large audience of the "innocent victim" argument. It happens in the final part of the novel, the part that barely got past the censors. In it Levin learns that Vronsky intends to go to Serbia to fight against the Turks, which triggers an argument in which Koznyshev, unlike Levin, approves of his intention.

> Koznyshev frowned at Katavasov's words and said something different.
>
> 'The question shouldn't be put that way. There is no declaration of war here, but simply the expression of human, Christian feeling. They're killing our brothers, of the same blood, of the same religion. Well, suppose they weren't even our brothers, our co-religionists, but simply children, women, old men; indignation is aroused, and the Russian people run to help stop these horrors. Imagine yourself going down the street and seeing some drunk beating a woman or a child, I don't think you'd start asking whether war had or had not been declared on the man, but would fall upon him and protect the victim.'
>
> 'But I wouldn't kill him,' said Levin.
>
> 'Yes, you would.'
>
> 'I don't know. If I saw it, I would yield to my immediate feeling, but I can't say beforehand. And there is not and cannot be such an immediate feeling about the oppression of the Slavs' [11, pp. 387-388; 12, p. 541].

Fyodor Dostoyevsky, who was reading Tolstoy's novel as it was being serialized in the issues of the *Russky vestnik* (Russian Herald) journal, reacted angrily to the above-quoted extract in a lengthy entry in his diary. Dostoyevsky believed that the argument was presented "with the intent of winding it up with Levin's victory," and that Koznyshev's "drunken man" argument was not very convincing: "he speaks nonsense, since who, when helping a woman beaten by drunken men, is going to kill them?" [1, p. 259; 2, p. 808]. Dostoyevsky needed a justification for the war that was starting and to construct the argument in a way that would "wind up" with the necessity to kill. To this end, he cited descriptions of Turkish atrocities with regard to the Slavs. These were more cruel than in the drunks examples, and besides, for Dostoyevsky the Turks were "them" and not "us," the Slavs, for whom he had more sympathy even if they were drunk and violent. On the basis of these accounts Dostoyevsky constructed an imaginary situation of the blinding of a child:

> This means that he does not know how he would act! And yet he is a susceptible man, and as such he is afraid to kill… the Turk. Let us imagine the following scene: Levin stands still with a rifle and bayonet, and two steps from him a Turk is voluptuously getting ready to pierce the eyes of an infant whom he holds in his arms. The seven-year-old little sister of the boy screams and like an insane person rushes to tear her brother away from the Turk. And here stands Levin in doubt, wavering:
>
> 'I don't know what to do. I feel nothing. I am the people myself. No immediate sentiment for the oppression of the Slavs exists or can exist' [1, p. 261; 2, p. 809].

And in the same diary entry, Dostoyevsky, describing the Turks as "bloodsuckers," "a deceitful and vile nation," and "tyrants," called for disarming them so that instead of committing atrocities "they will be manufacturing and selling morning-gowns and soap—even as our Kazan Tartars" [1, pp. 262-263; 2, pp. 810-811]. Thus, Dostoyevsky was one of the first Russian writers to link the imaginary case on violence with regard to an "innocent victim" with testimony on atrocities of some representatives of a nation, and proceed on that basis to berate that nation ending up with a call to use violence against a whole people.

Twenty years after Dostoyevsky made this diary entry **Vladimir Solovyov**, who in his youth was himself planning to go to the Russo-Turkish war, developed his argument in his work *Three Conversations about War*, *Progress and the End of World History*. Here we are talking about a tradition since Solovyov's ideas are probably closely linked with Dostoyevsky's version of the argument, as witnessed by the context and the details of his variation of the "innocent victim" argument.

In *Three Conversations,* the Prince (a follower of Tolstoy) argues with Mr. Z., whom Solovyov uses as his mouthpiece. Mr. Z., challenging the Prince, suggests imagining a situation in which a murder is necessary. Which elicits the following reaction from the Prince. "This is something quite unintelligible. But I think I guess what you mean: you refer to that famous case in which a father sees in a lonely place a blackguardly ruffian trying to assault his innocent (and, to enhance the effect, it is added, his 'little') daughter. The father, unable to protect her in any other way, kills the offender. I have heard this argument at least a thousand times." To this Mr. Z. responds: "What is really remarkable is not that you have heard it a thousand times, but the fact that nobody has ever heard from any one of those holding your view a sensible, or even only plausible, answer to this simple argument." The Prince then points out that the argument is unrealistic and that it fails to justify the war. Mr. Z. then weakens his argument: "Let us take not a father but a childless moralist before whose eyes some feeble being, strange and unfamiliar to him, is being fiercely assaulted by a hefty villain." And he asks the question: "Would you suggest that the moralist should fold his arms and preach the glory of virtue while the fiendish beast is torturing his victim?" [9, pp. 653-654; 10].

Through his character, Mr. Z., Solovyov promptly decided to cast aside ungrounded hopes for God, considering the facts of villainy in the world and responsibility to the imaginary "victim." At that point, the General joins the conversation, telling the story of the atrocities he had seen being committed by a unit of Bashi-Bazouks: "One scene will remain forever vivid in my memory. A poor woman lay there on the ground, her head and shoulders securely bound to the cart's axle, so that she could not move her head. She bore no burns, no wounds. But on her distorted face was stamped a ghastly terror—she had evidently died of sheer horror. And before her dead, staring eyes was a high pole, firmly fixed in the ground, and to it was tied the poor little naked body of a baby—her son, most likely—a blackened, scorched little corpse, with protruding eyes. Nearby also was a grating in which lay the dead ashes of a fire" [9, p. 661; 10].

The General describes how he and his Cossacks made short shrift of the Bashi-Bazouks with relish and without mercy, to the approval of all the participants in the conversation with the exception of the confused Prince. It has to be noted that while Dostoyevsky tried to justify the escalating Russo-Turkish war, perhaps sincerely believing that the Russian army, about which he had heard "nothing but the most humane acts," was "an army of gentlemen" [1, pp. 262-263; 2, pp. p. 810-811], Solovyov admitted that some Cossacks were veritable brigands." Having said that, for him the point was that the Bashi-Bazouks were brigands "of quite a different sort" [9, pp. 664-665; 10].

In Solovyov's reasoning, criticism of the teaching on non-resistance to evil by violence invoking the recent Russo-Turkish war, is not only central to the "first conversation" out of three, but is a prologue to his visions of the future, notably his description of an allegedly imminent apocalyptic war. Unlike Dostoyevsky's diary entry, the "innocent victim" argument is adduced not only as an instrument of justifying the Russo-Turkish war, which Solovyov considers to be a minor passing episode, but as an attempt to mobilize those he identifies with the "forces of good" against those he appoints to be "the forces of evil" in a future apocalyptic world war. And, like Dostoyevsky, he distinguishes "the good" from "the evil" in accordance with discriminatory criteria of national and religious affiliation.

Ivan Ilyin, in his 1925 book *On Resistance to Evil by Force,* also made an attempt to justify violence by invoking the "innocent victim" argument. By his book he tried not only to justify the violence of the Whites toward the Reds and vindicate the meaningless catastrophe of the Civil War, not only to support the pockets of the bloody conflict, but to kindle a new massacre. Criticizing Tolstoy's teaching, Ilyin modifies the child example to make it sound as follows: "This is precisely why a moralist of this type, if he is consistent, will during his life find himself in monstrous situations. Indeed, what will be his answer to himself and to God if, witnessing a raging crowd abusing a child and being armed, he chooses to dissuade the villains by appealing to the obvious and to love and, after allowing the evil act to take place, to live with a sense of being morally impeccable?" [6, p. 93]. Right off, one should point out two things in this version: (1) Ilyin writes not about one "villain" but about "villains," even an anonymous crowd; (2) unlike Solovyov, he no longer pretends to see this situation as something exceptional.

A year before Ilyin, a similar attack was launched on Tolstoy's teaching on non-resistance to evil by violence by **Anatoly Lunacharsky**, in his case to justify the violence perpetrated by the Bolsheviks. With Ilyin and Lunacharsky, the attack strategies coincide down to the tiniest detail, except that Lunacharsky's "innocent victim" argument casts the Whites as "villains." In an attempt to justify "Red Terror" Lunacharsky recalls precisely the child episode from *Three Conversations*. He is undeterred by the fact that by that time Solovyov's works had been banned and removed from the Soviet libraries as "counter-revolutionary and anti-art literature." Indeed, this was done by the agency which Lunacharsky himself headed up (see [28]).

Lunacharsky ranges himself with Solovyov in the idea and tactics of criticizing Tolstoy's teaching on non-resistance to evil by violence and in his wish to justify violence. He writes: "Vladimir Solovyov asked Tolstoy, what will you do when you see a child being tortured? We say: how can one be indifferent when humanity has risen up for the final battle to wrest itself, in its countless millions and the future generations, from the horror of untruth which you, Tolstoy followers, yourselves condemn? Can one, if the struggle has begun, get in the way and say, stop struggling, why struggle?" [7].

Lunacharsky's demagoguery leaps out at you and his elaboration of Solovyov's thoughts highlights the anti-moral and anti-humane potential of the "inno-

cent victim" argument, whatever its modifications. Lunacharsky, like Solovyov, does not hesitate to move from the lonely figure of the "villain" and the "innocent victim" to declaring a huge number of real people to be "villains" and the future generations to be "innocent victims." In the narrative of Dostoyevsky, Solovyov, Ilyin and Lunacharsky, and of some contemporaries, invocation of the sufferings of a child, a girl or any other person is merely a trigger, a weapon against the absolute moral ban on violence. In their works, booklets and speeches, the imagined argument played the role of an instrument to justify the mass madness of war and brutalization of groups of people on national, religious, social or class grounds.

Dostoyevsky used the argument to try to prove the necessity of the escalating war between the Russian and Ottoman empires, Solovyov to bolster a "moral" sanction of the past war and imaginary future apocalyptic wars, Ilyin and Lunacharsky who supported opposite sides in the Civil War, as a sanction of the past slaughter and a future bloody confrontation. For all of them the imaginary situation of "the villain" and "the innocent victim" was a weapon to pull down the edifice of non-resistance to evil by violence to promote their diverging and sometimes directly opposite ideas of who are the "villains" and who are the "innocent victims," and how to order the good world they sought to achieve, not stopping short of mass murder. To use Ilyin's expression with which Dostoyevsky, Solovyov and Lunacharsky would probably have agreed, if a Tolstoy follower in this imaginary situation sacrifices "his righteousness" and "perpetrates an evil deed" through resisting "by violence" then "if he understands and recognizes this higher idea then it needs to be formulated… And if it is formulated what will remain of the notorious 'non-resistance' doctrine?" [6, pp. 93-94].

In other words, Tolstoy's opponents were looking for a formula that would accomplish the impossible and justify the base and inhuman system of coercion, violence and murder in the name of this or that "higher" goal, while the "innocent victim" served as an instrument and an important part of this monstrous formula. A real, and most importantly, moral alternative to the above positions of Dostoyevsky, Solovyov, Ilyin, and Lunacharsky was put forward by Tolstoy who maintained that the moral ban on violence was absolute, which in his case was necessarily linked with a ban on dehumanization of the individual and any social, religious, national, class or other group.

Leo Tolstoy's counter-arguments

Thus, **Leo Tolstoy** did not only initiate a discussion around the "innocent victim" argument in his novel *Anna Karenina*, but later noted that the main argument to justify violence boils down to the "imaginary robber, who injures and kills innocent people before your eyes" [26, p. 212; 27, p. 127]. Tolstoy was aware of Solovyov's wish to justify violence, including the death penalty, and he knew Dostoyevsky's above-quoted diary note. Thus, in an 1882 letter to Tolstoy, the young revolutionary-minded journalist Mikhail Engelgardt, who shared the views on violence with the conservative and anti-revolutionary Dostoevsky,

wrote about the diary note of the latter. Tolstoy replied to Engelgardt: "What Dostoyevsky writes and what I find repugnant I heard from monks and metropolitans, namely, that making war is allowed, that it is defense—laying down one's life for brothers—and I always replied: to shield with one's body, exposing oneself, yes, but to shoot at people from a rifle is not defending but killing" [23, p. 114].

The self-sacrifice motive and a commitment to changing the inhumane scheme will be considered below, in the meantime, it has to be noted that each time he faced the "innocent victim" argument which was advanced frequently by various people Tolstoy categorically refused to accept it as refutation of the absolute nature of the ban on violence. He believed that attempts to contemplate an exception to this ban were wrong in themselves and entailed irreparable consequences since an exception becomes the rule of action that does not end violence but maintains and strengthens it.

Tolstoy refuted the "innocent victim" argument in his correspondence, literary, journalistic and philosophical writings. A detailed philosophical critique of the "innocent victim" argument is contained in Tolstoy's letter presumably written in January 1888 to the social-revolutionary Mikhail Chernavsky [24], and in a January 1896 letter to the American writer Ernest Crosby [22]. Pointing to a possible link between these two events, in that same year (1888) Tolstoy wrote about his intention to write a story about "a murderer who was horrified of non-resistance" [13, p. 583], which would be a literary criticism of the "innocent victim" argument. Since then Tolstoy expressed the same intention in his diary notes during many years, until in 1904 he finished the story *The Forged Coupon*, in which one story line implements this plan.

In *The Forged Coupon,* the character by the name of Semyon commits several gruesome cold-blooded murders that form a chain of cause-and-effect acts which starts with a quarrel with his father and the forging of a coupon by an indebted high-school student who until last remains totally ignorant of the consequences of his lie. Semyon's last victim, a woman living the life of an ascetic, by her dying words stirs up his dormant conscience. In prison and then in a hard labor camp, the brutal murderer drastically changes his life becoming a repentant sinner who does not only renounce violence himself, but by his acts, humility and conviction changes for the better people from various social strata. At the end of the story, Semyon brings about a reconciliation between a high-school student and his father [15].

The message Tolstoy wanted to bring home to his reader was that a lie told by a child can set in motion a circle of violence. That he who has committed an evil deed may have previously been a victim. That a "brigand" can be formed by the violence and callousness of the people around him. That one cannot understand an evil deed outside a broader perspective and he who has committed an evil deed may become a virtuous person, but not as a result of violence towards him, but through an attempt to persuade and instill "horror of non-resistance."

Tolstoy builds his philosophical criticism of the "innocent victim" argument encountered in many letters, notes and articles around a group of interconnected

counter-arguments; among them I distinguish four main counter-arguments which I tentatively call empirical, structural, consequential, and anti-epistemological.

What I call an **empirical counter-argument** consists in recognizing that encountering the "innocent victim" situation in real life is highly unlikely. In a letter to Chernavsky, Tolstoy writes: "Justifications of this kind always assume the imaginary robber who has nothing human about him, who kills and tortures innocents, and this imaginary beast who seems to be constantly in the process of killing innocents provides grounds for the reasoning of all abusers about the need for violence; yet such a robber is the most exceptional, rare and even impossible case. Many people can live hundreds of years, as I have lived 60, never encountering a fictional robber in the act of committing his crime" [24, pp. 143-144]. In a letter to Crosby, Tolstoy writes: "No one has yet seen the imaginary robber with the imaginary child" [22, p. 21].

Thus Tolstoy stresses that encountering such an imaginary concatenation of events is not only problematical, but criticizes the possibility of encountering in real life an imaginary "robber" who possesses, in the imposed fictional situation, incompatible characteristics. Thus, "the robber," who has some human features, is reduced by the "innocent victim" argument to having nothing human and existing solely by abusing innocent people.

In the *Introduction to the Biography of a Garrison,* Tolstoy elaborates this idea: "Having lived seventy-five years, I have never, except in discussions, encountered that fantastic brigand, who, before my eyes desired to kill or violate a child, but that perpetually I did and do see not one but millions of brigands using violence towards children and women and men and old people and all the labourers in the name of the recognized right of violence over one's fellow" [14, p. 98; 17]. Thereby Tolstoy asserts not equality, but the fundamental difference between real brigands and the imaginary "brigand" and refers to numerous facts of the use of violence that are vastly different from the scheme of the "innocent victim" argument.

Tolstoy stresses that behind real violence stands not the "brigand" of the argument but those who in this argument put themselves in the position of "the third participant" who defends the "innocent victim," however, this leads them not so much to protection as to violence, including violence toward innocent people. Tolstoy sees the way out of the situation of self-perpetuating violence in total rejection of violence which can never be justified regardless of what brigand and in defense of what "innocence" uses it. Tolstoy writes: "One should endeavor to replace violence by persuasion. That this may become possible it is necessary first of all to renounce the right of coercion" [14, p. 98; 17].

Tolstoy also notes that the "innocent victim" argument does not reflect or generalize reality, but distorts and deforms it by imposing a certain scheme constructed not from understanding reality but from personal immersion in violence and inability or reluctance to imagine a world without violence. In his work *Neizbezhniy perevorot* (*Inevitable Upheaval*), Tolstoy, addressing the Russian elite of the time, notes that many of its members who put forward this argument

show no signs of disapproving the violence perpetrated by Russia's state apparatus while being extremely concerned about the attitude to an imaginary child. This attitude, Tolstoy writes, shows that in reality "these people who seek to justify violence, are concerned not about an imaginary child, but about their own fate, their whole life which is based on violence" [16, p. 92].

What can be described as a **structural counter-argument** is contained in the same letter to Chernavsky and is repeated in Tolstoy's other works forming the main thrust of the criticism of violence. Tolstoy asserts, on the one hand, unconditional acceptance of responsibility for everything, including evil done by "villains," and on the other hand, maintains that it is impossible in principle to conquer violence by violence. He writes: "When discussing real life and not fiction, we see something quite different: we see people and even ourselves performing the cruelest of deeds, first, not alone, like the imaginary robber, but always in association with other people, and not because we are beasts who have nothing human about them, but because we are steeped in delusions and temptations" [24, p. 144]. Tolstoy's message is that in real life there can never be an impartial observer (third participant in the "innocent victim" argument) separate from the others. Every person is from the start involved in the world of violence and is linked with those who perpetrate violence, and is often involved in it, therefore a moral deed consists in accepting responsibility not only for saving "the victim" but for preserving the life of "the villain." Thereby Tolstoy points to yet another structural flaw of the "innocent victim" argument, viz. restricting the space of the event to three figures (villain, innocent victim, observer), stressing the need to bring in a broader perspective which would do away with the schematic fiction and put into question the right to use any kind of violence.

Tolstoy demonstrates the feebleness and falsehood of the "innocent victim" argument in a letter to Engelgardt in an attempt to make the young revolutionary change his thinking about violence. In the letter, Tolstoy slightly modifies the imaginary situation of the argument presenting a mother who "whips her child to death." Thus the mother of the "innocent victim" becomes the "villain" and Tolstoy asks: "Does it make sense to use violence with regard to the mother who whips her child? If a mother whips her child, then what is it that gives me pain and that I consider to be evil? The fact that the child feels pain or the fact that the mother, instead of the joy of love experiences the torment of anger?" Tolstoy offers a non-violent answer to both questions. "I think there is evil in both. One person cannot do evil. Evil is disunion of people. So if I want to act it is only for the purpose of putting an end to disunity and restoring communication between mother and child" [23, p. 114]. Thus Tolstoy offers a perspective totally strange to the consciousness that is used to violence, a perspective in which the very use of the "innocent victim" argument, which imposes an inhuman choice, is not a solution, but a serious problem, which can only be solved through an absolute renunciation of violence expressed in his call "you shall not kill anyone" and through love. Tolstoy demonstrates that the "villain," depersonalized in the argument in order to transpose a fictional scheme to real life and to arbitrarily appoint a "villain," becomes a person with his/her own problems and probably misfor-

tunes; a person who may happen to be a mother, a relative of the victim or, elaborating Tolstoy's idea, a relative of the person who is rashly asked to answer an amoral question. And what if one puts in the place of the imaginary and impersonal "villain" the father of the one who is faced with the question of killing a "villain?" Or the father of someone who tries to smuggle in this argument? Would the critic of non-violence just as readily accept even an imaginary murder of his father as an answer? Would he be able to bring himself to say that it is moral to kill one's father, even in an imaginary situation and in order to save an innocent victim? Would not such a person become convinced that the argument is inhuman and hopelessly immoral?

In what can be tentatively described as a **consequentialist argument**, Tolstoy looks at the gruesome consequences of adopting and following the imaginary "innocent victim" situation. In a letter to one of his émigré followers, Tolstoy writes: "One cannot tolerate the slightest compromise in an idea. A compromise inevitably occurs in practice, all the more reason not to tolerate compromises in theory. If I want to draw a line close to the mathematical straight line I should not allow for a second that a straight line can be anything but the shortest distance between two points" [25]. Elsewhere Tolstoy notes that if a person, who is oriented towards non-resistance to evil by violence, suddenly encounters a situation which reminds to this person that of the "robber-villain," the chances are that he would treat "the robber in a different way than he who has all his life been seething with anger against a robber without ever seeing one" [24, p. 144]. Thereby Tolstoy points to the dangerous consequences of asserting even a hypothetical right to violence because it brings evil into life by the mere fact of preparing for a possible use of violence, introduces a predisposition for violence and impedes the establishment of a non-violent attitude to the people around one. In a real situation, which would remind a person who has accepted the argument of the imaginary situation, he would more readily agree to use violence and would be less able to resolve the conflict without using violence than someone who has not, from the outset, contemplated using violence. In other words, those who accept and pursue the "innocent victim" argument usually seek to form a certain attitude, character and worldview which include, presuppose and allow for the use of violence.

Furthermore, those who uphold the "innocent victim" argument sometimes say that violence towards the robber who is *predisposed* to violence is merely a *reaction* to his inhuman intention and a *forced prevention* of a hideous evil deed, but Tolstoy argues that in reality the person who has accepted the argument is *proactively predisposed* to violence and *seeks* to place within the argument involving violent life situations that are inevitably unique, unclear and different from the scheme. In other words, the "innocent victim" argument, if accepted, may start serving as a scheme from which violence is *actively* introduced into the world and in accordance with which the surrounding world is organized and built. The above-cited arguments of Dostoyevsky, Solovyov, Ilyin, and Lunacharsky who pursue it not so much to justify violence perpetrated in the past as to promote violent and military actions in the future are vivid examples of this monstrous unfolding of the argument.

What I call Tolstoy's **anti-epistemological counter-argument** is his contention that it is impossible to subordinate morality to cognition and to derive a moral act from cognitive schemes. It would be wrong, however, to say that Tolstoy had opted to renounce value judgments and passively accept injustice. The second half of Tolstoy's life demonstrates that he exposed and struggled against everything he perceived to be evil. However, he considered violence to be the key manifestation of evil and he saw the gravest mistake in using violence to fight violence, including attempts to justify violence. Tolstoy repeatedly asserted that there is no transition from the cognitive schemes that distinguish and introduce criteria of good and evil to the justification of violence which is the main manifestation of evil. For a moral person, morality does not depend on cognitive schemes that seek to separate justified from unjustified violence, but vice versa, cognitive schemes depend on morality whose essence is renunciation of any violence.

Another aspect of the anti-epistemological argument is that cognition and the ability to predict another's actions are relative. Tolstoy points out that *in reality* one person can never know for sure what a real and not imaginary situation will end up with. He writes: "Apologies for violence used against one's neighbor in defense of another neighbor from greater violence are always untrustworthy, because when force is used against one who has not yet carried out his evil intent, I can never know which would be greater—the evil of my act of violence or of the act I want to prevent." Tolstoy reflects on the example with the ruffian: "I see that a man I know to be a ruffian is pursuing a young girl, I have a gun in my hand—I kill the ruffian and save the girl. But the death or the wounding of the ruffian has positively taken place, while what would have happened if this had not been I cannot know" [18, p. 29; 19, p. 15].

In the letter to Crosby, Tolstoy again puts into question the limited and false perspective set by the "innocent victim" argument. Tolstoy elaborates his thought spreading the uncertainty situation from the active or passive participants in the situation to include the incalculable consequences if the violent scheme is used in real life. He writes: "If a non-Christian does not recognize God, and does not consider the meaning of life to consist in the fulfilment of God's will, it is only calculation, that is, the consideration as to what is more profitable for him and for all men, the continuation of the robber's life or that of the child, which guides the choice of his acts. But to decide this, he must know what will become of the child which he saves, and what would become of the robber if he did not kill him. But that he cannot know. And so, if he is a non-Christian, he has not rational foundation for saving the child through the death of the robber" [22, p. 19]. In this way, Tolstoy opens a truly moral perspective fundamentally different from that which deifies cognition, asserting that moral responsibility is unlimited and the ban on violence is absolute while admitting the limitations and imperfections of cognition.

Elsewhere Tolstoy shifts the emphasis still more to stress that one can only be sure of one's own, and not another man's act, which is why it is so important not to allow the evil of violence in the name of some good ends: "A rogue has

raised his knife over his victim. I have a pistol in my hand and kill him. But I do not know, and cannot possibly know, whether the purpose of the raised knife would have been implemented. The rogue may not have carried out his evil intention, whereas I certainly commit my evil deed. Therefore, the only thing that a person can and must do in this and similar instances is what he must always do in all possible circumstances: he must do what he believes he ought to do before God and before his own conscience. A man's conscience may demand that he sacrifice his own life but not that of another person" [20, pp. 206-207; 21].

Solovyov, for example, considers the above argument unconvincing because the imaginary situation does not envisage such a development since it posits only two possible scenarios: either the observer (the third participant) kills the villain or the villain kills the innocent victim. But the point is that Tolstoy seeks to bring the imaginary situation closer to the real one, on the one hand, and on the other hand to the moral situation where a truly *moral* choice is possible. Instead of the "observer," Tolstoy introduces a moral subject who is unable to and must not try to make judgments for the other, to act for him or try to impose his will on him. The above extract is directly connected with Tolstoy's appeal that follows: "Understand that the assumption that a man may organize the lives of others is a crude superstition that people have only accepted because of its antiquity" [20, p. 210; 21]. It is important to note that Tolstoy speaks about "organizing" the lives of others at one's discretion, which always involves coercion. And of course he does not deny, but on the contrary, urges people to help and do good to others and to try by words and non-violent actions to prevent what is perceived as evil. Here morality sets limits to cognition and will, which must not be based on and use violence. All this leads Tolstoy to change the conditions of the imaginary situation and propose his version of the deed which transcends the "active" (killing the villain) versus "passive" (allowing evil to be done) dichotomy imposed by the "innocent victim" argument.

Tolstoy's version is self-sacrifice, that is, taking the place of the victim. He writes in the much-quoted passage of the *Life Path* collection: "If I see that a person intends to kill someone, the best thing I can do is try to help the victim by: putting myself in his place, or by trying to save him by getting him to safety, or by hiding him, or by trying to ward off the blow—much the same way that I would risk my life trying to save a person from fire or drowning" [26, pp. 222-223; 27, p. 133]. Moreover, Tolstoy's above-quoted letter to Chernavsky has a sentence that looks at the imaginary situation from a different angle. He writes: "Speaking about love, no examples of villains can justify the murder of another person, and would lead only to the simplest and inevitable conclusion that follows from love,—that a person would shield another with his body, give her own life rather than taking the life of another person" [24, p. 142]. Tolstoy rises to a fundamental philosophical-ethical level reinterpreting and thus changing the imaginary situation. In this extract, the word "the other" used in the singular refers equally to the villain and to the victim. The new situation no longer has clearly assigned roles with predetermined behaviors, it is open-ended and has a real tragic collision in which the moral task is to try to save the Other without

resorting to the killing of the Other. Tolstoy (wittingly or unwittingly) moves from the cognitive level where the "villain" and the "innocent victim" and what will be and even what ought to be are clearly indicated, to the fundamental moral level of I and the Other. At this level it is unknown whether the Other is initially bad or good, there is no "third participant" ("the judge and savior") and the I is defined via responsibility for the Other who is not cognitively categorized.

Conclusion

The "innocent victim" argument derives moral significance from the premise that violence is evil since it is violence in its hideous form that threatens the "victim," but the answer imposed by the argument (agreeing to a murder) refutes the premise. Accepting the argument leads not to the criticism of violence, but on the contrary, includes it in individual, social and political practices by gradating violence on a scale of inevitably different people into "acceptable" and "unacceptable" forms. This gradation stems from the desire to categorize people into "good" ("innocent victims"), with regard to whom violence is condemned, and "bad" ("villains") with regard to whom violence is not only allowed but is required in certain situations. He who accepts the argument deems himself to be the "judge-savior" who decides who is "good" and who is "bad" and claims the right to use violence toward the latter. As Abdusalam Guseynov writes, in this case "the argument for violence boils down to presenting oneself as the bulwark of good and the opposite side as absolute evil incarnate" [5, p. 516]. Another prerequisite of the argument is asserting the need to combat violence epitomized by the *imaginary* "villain," but in terms of its conclusion and intent the argument is actually aimed at combating non-violence which a *true* adherent of the absolute ban on violence upholds. In other words, the conclusion the argument propounds destroys the prerequisites from which it acquires moral significance. This is *immoralism*, which neither upholds nor ignores morality, but deliberately destroys it.

The "innocent victim" argument distorts time, protagonists and the relations among them, which are not derived from reality, but are introduced according to predetermined, limited and fixed roles of "villain" and "victim" whose behavior is predetermined. Thereby characteristics of the past or extra-temporal schematized reality are imposed on the future, which is never pre-determined and cannot be predicted with absolute accuracy. As a result, the argument does not contain a real moral choice made under conditions of uncertainty since it precedes and not follows the assignment of roles. The argument is so constructed as to leave no room for observing the "thou shalt not kill" commandment because either the "third participant" intervenes and kills "the villain" or the "villain" kills the "innocent victim." The figures are like constants in a soulless and merciless equation. The argument is called upon not to lead man out of the circle of violence, but to bring him into it, not to humanize the relations among people, but to dehumanize "the villain," not to liberate but to put man into shackles of necessity. If the "innocent victim" argument proves anything it is the fact that

one can construct an argument in which moral choice is impossible, but coercion to such a choice, even in an imaginary situation (coercion is implied in the very question of the "innocent victim" argument) is morally admissible, which is further proof of the argument's immoralism.

Tolstoy countered any principle that allows coercion, which is a kind of violence, with the principle of non-resistance to evil by violence, the principle that has one fundamental difference: it negates violence not only as a means toward achieving any ideal, but also as a means of self-assertion. He writes: "The principle of non-resistance is not a principle of coercion but of concord and love, and therefore it cannot be made coercively binding upon men. The principle of non-resistance to evil by violence, which consists in the substitution of persuasion for brute force, can be only accepted voluntarily" [14, p. 98; 17]. In other words, he is referring to the key difference which applies also to the participants in the discussion on violence and non-violence. Thus, he who allows "justified" violence allows it, under certain conditions, to be used toward his interlocutor while he who upholds an absolute ban on violence recognizes that he cannot force his interlocutor to even follow the principle of non-violence thus recognizing that under no conditions can he treat a person as not being a human being. The aim of the champion of an absolute ban on violence is to create a situation when coercion is impossible, thus creating a growth point for the social spread of the idea of non-violence and for ending violence. This perspective has tremendous importance for philosophical thought and social practice, which, in spite of its long history, is only beginning to be widely recognized and applied (see, for example, [4]).

He who is presented with an imaginary villain-and-innocent-victim situation is invited to identify himself with the third participant ("observer" or "judge-savior"). If somebody is offered the predetermined role of "the third participant" such a person may control the argument, but control is exercised not through consent to amoral identification and an illusory choice of one or other manner of killing, but through immediate renunciation of any murder, a refusal to shed one's uniqueness and unlimited responsibility for the life of any Other and a refusal to assume the predetermined role of "the third participant" and accept the immoral argument. The true choice is not about a choice between two proposed ways of killing, but about the possibility of not accepting the argument aimed at stripping a person of his/her subjectivity, unlimited responsibility and a non-violence position.

Organizing life without violence calls for an abrupt rejection of the "innocent victim" argument examined above, for an absolute ban on violence and recognition of non-violence as the essence of any moral act and an abiding element of a moral decision.

References

All the sources cited except 10, 12, 17, 21, 27 are in Russian

1. Dostoyevsky F. M. The Diary of a Writer, 1877. Id. *The Complete Works*. 3rd ed. Vol. 11. St. Petersburg: Tipografiya Br. Panteleyevykh, 1888.
2. Dostoyevsky F. M. *The Diary of a Writer*. Trans. and annotated by B. Brasol. New York: George Braziller, 1954.
3. Gelfond M. L. *Ethics of Non-Violence of L. N. Tolstoy*. Moscow: RPA Minyusta Rossii, 2013.
4. Guseynov A. A. The Ethics of Non-Violence: The Bidding of the Time. Id. *Philosophy as a Thought and Act*. St. Petersburg: SPbGUP, 2012, pp. 529-539.
5. Guseynov A. A. Is Violence Morally Defensible? Id. *Philosophy as a Thought and Act*. St.-Petersburg: SPbGUP, 2012, pp. 502-518.
6. Ilyin I. A. On Resistance to Evil by Force. Id. *The Collected Works*. Vol. 5. Moscow: Russkaya kniga, 1996, pp. 31-220.
7. Lunacharsky A. V. *Tolstoy and Marx*. Leningrad: Academia, 1924.
8. Meleshko Ye. D. *Christian Ethics of L. N. Tolstoy*. Moscow: Nauka Publishers, 2006.
9. Solovyov V. S. Three Conversations about War, Progress and the End of World History. Id. *The Works*. Vol. 2. Moscow: Mysl, 1988.
10. Solovyov V. S. *War*, *Progress and the End of History*: *Three Conversations Including a Short Story of the Anti-Christ*. Trans. by A. Bakshy. Hudson, NY: Lindisfarne Press, 1990.
11. Tolstoy L. N. Anna Karenina. Parts 5-8. Id. *The Complete Works*. Vol. 19. Moscow: Khudozhestvennaya literatura, 1935.
12. Tolstoy L. N. *Anna Karenina*. Trans. by R. Pevear and L. Volokhonsky. Penguin Books (U.S.A.), 2002.
13. Tolstoy L. N. Diaries and Notebooks 1904-1906. Id. *The Complete Works*. Vol. 55. Moscow: Khudozhestvennaya literatura, 1937.
14. Tolstoy L. N. Foreword to the Biography of Garrison, Compiled by V. Chertkov and F. Holah. Id. *The Complete Works*. Vol. 36. Moscow: Khudozhestvennaya literatura, 1936, pp. 95-99.
15. Tolstoy L. N. The Forged Coupon. Id. *The Complete Works*. Vol. 36. Moscow: Khudozhestvennaya literature, 1936, pp. 5-53.
16. Tolstoy L. N. Inevitable Upheaval. Id. *The Complete Works*. Vol. 38. Moscow: Khudozhestvennaya literatura, 1936, pp. 72-99.
17. Tolstoy L. N. Introduction to the Biography of Garrison by Lev Tolstoy (Letter to V. Chertkov). Chertkov V., Holah F. *A Short Biography of William Lloyd Garrison*. London: Free Age Press, [1904]. Available at: https://ia800600.us.archive.org/27/items/ShortBiographyOfWilliamLloydGarrison_V.Chertkov/Short%20biography%20of%20William%20Lloyd%20Garrison%20-%20V.Chertkov.pdf.
18. Tolstoy L. N. The Kingdom of God Is within You. Id. *The Complete Works*. Vol. 28. Moscow: Khudozhestvennaya literature, 1957.

19. Tolstoy L. N. The Kingdom of God Is within You. Trans. by C. Garnett. New York: Cassell Publishing Company, 1894. Formatted and edited www.non-resistance.org. (2006)
20. Tolstoy L. N. The Law of Love and the Law of Violence. Id. *The Complete Works*. Vol. 64. Moscow: Khudozhestvennaya literatura, 1956, pp. 206-207.
21. Tolstoy L. N. The Law of Love and the Law of Violence. Id. *A Confession and Other Writings*. Trans. by J. Kentish. Penguin Books. 1987.
22. Tolstoy L. N. Letter to Ernest Crosby. Id. *The Complete Works*. Vol. 69. Moscow: Khudozhestvennaya literatura, 1954, pp. 13-23. Available at: https://en.wikisource.org/wiki/Tolstoy_letter_to_Crosby.
23. Tolstoy L. N. Letter to M. A. Engelgardt. Id. *The Complete Works*. Vol. 63. Moscow: Khudozhestvennaya literatura, 1934, pp. 113-129.
24. Tolstoy L. N. Letter to M. M. Chernavsky. Id. *The Complete Works*. Vol. 64. Moscow: Khudozhestvennaya literatura, 1953, pp. 140-144.
25. Tolstoy L. N. Letter to W. L. Kanter. Id. *The Complete Works*. Vol. 65. Moscow: Khudozhestvennaya literatura, 1953, p. 71.
26. Tolstoy L. N. Path of Life. Id. *The Complete Works*. Vol. 45. Moscow: Khudozhestvennaya literature, 1956.
27. Tolstoy L. N. *Path of Life*. Trans. by M. Cote. New York: Novinka Books, 2002.
28. Yemelyanov B. V. Censorship of Philosophical Literature in Russia: From the Silver to the Iron Age. *Vestnik MGTU* (Herald of Murmansk State Technical University). 2010. No. 2, pp. 342-348.

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