

THE NEED FOR CIVIL DISOBEDIENCE

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Civil Disobedience is the public, non-violent and intentional refusal of law or a set of laws that are perceived to be “unjust”, in order to promote moral consistency. A proponent of civil disobedience suggests that there are situations that necessarily call for this acting out to maintain justice, morality, safety, and the overall good of society. In his book *Morals and Ethics*, Carl Wellman establishes basic situations in which civil disobedience would be justified; among his justifications is the need to preserve moral integrity, combat immorality, and promote positive social reform.¹ Still many other philosophers, including Socrates, believed there could be no moral justification for civil disobedience. Such behavior would only hurt the system. Although Socrates and other philosophers strongly oppose any form of civil disobedience, I claim that in order to maintain moral integrity, promote social progress, and keep governmental authority in check, civil disobedience is justified.

As a precursor to the civil disobedience argument, it is important to recognize that all points addressed regard any reasonably just and moral society which would promote obedience of law. However, it must be noted that although there can be strong moral justifications to follow certain individual laws, there is no moral obligation to

follow the law as it stands in its generalized form.² What necessarily follows is just as all citizens of a sovereign generally have a legal and somewhat moral obligation to obey the law, they also have a moral obligation to prohibit those immoral laws that would infringe upon others’ rights unjustly.

Our governmental system is made to function on a stipulated set of moral standards. In a democracy, each individual is entitled to promote these moral standards by helping to establish and maintain laws and statutes. That being said, this system would not work unless we could rely on both the citizens and our elected officials to possess a sense of integrity toward these standards. To illustrate, suppose the government passed law that all people with vehicles were criminals guilty of environmental deterioration. They proceeded to punish these individuals by blowing up their cars. Such an act would impose on our constitutional right to own property. An act of civil disobedience could be in order to bring attention to the injustice and put an end to the statute. In order to see that our rights are protected and our morals are upheld, the citizens have a responsibility to preserve certain moral standards. Socrates, in *Crito*, lived by the philosophy of moral consistency—he would much more prefer to give up his life than his principles. He believed that wrong should never be returned

¹ Kimberley Brownlee. “Civil Disobedience.” Stanford University. Stanford University, 04 Jan. 2007. Web. 12 Jan. 2015.

² Carl Wellman. *Morals and Ethics*. Englewood Cliffs, NJ: Prentice Hall, 1988.

for wrong. Although he opposed civil disobedience, this could help support the notion that citizens must therefore have the obligation to stand up for violations of principal—within the means of civility.³ If we do not act with this responsibility, we would pollute the system and disable its functionality.

The need for social progress further justifies civil disobedience. As illustrated in the previous example, civil disobedience can bring attention to a cause and promote change in a problem that may have otherwise been overlooked. Once the problem is acknowledged, necessary steps are taken to veto a law or prohibit any further unjust acts. In other words, civil disobedience can be the segue for positive reform—and history has proven this time and time again. When the unsafe working conditions and starvation wages still existed in America in 1900, it was necessary that the workers go on strike to bring attention to the less than desirable circumstances. In turn, their strike led to higher compensation for workers and an establishment of child labor laws.⁴ Similarly, the abolition of slavery would not have come to pass unless there was an uprising by those who opposed it. In theory, illustrated by both situations, submitting to unjust rulers or laws would have resulted in a far greater state of chaos. There was, however, no corrupt government that needed to be overthrown in either case, but there was a need to change the system by promoting moral integrity. This ultimately led to positive social progress.

Someone who opposes the justification of civil disobedience might point out that in any

given situation, we could not possibly know that the act of disobeying would be worth the price. In other words, there can be no assurance that the end will justify the means. Take for example what took place years after the French Revolution. In 1871 the Parisian people thought they could overthrow the republic, similar to how it had been done almost fifty years prior. However, the resistance backfired; 20,000 people were killed in one week and no reform was made.⁵ Was this sacrifice worth the end, which ultimately brought about no positive change? Those who deny this question also deny the justification of civil disobedience. Furthermore, an opponent of the civil disobedience claims that social harms by breaking the law- in any form- are inevitable. No matter how good the cause, acting out will always bring negative consequences, because it is a lack of respect for the established system.

While the opponents raise a good point, an advocate of civil disobedience could respond simply by saying that the dangers of not objecting to unjust laws or rulers are just as grave, if not more so, as the process of reform. Martin Luther King did not believe that the ends justified the means; however, this was because he saw that the means had to be just as pure as the desired end. In this sense, “immoral destructive means cannot bring about moral and constructive ends.” He saw that on the other end of the spectrum, looking at the role of government within a nation, leaders of our country could impose just as wrong or unjust of a “means” to bring to pass a “just” end.⁶ For this reason, Martin Luther King and the student movement focused on

3 Plato and Benjamin Jowett. *Crito*. New York: C. Scribner's Sons, 1871

4 Stanley Lebergott, “Wages and Working Conditions.” *The Concise Encyclopedia of Economics*. 1993. Library of Economics and Liberty. 8 Jan. 2015 <<http://www.econlib.org/library/Enc1/WagesandWorkingConditions.html>>.

5 Editors of Encyclopedia Britannica. “Commune of Paris | 1871.” *Encyclopedia Britannica Online*. Encyclopedia Britannica, 16 July 2014. Web. 12. 9 Jan. 2015.

6 Martin Luther King. “Love, Law, and Civil Disobedience.” Speech given to the Fellowship of the Concerned, November 16, 1961.

nonviolence and the steady endurance of a peaceful but firm opposition of the law, while believing that this pure means would ultimately enable them to reach their desired and pure end.

Of course, this is not to say that civil disobedience is always good. If this were the case then obeying the law would never be required and society would enter into anarchy. There are, however, certain times in which our democracy is not enough to make proper changes. Hence, civil disobedience cannot be considered disrespect for our system, as it would then be equated with patriotism and a love for one's country. Furthermore, while it cannot always be determined what may happen in consequence of disobedience, it also cannot be proven what would happen as a result of not doing anything. Either way, an appeal to ignorance renders this argument invalid, and a chance must be taken where there is substantial evidence that enough positive reform will result from the act that it is then justified. If used correctly, it necessarily follows that civil disobedience is not disrespect for one's country, but rather an advocate of promoting the purest form of a moral government and the greater good of society.

One last justification is that civil disobedience is needed in times when the government exceeds its authority and there is no practical alternative. History has shown that it is often the case that the government becomes corrupt and steps on the rights of its citizens. At these times it is necessary for the citizens to keep them in check, and to establish what they may and may not have control over. Aquinas believed that the government is established to protect and withhold our natural rights. If otherwise left unchecked, the government would have the potential of imposing upon these

natural rights and the liberty of the governed. Our government has established a three-tiered system in which the government checks itself. Ultimately however, it is the citizens' responsibility to make sure those checking on one another are also being fair and moral. Although the best option is to utilize this system of a democracy to find solutions to any problems there might be, the ability to reform unjust laws of any kind are contingent on the morality of the government officials. Hence, if a governmental body becomes corrupt, the necessary mean to restoring justice and liberty is through civil disobedience. Henry David Thoreau, a prominent writer, philosopher, and activist for the practical use of civil disobedience, formulated his purposes largely around the motto, "That government is best which governs least", and shared his belief that the government is "equally liable to be abused and perverted before the people can act through it."⁷ Hence, upon Thoreau's premises, civil disobedience is the necessary tool to stop government from imposing upon its people, and, essentially, the people imposing upon themselves.

There are times when civil disobedience is a necessary method in promoting moral standards, justice, and the overall functionality of our governmental system. Because our system was founded upon natural rights and fundamental principles of morals standards, it is the citizens' responsibility to take action when those establishments are being infringed upon. Furthermore, social progress is made possible in keeping the government within its authority through such action. It is possible, however, that

⁷ Henry David Thoreau. Civil Disobedience. Originally published as Resistance to Civil Government. 1849. <<http://thoreau.eserver.org/civil.html>>.

violating one law with the intent to reform it individually could harm the system as a whole. In addition, breaking one individual law could result in opposition of all laws, thus constituting lawlessness. These and other points still need to be explored. Ultimately, I stand by my claim that there are cases that constitute and justify civil disobedience as necessary for the greater good of society.

