Civil Disobedience
What is Civil Disobedience

People are sometimes described as practicing "civil disobedience."

What does "civil disobedience" mean?
A Working Definition of Civil Disobedience

Let's define civil disobedience as follows:

*Civil Disobedience* is a conscientious violation of the law with the goal of changing laws or associated practices of government.
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Civil Disobedience is a morally permissible violation of the law with the goal changing laws or associated practices of government.

This definition raises two questions:
1. Are there acts of civil disobedience?
   No doubt people have broken laws with the intent to change them, but is this ever morally permissible?
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This definition raises two questions:

1. Are there acts of civil disobedience?
2. What makes such an action morally permissible? When is a violation of the law with the intent to change it moral?
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Our definition does not require that civil disobedience exists any more than a definition of "unicorns" requires that they exist.
Are there Acts of Civil Disobedience?

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However, that doesn't get rid of the second question: what separates civil disobedience from ordinary law breaking and even law breaking meant to change the law but which isn't morally permissible?
Examples of Breaking Law for Change

What are some examples of breaking law to create change?
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Martin Luther King Jr., Ghandi
Student Sit-ins during Vietnam War
Anti-abortion trespasses
Environmentalist defenses
Anti-War Vandalism
Animal "liberations"
Anti-Israeli cafe bombings in Palestine
Examples of Breaking Law for Change

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Some target public establishments and have a clear relation to the political change in question.
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- But some target private businesses.
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- Some have dubious relation to the policies in question.
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Some are outright terrorism.
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And some involve extremely controversial social issues.

Some have dubious relation to the policies in question.

Some are out-right terrorism.
Examples of Breaking Law for Change

Furthermore, all these cases occur in nearly just democratic societies. (The clear exceptions seem to be uncontroversial cases like King and Ghandi.)

Might the boundaries of moral permission be different in oppressive, unjust society?
What Makes an Act Civil Disobedience?

Conscientiousness

Acts of Civil Disobedience are done with a deep moral conviction and concern for something of deep political or moral importance, such as justice. Light concerns or self-interest are not sufficient.
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Light concerns: possession of small amounts of marijuana is a misdemeanor offense, usually punished with a fine and probation. I might think that it shouldn't be, but many would say that this lack the gravity to be a concern of justice.
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Self-interest: breaking the law because a change in the law would be a benefit to me doesn't meet the standard: I might not like taxes as they are, but mere concern for my pocket book is too low of a standard for civil disobedience.
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That's not to say that drug laws and tax legislation couldn't be unjust: they could be. But insofar as those laws are democratically chosen laws and meet standards of being just, they don't seem to meet a standard of conscientiousness.
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Publicity

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Some have argued that, where possible, authorities should be notified of acts of civil disobedience in advance. This can hinder the acts themselves because authorities may prevent the actions. Even so, civilly disobedient groups must own up to their actions.
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Furthermore, acts of civil disobedience cannot be taken with an attempt to avoid punishment for the violation of law.
What Makes an Act Civil Disobedience?

Communication

Acts of civil disobedience work in part by communicating one's disapproval. They are often a form of demonstration and expression.
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Non-Violence

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Some go further and claim that direct harms of any sort (e.g. economic) are unacceptable violations of the law, and preclude an act's being civil disobedience.
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Non-Violence

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This particular condition is a tricky one. Consider the case of emergency workers (firemen, ambulance drivers) going on strike.
Discussion

For each of the conditions that people have discussed regarding whether an act is one of civil disobedience, why do you think people have thought so.

Here are the conditions:

● Conscientiousness
● Publicity
● Communication
● Non-violence
● Willingness to accept punishment
All of these constraints suggest that civil disobedience involves a kind of respect for the rule of law, though not for certain laws or applications of them.
Discussion

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Conscientiousness respects the democratic will of just societies.
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Publicity means that only those causes that one is willing to publicly defend are proper subjects for civil disobedience.
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Communication typically involves rallying public support for change. Hence, it tries to motivate the democratic will itself in support of political change.
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Non-violence illustrates conscientiousness itself. Because violence harms others, it arguably involves a kind of injustice; there's a certain hypocrisy in claiming deep moral commitment as a justification of breaking law while not respecting moral rules against harming others. (Recall Socrates.)
Discussion

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Willingness to accept punishment reflects a commitment to law itself, and a commitment to one's desire to change law rather than create anarchy.