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### Final Analytic Essay

Throughout American history, there have been instances where what is just and what is the law have contradicted each other. This is the reason for the amendments to the constitution, it is the reason for supreme court hearings, and it is the motivation behind many examples of direct-action protests. This raises the question of what exactly makes these forms of protest justified or unjust? Should every form of civil disobedience and direct-action protests be considered unjust? By looking at American history and different examples of direct-action protest, it is clear that citizens have an obligation to obey the law until a law infringes on their natural rights or puts their lives in danger. These protests are justified when no greater harm is done by the particular form of protest than is being done by a law or government action. These protests become necessary because conventional forms of participation in mainstream electoral politics are extremely limited in the amount of change that can be produced due to the overwhelming power and resources of upper-class citizens compared to the common people.

Direct-action protests should always be considered justified and morally right if they are fighting against a law or tradition that threatens the lives of people or infringes upon their natural rights. Citizens have no obligation to obey any law that threatens their lives or infringes upon their natural rights. There have been many times throughout American history where the US Government does not allow certain citizens, “life, liberty, and the pursuit of happiness,” despite the Declaration of Independence stating that all men are entitled to these things. The Declaration

of Independence also states that all men are created equal, meaning that the government cannot treat people differently based on things like race or religion. Anytime that the government has contradicted themselves and documents such as the Constitution or the Declaration of Independence, direct-action protests fighting for these rights and principles should be considered just. The most blatant example of this throughout American history can be seen with slavery. For decades, the US Government considered it legal to own, buy, or sell enslaved people, clearly denying them of any natural rights. These enslaved people were also African American, contradicting the government's statement that they believe all men are created equal and should be treated accordingly. Because of this, any form of direct-action protest to put an end to slavery should be considered justified as it allowed for African Americans the liberty promised to them in the Declaration of Independence. David Walker was an abolitionist who discussed these ideas heavily, and his work, "Appeal to the Colored Citizens of the World," is an example of this direct-action protest that is just. In the appeal, Walker discusses the brutality of slavery, the hypocrisy of the United States government and Thomas Jefferson, and repeatedly calls for these enslaved people to rise against their oppressors and free themselves. Had Walker and others not done this, then the unjust institution of slavery would have continued for years, or as he says: "But we, (colored people) and our children are *brutes!* And of course, are, and *ought to be* slaves to the American people and their children forever! To dig their mines and work their farms; and thus go on enriching them, from one generation to another with our *blood* and our *tears*" (Walker, 1829). He also defends this argument by comparing slavery in the United States to slavery that has existed in other societies throughout history, saying that slavery in the US is more brutal than slavery has been ever before: "The world knows, that slavery as it existed among the Romans, (which was the primary cause of their destruction) was, comparatively speaking, no more than a *cypher*, when

compared with ours under the Americans... Here let me ask Mr. Jefferson, (but he is gone to answer at the bar of God, for the deeds done in his body while living,) I therefore ask the whole American people, had I not rather die, or be put to death, than to be a slave to any tyrant, who takes not only my own, but my wife and children's lives by the inches? Yea, would I meet death with avidity far! Far in preference to such *servile submission* to the murderous hands of tyrants" (Walker, 1829). The passionate writing of Walker brings up another justification for direct-action protest: when these protests fight against institutions that directly risk the lives of people within them. Not only did slavery ruin every aspect of a person's life and submit them to brutal conditions and zero freedom, but the abuse that slaves faced actually could kill them. This logical justification for protests can be applied to other situations. For example, protesting against the delayed legalization of certain medications that could be used to save an AIDS patient's life during the AIDS outbreak of the 1980's. Patients using this illegal medication could be considered participating in a protest, but since their actual lives and health were being fought for, the protest should be considered justified. The people involved in this also have no obligation to obey the laws making these medications illegal as they need them to stay alive. Walker's argument calling for the abolition of slavery is emotional and very strong, and the writing and publishing of "The Appeal," should be considered a direct-action protest itself. Similar to how slave-uprisings should be considered justified, Walker's protest was fighting for the liberty and safety of enslaved people and against the hypocrisy of the laws at the time, so it should absolutely be considered justified and right.

The reason that citizens have no obligation to obey laws that threaten their lives or deny them their natural rights is because of the insufficiency in conventional forms of participation in mainstream electoral politics in creating change for society. This is also why direct-action protests should always be considered justified if they fight for the natural rights and safety of citizens, so

long as the protests do not cause more harm than the laws they are fighting against. The reason for the insufficiency in conventional forms of participation in mainstream electoral politics in creating change for society is due to the imbalance of power and influence that is held between upper-class, wealthy individuals, and lower-class common people. The upper-class has a significantly larger influence on these electoral politics than any common person does due to having more resources for things like campaigning and lobbying for particular laws. Often times, these upper-class individuals resist change, as they would like to keep the institutions that made them wealthy in the first place. This leaves no choice for the common people other than to participate in direct-action protests if they would like to have their natural rights as human beings and protect themselves and their loved ones. These ideas are discussed heavily by Eugene Debs in his 1904 work, "Unionism and Socialism." In this writing, Debs discusses the blatant imbalance of wealth and power that is held by wealthy individuals compared to the common people in early 20<sup>th</sup> century America. Debs appeals to the working-class people to fight for their rights within the workplace and to resist the exploitation of them that has occurred for years. Debs mentions earlier times in the United States and how American society has ended up with this great imbalance of wealth and power: "There was no millionaire in the United State; nor was there a tramp. These types are the products of the same system. The former is produced at the expense of the latter, and both at the expense of the working class. They appeared at the same time in the industrial development, and they will disappear together with the abolition of the system that brought them into existence" (Debs, 1904). To fight against this exploitation and inequality, Debs urges workers to participate in unions, fighting for their rights within the workplace and commanding a sense of power through togetherness. He discusses how many people in power have tried to slow the progress made by these unions, and how this makes participation in unions a form of direct action protest itself: "The

rapid-fire injunction is a great improvement on the gatling gun. Nothing can get beyond its range, and it never misses fire. The capitalists are in entire control of the injunction artillery, and all the judicial gunner must do is to touch it off at their command. Step by step, the writ of injunction has invaded the domain of trades unionism, limiting its jurisdiction, curtailing its powers, sapping its strength, and undermining its foundations, and this has been done by the courts in the name of the institutions they were designed to safeguard, but have shamelessly betrayed at the behest of the barons of capitalism” (Debs, 1904). This betrayal at the “behest of the barons of capitalism,” is exactly why participation in electoral politics is often not enough for generating change within society, and why direct-action protest is often necessary and justified. He continues to specify exactly what these courts have done to limit the power of unions, listing things like penalizing striking, boycotting, and other forms of protest. Debs does concede later on that political participation is essential in creating change for the working class. However, it is clear from the nearly one hundred years of American history since Debs’s writing that this political participation is insufficient in itself for creating change. Many of the issues that Debs discusses, including income inequality and injustice within the workplace, still exist in American society today. Through this, it becomes clear that political participation is not enough alone to create change, supporting why direct-action protests are necessary and justified on many occasions. The issue that Debs is discussing also differs from other issues that have existed throughout American history, such as slavery. This is because the workers union issues do not necessarily threaten the lives of the workers or deny them their natural rights. In instances where an institution does these things, change is required in a much more immediate manner, and the people that are victimized by these institutions do not have the option to patiently wait for elections as it may result in them losing their lives. Despite this, Debs makes many valid points in, “Unionism and Socialism,”

demonstrating the imbalance of power that is found within the United States, pointing to why direct-action protests are often necessary and just. This is because participation in electoral politics is often insufficient in creating change in American society due to the imbalance of resources between the wealthy and powerful upper class and the often-exploited lower class.

It can be seen throughout American history, as well as in David Walker's, "Appeal to the Colored Citizens of the World," and in Eugene Debs, "Unionism and Socialism," that civil disobedience and direct-action protests are justified when laws or institutions deny people their natural rights or threaten their safety. It should be noted that these protests are only justified if they cause less harm and damage than the laws or institutions do themselves. If a law or institution denies citizens their natural right to "life, liberty, and the pursuit of happiness," or discriminates against them in any way, then citizens have no obligation to obey these laws. This is because of the insufficiency in conventional forms of participation in mainstream electoral politics for challenging oppression and injustice. These insufficiencies are created by the imbalance of resources often held between the oppressors and the victims of an institution, with the powerful oppressors having many more resources for things like lobbying or campaigning. This is important for anybody in society to understand, as knowing this will allow people to better combat injustice in the world.

## Works Cited

Debs, Eugene V. "Unionism and Socialism." Standard Publishing Co, Terre Haute, Indiana, 1904.

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