

Rawlsian civil disobedience



" Satyagraha" As salamu alaykum wa rahmetullah wa barakatu hu. A lot of people are wondering why I did what I have done. Coming from a very conservative family that had affiliations with the ruling family of Kathiawad, educated in law at London, was admitted to the British bar and able to establish law practice in Bombay - I could have just led a life of comfort and ease, away from the disconcerting existence of someone who has made prison cells a second home.

It all started when I found myself treated as an inferior race in Durban and saw with my own two eyes the appalling, yet extensive, denial of civil liberties and political rights of Indian immigrants; there and then, I knew I had to initiate a struggle for the rights of my fellow Indians. However, this kind of struggle is not the kind of struggle swamped with blood and precious life. It is the kind of resistance to injustice employing non-violent means, the kind of struggle wherein civil disobedience takes center stage. After all, I've always believed that violence breeds violence and that pure goals can never justify impure or violent actions.

After World War 1, I began the Indian campaign for home rule and as a strong advocate of Satyagraha - " truth and firmness" -- I launched the movement of non-violent resistance to Great Britain. My protest against the Rowlatt Acts led to the slaughter of Indians at Amritsar by British soldiers; and in 1920, when the British government failed to make amends, I declared an organized campaign of non-cooperation. With this campaign, my fellow Indians in public office walked out from their jobs, government agencies were boycotted and Indian children were withdrawn from government schools. As a consequence, all throughout India, streets were blocked with crouching Indians who declined to rise even when beaten by police. True to

expectations, I was again arrested.

Economic independence for India, involving the absolute boycott of British goods, was an outcome of my Swaraj movement. These economic facets of the movement were noteworthy, considering that the exploitation of Indian villagers by British industrialists led to tremendous poverty in the country and practically devastated the Indian home industries. In order to alleviate such poverty, I advocated for the revival of cottage industries and began to use a spinning wheel as a symbol of the return to the simple village life.

Ladies and gentlemen, civil disobedience, I believe, is one form of resistance available to the public instituted on the basis of majority rule. I would say an excellent form of democratic opposition. As it is, acts of injustice in a democratic social order signify an infringement of individual rights and civil disobedience provides a good opportunity to defy injustice but still observing the law. It simply proposes the act of diverging with legitimate authorities using incongruous means and methods but faithful to the law (Sabl 307-330).

As an instrument of social change, civil disobedience infers a method of political collaboration in a culture founded more or less on harmony and compromise regarding general standards of justice. Through acts of civil disobedience, people appeal not only to the rulers but also to the lawmaking majority as well to a community's sense of impartiality and righteousness. By nature, my dear fellow freedom lovers, the actions of civil disobedience are political, public and nonviolent. As political ones, they speak to the ruling majority and are prompted and defensible by political principles, expressly, the code of justice which standardizes the constitution and social institutions. As public ones, these actions are addressed to the general public as they are

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obviously performed in public, openly and fairly. Finally, as nonviolent ones, these acts validate respect to the given political structure in general and recognition of others' sense of justice (Sagi and Shapira 181-217).

From a realistic stand point, civil disobedience as a method of political protest can be reasonable and justified in one situation and unsuitable in another. It is justified when directed against the cases of grave contravention of basic rights apparent to all. On the contrary, the acts of civil disobedience will be utterly inadequate if they are directed against state decisions or new laws that defy the fundamental rights of the public. Basically, civil disobedience is reasonable in circumstances where other means of political struggles have been unsuccessful; it must be viewed as a last resort and one must be absolutely sure that it is truly needed and indispensable. However, even under such circumstances, civil disobedience cannot be victorious if the ruling majority has categorically opted for excessive and antagonistic tactics against a minority. If it does not result to grim social chaos and does not detonate the value of a just constitution and the respect to the rule of law, then civil disobedience is absolutely justified.

Ladies and gentlemen, all through history, the way of truth and love - the psychological bases of civil disobedience -- has always won. There have been tyrants and murderers, and for a time they can seem invincible, but in the end they always fall, always.

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