

**Chapter 1 : The 7 Key Principles of Platform Design – Stories of Platform Design**

*Principle number one: If you choose to say no to government, make sure your disobedience is based on a clear biblical mandate. In Acts 5, Peter and the apostles were boldly proclaiming the gospel, and the Jewish officials commanded them to quit preaching the name of Jesus.*

I Fought the Law: Civil Disobedience and the Law in Canada Cases commented on: This post is an elaboration of my remarks at the forum on how civil disobedience is handled under Canadian law. I will review some recent cases on civil disobedience, including the Occupy litigation, to examine issues such as whether civil disobedience may be protected under the Charter, and if not, what sorts of sanctions protestors might expect to face. The Occupy movement is a useful illustration of how civil disobedience intersects with the law. The initial reaction of many people to the occupations across Canada and in the U. According to Amir Attaran: Ending the anti-protest injunction habitâ€”Issues arising from MacMillan Bloedel v. However, it is possible to conceive of two kinds of civil disobedience. First, given that the law of Canada includes constitutionally protected rights and freedoms i. This is because section 52 of the Constitution Act, provides that the constitution is the supreme law of Canada, and laws that are inconsistent with the constitution are of no force or effect. In this sense, protest activities that are protected under the Charter may not really count as civil disobedience at all, although we still often think of and refer to them that way. The second form of civil disobedience would be those activities which are not protected by the Charter and are therefore illegal and subject to either civil or criminal sanctions, which is really the true form of civil disobedience. Even though they are not protected by the Charter and are subject to sanction, these actions may still draw attention to particular inequities in law and policy and create impetus for legal change. As an example, consider a city bylaw preventing tents and overnight stays in a park. Persons tenting in the park overnight would seem to be breaking the law and, if they did so deliberately to protest the law, they would be engaged in civil disobedience. Committing a breach of the law as a form of civil disobedience is not in itself a defence see e. R v Krawczyk, BCSC at para 24 , but if the underlying law violates one of the rights or freedoms protected by the Charter that may constitute a defence. For example, the Bylaw may violate the freedom of expression, peaceful assembly or association of persons occupying a park, all protected under section 2 of the Charter. Alternatively, in the case of homeless persons who have inadequate shelter, the bylaw may violate their rights to life, liberty and security of the person, protected under section 7 of the Charter. However, rights and freedoms are not absolute in Canadian law, as section 1 of the Charter allows governments to place reasonable limits on rights and freedoms that are demonstrably justified in a free and democratic society. To return to the example, the interests of other users of public parks will be taken into account in deciding whether the Parks and Pathways Bylaw can be justified as a reasonable limit on the rights and freedoms of park dwellers. If the Bylaw is justified, then there is no defence available, and any previous or ongoing violations of the law will be subject to sanctions. These issues are normally resolved by the courts, and can arise in various ways. First, someone engaged in civil disobedience who is charged with breaching a law can challenge the constitutionality of that law under the Charter. They then argued that the AFS violated their equality rights under section 15 1 of the Charter. Their argument was ultimately unsuccessful, as the Supreme Court found that the AFS was an ameliorative program protected by section 15 2 of the Charter, so this and any future acts of protest fishing would be subject to sanctions. A more local example is R v Pawlowski, where Artur Pawlowski has been repeatedly charged with violating Calgary bylaws effectively prohibiting his street preaching activities, and has then challenged the bylaws as contrary to his freedom of religion and expression under the Charter. This mode of challenging the law was called into question by Justice Frans Slatter in R v Lefthand, where he queried the propriety of bringing collateral challenges as a way of asserting Aboriginal rights see ABCA at para 19 et seq. However, in a subsequent case another panel of the Alberta Court of Appeal confirmed that collateral challenges are an accepted way of challenging the constitutionality of laws see R v Caron, ABCA 34 at para This way of challenging what would otherwise amount to civil disobedience is probably the most accessible, as arguments about constitutionality are raised in the context of proceedings

that have already been mounted by the government in response to a breach of the law. At the same time, a recent Alberta case suggests that challengers should not be forced into this position. T-7, and the Act itself did not provide a means of challenging the ban by appeal or other procedures. According to Judge D. The case is currently under appeal. The second way that arguments about constitutionality can be raised is when the government or a private party applies to the courts for an injunction to halt a protest or other form of civil disobedience. Arguments about the rights and freedoms of the protestors can then be introduced in an attempt to defeat the injunction application or if subsequent contempt proceedings are mounted by the government. In November , the City of Calgary applied for an injunction to enjoin the occupiers from continuing to breach sections 4 and 9 of the Parks and Pathways Bylaw, and for an order that they immediately remove all tents, structures and other material from Olympic Plaza. However, a court may deny an injunction where there are exceptional circumstances. Applying this approach, Wittman, C. Many of the values and rights we cherish today have been the subject of debate and fierce protest in years past. Society does not easily change for the better, and it is often necessary for individuals with strong views to take extraordinary steps to make their voices heard. The Occupy Calgary group has been, if not entirely organized, certainly passionate and peaceful. The City of Calgary has also exercised restraint in the manner in which it has dealt with the group, up to and including the way in which it acted in the conduct of this proceeding and the remedy sought. I hope that in the days that follow the granting of this application, both sides continue to act in a measured, conscientious and peaceful manner. Another example in this category is R v Krawczyk, BCSC , where Betty Krawczyk, a well-known environmental protestor, was subjected to contempt proceedings for breaching an injunction and argued that the proceedings violated her Charter rights. As our courts have stated repeatedly, those who take issue with an order must take appropriate steps to challenge the order, whether by applying to set it aside, or by appeal. One cannot breach now, challenge later. It appears that disobeying a court order as a means of bringing a constitutional challenge may not be looked upon as favourably as disobeying a statute as in Kapp, Pawlowski and Caron, above. Betty Krawczyk was found in contempt, and her appeal was dismissed BCCA ; more on this case, including sentence, below. Third, constitutional challenges can be brought more proactively or preventively, before anyone is charged with breaking the law or is held in contempt for violating a court order. According to Justice Brown: The application for a declaration that the trespass notice was unconstitutional therefore failed. In this case, a number of homeless persons in Victoria, B. Their claim was ultimately successful, such that the ban on tenting overnight in city parks would no longer be illegal when the number of homeless persons exceeded the number of shelter spaces available in Victoria see my comment on the trial decision here. This case is an example of how violations of life, liberty and security of the person, particularly those involving threats to health or life, are more difficult for governments to justify than violations of freedom of expression, and so civil disobedience grounded in section 7 of the Charter may be a useful strategy where such arguments are available. This third way of mounting constitutional arguments depends on the challenger having private or public interest standing, and can only be initiated at the superior court level. Private interest standing arises when a claimant has a direct, personal interest in the outcome of the proceedings that is different than a member of the general public see *Finlay v Canada Minister of Finance* , [] 2 SCR The young person in SA would meet that test, since she was subject to a public transit ban that affected her personally. Although public interest standing would allow a group to step forward as challenger, the test for this category of standing has been interpreted fairly restrictively, particularly the criterion that there is no other reasonable and effective manner in which to raise issue before the court see e. The Supreme Court of Canada is currently considering a case involving public interest standing, and its decision will have significant ramifications for those seeking to challenge laws on a public interest basis see *Downtown Eastside Sex Workers United Against Violence Society v.* Overall then, laws can be challenged either in a proactive, pre-emptive constitutional challenge, or more reactively by disobeying the law and fighting the consequences on Charter grounds. If the Charter argument fails, or if none is made, the result is that the civil disobedience actually was a breach of the law. The person in question would then be penalized under whatever law they breached, with the penalties depending on the particular statute. Alternatively, if the civil disobedience was in relation to a court order, the person could be found in civil or criminal contempt. Both statutes provide for

imprisonment until the person has purged the contempt or for up to 2 years, and fines with imprisonment in default of payment, and these sanctions can be waived if the contempt is purged. In the criminal context, section of the Criminal Code, RSC, c C creates an offence of breaching a lawful court order where there is no other penalty provided by law, and can be proceeded with as an indictable or summary conviction offence. Other criminal offences, such as mischief or obstruction of the police, may also be relevant, with the consequences depending on the offence in question. Section 9 of the Criminal Code retains the common law offence of criminal contempt, which was upheld as compliant with the Charter in the *United Nurses of Alberta* case. As noted in *Krawczyk*, criminal contempt is dealt with summarily, with no option of a jury trial, but at the same time it is not subject to the normal 6 month maximum for summary conviction offences BCCA at paras 5. A couple of recent cases illustrate the kinds of sanctions that a person might face for civil disobedience. The injunction had been obtained by the contractor working on the Sea to Sky highway between Vancouver and Whistler to enjoin environmental protests, and Ms. Krawczyk had breached the injunction on three separate occasions in May and June of . Several aggravating factors were considered. On the mitigating side, the court noted Ms. Interestingly, the BCSC refused to take into account the fact that Krawczyk had spent 26 days in pre-trial custody, which would normally reduce the ultimate sentence, because she was in jail based on her own decision not to abide by the injunction at para . Since the point had not been raised by Krawczyk or addressed by the Crown, the Court decided to leave its resolution to a case where it had the benefit of full submissions. It remains a live issue whether this is an appropriate approach to sentencing in cases of civil disobedience. In this case, seven Greenpeace activists pleaded guilty to the criminal offence of mischief after an environmental protest in August when they climbed and rappelled down the Calgary Tower and hung a banner criticizing the relationship between the Alberta and Canadian governments and the oil industry. The offenders sought absolute or conditional discharges, as they wished to avoid incurring criminal records. Judge Allan Fradsham of the Alberta Provincial Court set out some sentencing principles relevant to cases of civil disobedience more broadly. Factors relevant to the consideration of a discharge include the nature and prevalence of the offence, whether the accused stood to gain personally from the offence at the expense of others, the value of the property in question, whether the offence was impulsive or deliberate, and whether the offence should be a matter of public record at para 69, citing *R v MacFarlane*, , 55 AR SCAD. Further, although there was no property damage, costs were incurred by the City and the Calgary Tower as a result of the incident. The fact that Greenpeace was the organizing mind behind the conduct, and that the offenders engaged in that conduct for the sole purpose of attracting public attention to Greenpeace meant that a discharge would not deter future acts of this kind by Greenpeace supporters at para . There is one other noteworthy way in which the law deals with civil disobedience in Alberta. *B Calgary, LL*. Member of the Alberta Bar. Please click here for more information.

**Chapter 2 : Social Reform – The Walden Woods Project**

*The second principle of civil disobedience follows from the first: you should plead guilty to any violation of the law. As Gandhi explains: "I am here to submit cheerfully to the highest penalty that can be inflicted upon me for what in law is a deliberate crime and what appears to me to be the highest duty of a citizen."*

Gandhi Concept of Civil Disobedience Gandhi Concept of Civil Disobedience 10 October Law Given a just cause, capacity for endless suffering and avoidance of violence, victory is a certainty. The concept of satyagraha is devoid of any feelings of hatred and violent means. It is based on spiritual purity. Like Tolstoy, Gandhi was opposed to all forms of violence in his commitments to political actions. For Gandhi, Ahimsa non-violence and Truth were inseparable. It is civil in the sense that it is not criminal. And in order to register his protest against the action of the lawgivers, it is open to him to withdraw his cooperation from the state by disobeying such other laws whose breach does not constitute moral turpitude. In my opinion, the beauty and efficacy of Satyagraha are so great and doctrine so simple that it can be preached even to children. Civil disobedience, therefore, becomes a sacred duty. When the state has become lawless, or which is the same thing, corrupt. And a citizen that barter with such a state, shares in corruption or lawlessness. He highlighted its constitutional aspects. He struggled for the Indian soul, not merely for a visible polity. Civility does not here mean the more outward gentleness of speech, cultivated for the occasion but an inborn gentleness and desire to do the opponent good. These should show themselves in every act of satyagraha. The present threat, indeed, to the very existence of mankind could only be removed by the Gandhian approach of a revolutionary change of heart in individual human beings. The basic aim of every political system is to create a social, political and economic climate in which the individuals can fulfil inner requirements of their continuous moral growth. The Gandhian method of civil disobedience and satyagraha alone helps in creating conditions in civil society whereby all spiritual values and methods could be appreciated in the state system as a vital necessity for progress and prosperity. King very successfully implemented this Gandhian method during the civil rights movement. An unjust law is a code that is out of harmony with the moral law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. In Buddhist literature, it is highlighted as an attitude of creative coexistence. A very few serve the state with conscience also, and so necessarily resist it for the most part – no undue respect for law is required as it will commit one to do many unjust things. The Congress Party organised the Civil Disobedience Movement in pursuance of the resolution on independence passed in the Lahore session of the Congress in December. It was the result of British refusal to accept the Congress demand for Dominion Status. The civil disobedience movement got manifested in various forms such as the widespread defiance of law, boycott of British goods, withdrawal of support by the army and the police, and non-co-operation with the government. Gandhi highlighted all these demands in his letter to the government in to break the salt law. Gandhi started his satyagraha movement in South Africa. Subsequently, on his return to India to lead the non-co-operation movement against the British administration, he used it to remove the grievances of the oppressed workers and peasants of Champaran, Kheda, and Bardoli. Challenge, illegality, and action – there are so many keys with which satyagraha is equipped. For though satyagraha rejects violence, it does not renounce illegality. One cannot reach truth by untruthfulness. Truthful conduct alone can reach truth. Non-violence is embedded in truth. Some trace it to the streak of masochism in the character of Gandhi, while others have gone over to Hindu scriptures to emphasise Indian spirituality. But the Gandhian approach to self-suffering and satyagraha has little to do with individual self-mortification. It is a simple condition for the success of a cause. It does not imply that there would not be any suffering in the struggle for satyagraha. This method often works as a psychological way to change the minds of an opponent. Passive resistance may be offered side by side with the use of arms. Satyagraha and brute force being each a negation of the other can never go together. The Gandhian concept of satyagraha is not merely an instrument of conflict resolution or non-violent resistance to injustice. It is an integrated concept, covering the whole life process of a satyagrahi. I have called it Love Force or Soul Force. According to Austin, following are the

characteristics of sovereignty: Sovereignty is one of the four elements of the state. There cannot be a state without sovereignty. If state is the body, sovereignty is its spirit. The state cannot alienate itself from the power of sovereignty. The end of sovereignty means the end of state. It resides in a person or a body of persons. To Austin, State is a legal order in which the sovereignty can be located very clearly. It cannot be the people or the electorate or the General Will since all of these are vague expressions. It is not vested in God also. Sovereign must be a human being or a body of human beings who can be identified. He is the source of all authority in the state. His authority is unlimited and absolute. He does not take commands from any one as nobody has a right to command him. But he commands every one within the state. His authority is universal and all comprehensive. Sovereignty is independent from any internal or external control. Thus, the authority of the sovereign is not casual. It is continuous, regular, undisturbed and uninterrupted. If a significant part of the population refuses to accept him and renders disobedience, then he is no longer a sovereign. Similarly, a short term obedience is not an attribute of sovereignty. The power of the sovereign has to be permanent in society. He is the source of law. Law is a command given by a superior to the inferiors who are in a state of subjection or dependence. Sovereign is above the customs and traditions of society. They exist with his permission. Whatever the sovereign permits, that alone can exist. It is a unit in itself that cannot be divided between two or more persons. Division of sovereignty means its destruction. Thus according to Austin, sovereignty is the supreme power of the state that is absolute, permanent, universal, inalienable, exclusive and indivisible. However, these characteristics are not acceptable to the pluralists who reject the entire thesis of Austin in toto. Cole and Miss Follet. The pluralists do not believe that the sovereign is determinate. According to them, the determination was possible in old days when the king ruled with absolute powers. But in modern times the political system is based upon the concept of popular sovereignty in which the government is responsible to the people who can make or unmake the government. The constitutions clearly proclaim the sovereignty of the people, but Austin will not accept people as sovereign. The task of locating sovereignty becomes more difficult in case of a federation in which the powers are divided between the centre and the units and both are supposed to be sovereign in their respective fields. In such a system, the constitution is supposed to be supreme but it is not a human being and hence, cannot be sovereign. Even in Britain where the supremacy of the parliament is the basic law of the land, the parliament cannot be termed as totally sovereign as it also works under limitations. Laski rightly points out that the real rulers of a society are not discoverable. This was the period when the nation-state arose and the kings asserted their authority. This nation-state was the result of the religious struggle of the 16th century and the emergence of the sovereign state was a vindication of the primacy of the secular order over religion. Thus, there were certain historical factors which were responsible for the creation of absolute sovereignty of the state. And if we leave this brief period, we do not find any example of absolute sovereignty. In modern times, sovereignty is limited. As science, it will describe political reality without trying to pass judgement on what is being depicted, either implicitly or explicitly. Philosophy, Ideology, Science, Political theory is not fantasy, though it may contain an element of political vision. It is not politicking, though it does take into account political realities for its study and analysis. It is not all scientism, though it seeks to reach the roots of all political activity analytically and systematically. It is not ideology, though it attempts to justify a political system and condemns another. It is theoretical, scientific, philosophical and at the same time dynamic with a clear objective of attaining a better social order. As a sub-field of Political Science, it is concerned with political ideas, values and concepts, and the explanation and prediction of political behaviour.

## Chapter 3 : THREE PRINCIPLES OF CIVIL DISOBEDIENCE

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See Article History Alternative Title: Civil disobedience has been a major tactic and philosophy of nationalist movements in Africa and India, in the American civil rights movement , and of labour, anti-war, and other social movements in many countries. Civil disobedience is a symbolic or ritualistic violation of the law rather than a rejection of the system as a whole. The civil disobedient, finding legitimate avenues of change blocked or nonexistent, feels obligated by a higher, extralegal principle to break some specific law. It is because acts associated with civil disobedience are considered crimes, however, and known by actor and public alike to be punishable, that such acts serve as a protest. By submitting to punishment , the civil disobedient hopes to set a moral example that will provoke the majority or the government into effecting meaningful political, social, or economic change. Under the imperative of setting a moral example, leaders of civil disobedience insist that the illegal actions be nonviolent. Protesters associated with the Occupy Wall Street movement blocking a bridge in Chicago, November A variety of criticisms have been directed against the philosophy and practice of civil disobedience. The radical critique of the philosophy of civil disobedience condemns its acceptance of the existing political structure; conservative schools of thought, on the other hand, see the logical extension of civil disobedience as anarchy and the right of the individual to break any law he chooses, at any time. Activists themselves are divided in interpreting civil disobedience either as a total philosophy of social change or as merely a tactic to be employed when the movement lacks other means. On a pragmatic level, the efficacy of civil disobedience hinges on the adherence of the opposition to a certain morality to which an appeal can ultimately be made. The philosophical roots of civil disobedience lie deep in Western thought: Cicero , Thomas Aquinas , John Locke , Thomas Jefferson , and Henry David Thoreau all sought to justify conduct by virtue of its harmony with some antecedent superhuman moral law. The modern concept of civil disobedience was most clearly formulated by Mohandas Gandhi. Drawing from Eastern and Western thought, Gandhi developed the philosophy of satyagraha , which centres on nonviolent resistance to evil. First in the Transvaal of South Africa in and later in India, via such actions as the Salt March , Gandhi sought to obtain equal rights and freedom through satyagraha campaigns. Martin Luther King, Jr. Later the tactics of civil disobedience were employed by a variety of protest groups. African American students left to right: Learn More in these related Britannica articles:

## Chapter 4 : God's Laws and Principles

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Disobedience or rebellion against God is a sinful act that the Bible has plenty to say about. First, the Word of God defines sin as transgression of the law of God according to 1 John 3: Sin is based entirely on plain disobedience or rebellion. Disobedience is refusing to do what God has commanded, or doing what God has forbidden. With this in mind, Satan is the author of disobedience. The Danger Of Disobedience Disobedience is very consequential by nature. The consequences of disobedience are plain all throughout Scripture from the book of Genesis to Revelation. Indeed, God has a reason that He allowed all these negative things to be recorded in His holy Word because of sin. Consequently, we really have to take these teachable lessons found in the Bible and learn them well. Disobedience Walks Hand in Hand With Consequences Disobedience brings a wide variety of horrible consequences such as spiritual, physical, emotional, and mental consequences. Emotional consequences relate to sadness and hurts disobedience can bring to our lives. Disobedience can ruin the very person God wants us to be. God cannot be mocked. A man reaps what he sows. Sin is very controlling, powerful, and deceptive by nature. Many times, people finally get an idea of how terrible their lives have been when finding themselves in the midst of a disaster. Sin pretty much draws them further away from God who is the source of truth that could have opened their eyes, and kept them from destruction. Therefore, the choice that we make can affect people around us either directly or indirectly in a big way. Our disobedience to God can significantly affect our ability to witness to others about Christ. God in all His holiness and righteousness hates disobedience. Therefore, he knows what God loves and hates. He is always trying to influence our behavior in a wide variety of ways. Thus the choices that we make determine who get to control our lives. In other words, sin is an act that dishonors God. We literally kick Him out of our life, so that can get our ways. Our sinful attitudes literally quench the Holy Spirit. Bear in mind, whenever God is dishonored, someone else receives the honor, and that person is Satan. Although, sin may bring some temporary pleasures; however, the price to pay is always catastrophic. When we are living in sin, there is no doubt about that, we are out of control as a result, which then renders us useless in the eyes of God. In addition, we give Satan the opportunity to dominate every aspect of our lives, and to hold us captive as long as he can, so that we can lose everything that God has in store for us. Consequently, we lose our spiritual appetites, and we become disengaged as well in the things of God. We can no longer serve God, and we can no longer worship Him in the beauty of holiness. So what really makes us detestable and unacceptable in the eyes of God is not because we are sinner, it is because of sins in our lives. How can that happen? By taking full responsibility for his sins through the means of coming to God, so that his sins can be forgiven based on what Jesus did on the cross. The good news is that God certainly admires when a sinner is honest with himself by willing to acknowledge his sinfulness by confessing his sins to Him. Nothing pleases and glorifies God more than when a sinner comes to Him with a broken and contrite heart concerning his sinfulness. God wants to save us, gives us peace and joy while the enemy wants to do the exact opposite. In many cases, we have a strong tendency to follow the deception that the enemy is throwing our way because he offers us what we want now, which appeals to what our sinful nature desires. Conclusion As people whom God deeply cares about, h wants us to deal with disobedience wisely. Remember, nobody can ever please God while living in rebellion. Rebelling against Him is equivalent to rejecting Him and His Word. Thinking that certain things cannot happen to us will not alter the obvious reality that disobedience always brings consequences. Leave a Reply Your email address will not be published.

**Chapter 5 : Disobedience Always Brings Consequences**

*disobedience is "a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government"). Philosopher John Rawls distinguishes between civil disobedience and conscientious refusal.*

In his essay, Thoreau observes that only a very few people "heroes, martyrs, patriots, reformers in the best sense" serve their society with their consciences, and so necessarily resist society for the most part, and are commonly treated by it as enemies. Thoreau, for his part, spent time in jail for his protest. Many after him have proudly identified their protests as acts of civil disobedience and have been treated by their societies "sometimes temporarily, sometimes indefinitely" as its enemies. The ultimate impact of more recent acts of civil disobedience "anti-abortion trespass demonstrations or acts of disobedience taken as part of the environmental movement and animal rights movement" remains to be seen. Certain features of civil disobedience seem vital not only to its impact on societies and governments, but also to its status as a potentially justifiable breach of law. Civil disobedience is generally regarded as more morally defensible than both ordinary offences and other forms of protest such as militant action or coercive violence. Before contrasting civil disobedience with both ordinary offences and other types of protest, attention should be given to the features exemplified in the influential cases noted above. These features include, amongst other things, a conscientious or principled outlook and the communication of both condemnation and a desire for change in law or policy. Other features commonly cited "publicity, non-violence, fidelity to law" will also be considered here though they prove to be less central than is sometimes assumed. This feature, highlighted in almost all accounts of civil disobedience, points to the seriousness, sincerity and moral conviction with which civil disobedients breach the law. For many disobedients, their breach of law is demanded of them not only by self-respect and moral consistency but also by their perception of the interests of their society. Through their disobedience, they draw attention to laws or policies that they believe require reassessment or rejection. Whether their challenges are well-founded is another matter, which will be taken up in Section 2. The activism of Martin Luther King Jr. King was motivated by his religious convictions and his commitments to democracy, equality, and justice to undertake protests such as the Montgomery bus boycott. Rawls maintains that, while he does not know whether King thought of himself as fulfilling the purpose of the proviso, King could have fulfilled it; and had he accepted public reason he certainly would have fulfilled it. Since people can undertake political protest for a variety of reasons, civil disobedience sometimes overlaps with other forms of dissent. A US draft-dodger during the Vietnam War might be said to combine civil disobedience and conscientious objection in the same action. And, most famously, Gandhi may be credited with combining civil disobedience with revolutionary action. In civilly disobeying the law, a person typically has both forward-looking and backward-looking aims. She seeks not only to convey her disavowal and condemnation of a certain law or policy, but also to draw public attention to this particular issue and thereby to instigate a change in law or policy. A parallel may be drawn between the communicative aspect of civil disobedience and the communicative aspect of lawful punishment by the state Brownlee ; Like civil disobedience, lawful punishment is associated with a backward-looking aim to demonstrate condemnation of certain conduct as well as a forward-looking aim to bring about a lasting change in that conduct. The forward and backward-looking aims of punishment apply not only to the particular offence in question, but also to the kind of conduct of which this offence is an example. There is some dispute over the kinds of policies that civil disobedients may target through their breach of law. Some exclude from the class of civilly disobedient acts those breaches of law that protest the decisions of private agents such as trade unions, banks, private universities, etc. Others, by contrast, maintain that disobedience in opposition to the decisions of private agents can reflect a larger challenge to the legal system that permits those decisions to be taken, which makes it appropriate to place this disobedience under the umbrella of civil disobedience Brownlee ; There is more agreement amongst thinkers that civil disobedience can be either direct or indirect. In other words, civil disobedients can either breach the law they oppose or breach a law which, other things being equal, they do

not oppose in order to demonstrate their protest against another law or policy. Trespassing on a military base to spray-paint nuclear missile silos in protest against current military policy would be an example of indirect civil disobedience. It is worth noting that the distinction often drawn between direct civil disobedience and indirect civil disobedience is less clear-cut than generally assumed. For example, refusing to pay taxes that support the military could be seen as either indirect or direct civil disobedience against military policy. The feature of communication may be contrasted with that of publicity. The latter is endorsed by Rawls who argues that civil disobedience is never covert or secretive; it is only ever committed in public, openly, and with fair notice to legal authorities Rawls , As noted at the outset, publicity sometimes detracts from or undermines the attempt to communicate through civil disobedience. If a person publicises her intention to breach the law, then she provides both political opponents and legal authorities with the opportunity to abort her efforts to communicate Smart , For this reason, unannounced or initially covert disobedience is sometimes preferable to actions undertaken publicly and with fair warning. Examples include releasing animals from research laboratories or vandalising military property; to succeed in carrying out these actions, disobedients would have to avoid publicity of the kind Rawls defends. A controversial issue in debates on civil disobedience is non-violence. Like publicity, non-violence is said to diminish the negative effects of breaching the law. Some theorists go further and say that civil disobedience is, by definition, non-violent. According to Rawls, violent acts likely to injure are incompatible with civil disobedience as a mode of address. First, there is the problem of specifying an appropriate notion of violence. It is unclear, for example, whether violence to self, violence to property, or minor violence against others such as a vicious pinch should be included in a conception of the relevant kinds of violence. If the significant criterion for a commonsense notion of a violent act is a likelihood of causing injury, however minor, then these kinds of acts count as acts of violence see Morreall Second, non-violent acts or legal acts sometimes cause more harm to others than do violent acts Raz , A legal strike by ambulance workers may well have much more severe consequences than minor acts of vandalism. These observations do not alter the fact that non-violent dissent normally is preferable to violent dissent. As Raz observes, non-violence avoids the direct harm caused by violence, and non-violence does not encourage violence in other situations where violence would be wrong, something which an otherwise warranted use of violence may do. Moreover, as a matter of prudence, non-violence does not carry the same risk of antagonising potential allies or confirming the antipathy of opponents Raz , Furthermore, non-violence does not distract the attention of the public, and it probably denies authorities an excuse to use violent countermeasures against disobedients. Those who deny that these features are definitive of civil disobedience endorse a more inclusive conception according to which civil disobedience involves a conscientious and communicative breach of law designed to demonstrate condemnation of a law or policy and to contribute to a change in that law or policy. Such a conception allows that civil disobedience can be violent, partially covert, and revolutionary. This conception also accommodates vagaries in the practice and justifiability of civil disobedience for different political contexts: An even broader conception of civil disobedience would draw no clear boundaries between civil disobedience and other forms of protest such as conscientious objection, forcible resistance, and revolutionary action. A disadvantage of this last conception is that it blurs the lines between these different types of protest and so might both weaken claims about the defensibility of civil disobedience and invite authorities and opponents of civil disobedience to lump all illegal protest under one umbrella. If a disobedient is punished by the law, it is not for civil disobedience, but for the recognised offences she commits, such as blocking a road or disturbing the peace, or trespassing, or damaging property, etc. Therefore, if judges are persuaded, as they sometimes are, either not to punish a disobedient or to punish her differently from other people who breach the same laws, it must be on the basis of some feature or features of her action which distinguish it from the acts of ordinary offenders. Typically a person who commits an offence has no wish to communicate with her government or society. This is evinced by the fact that usually an offender does not intend to make it known that she has breached the law. Since, in most cases, she wishes to benefit or, at least, not to suffer from her unlawful action, it is in her interests to preserve the secrecy of her conduct. Another exception might be where a person wishes to thumb her nose at authorities by advertising that she has committed a crime. By making an exception of herself and by distancing herself from a legal rule,

this ordinary offender communicates a certain disregard for the law. This communication, however, does not normally reflect an aim either to demonstrate conscientiously held objections to that law or to lead society to reform the law. Civil disobedients, by contrast, seek to make their disobedience known to specific members of the community either before or after the fact to demonstrate both the seriousness of their condemnation of that law or policy and their sincere desire for policy change. The difference in communication between the civil disobedient and the ordinary offender reflects a deeper difference in motivation for breaching the law.

Brownlee A further difference between civil disobedience and common crimes pertains to the willingness of the offender to accept the legal consequences. The willingness of disobedients to accept punishment is taken not only as a mark of general fidelity to the law, but also as an assertion that they differ from ordinary offenders. Accepting punishment also can have great strategic value, as Martin Luther King Jr observes: This willingness may make the majority realise that what is for them a matter of indifference is for disobedients a matter of great importance Singer , Furthermore, the link between a willingness to accept punishment and respect for law can be pulled apart. A revolutionary like Gandhi was happy to go to jail for his offences, but felt no fidelity toward the particular legal system in which he acted. The obvious difference between legal protest and civil disobedience is that the former lies within the bounds of the law, but the latter does not. Most of the other features exemplified in civil disobedience can be found in legal protest including a conscientious and communicative demonstration of protest, a desire to bring about through moral dialogue some lasting change in policy or principle, an attempt to educate and to raise awareness, and so on. The difference in legality translates into a more significant, moral difference when placed against the backdrop of a general moral obligation to follow the law. If it is morally wrong to breach the law, then special justification is required for civil disobedience which is not required for legal protest. However, the political regime in which obedience is demanded may be relevant here. David Lyons maintains that the Jim Crow laws racial segregation laws in force in the southern US until , British colonial rule in India, and chattel slavery in antebellum America offer three refutations of the view that civil disobedience requires moral justification in morally objectionable regimes. According to Lyons, there can be no moral presumption in favour of obedience to the law in such regimes, and therefore no moral justification is required for civil disobedience. If one takes the view that there is no general moral obligation to follow the law irrespective of regime , then both adherence to the law and breach of law must be judged not on their legality, but on their character and consequences. And this would mean that, even in morally reprehensible regimes, justification may be demanded for civil disobedience that either has significant negative consequences or falls below certain moral standards. Although questions of justification will be addressed more fully in the next section, it is worth noting here one point in favour of civil disobedience over legal protest. As Bertrand Russell observes, typically it is difficult to make the most salient facts in a dispute known through conventional channels of participation. The controllers of mainstream media tend to give defenders of unpopular views limited space to make their case. Given the sensational news value of illegal methods, however, engaging in civil disobedience often leads to wide dissemination of a position Russell , John Stuart Mill observes, with regard to dissent in general, that sometimes the only way to make a view heard is to allow, or even to invite, society to ridicule and sensationalise it as intemperate and irrational Mill Admittedly, the success of this strategy depends partly on the character of the society in which it is employed; but it should not be ruled out as a strategy for communication. A practice distinct from, but related to, civil disobedience is rule departure on the part of authorities. Rule departure is essentially the deliberate decision by an official, for conscientious reasons, not to discharge the duties of her office Feinberg It may involve a decision by police not to arrest offenders cf. Smith or a decision by prosecutors not to proceed to trial, or a decision by a jury or by a judge to acquit an obviously guilty person. Whether these conscientious acts actually contravene the general duties of the office is debatable. Moreover, both are communicative, though their audiences may differ. The official who departs from the rules of her office addresses her action principally to the individuals or groups whom she intends to assist through her breach of a specific duty. Her action demonstrates to these parties both that she disagrees with a policy that would treat them in a certain way and that her actions align with her commitments. Where civil disobedience and rule departure differ is, first, in the identity of their practitioners. Whereas rule

departure typically is an action taken by an agent of the state including juries , civil disobedience typically is an action taken by citizens including officials acting as ordinary citizens and not in the capacity of their official role. Second these practices differ in their legality. Whether rule departure actually involves a breach of law is unclear.

**Chapter 6 : Articles : On and By Gandhi**

*civil disobedience is a political act not only in the sense that it is addressed to the majority that holds political power, but also because it is an act guided and justified by political principles, that is, by the principles of justice which regulate the constitution and.*

Learning how Platforms, Peers and Partners work together. Creator of Platform Design Toolkit: You can check the latest 2. The diversity of contexts where this thinking can be applied is huge, and continues to amaze us. A few months ago, this reflection brought you our first set of 12 Patterns of Platformization , a library is proving to be a very powerful tool in our conversation with adopters. Consider this a first version of your Organizational Revolutions: How to use these Principles? These principles are “by far” the easiest thing to use in your daily practice of mobilizing ecosystems through platform strategies. Recognizing that small entities individuals, teams, small organizations have today an increasing potential to impact their own life, create powerful products and services, transform systems, is key to understand the platform model. The modern means of production fit in your pocket smartphones or your bag computers , all the knowledge in the world is accessible in the open open source software, wikipedia, youtube , and from the periphery you can summon an increasing number of centralized utilities e. A single employee can transform the future of a company. Industrial organizations in transformation struggle to understand this principle. Platform strategies need to be designed to help an existing ecosystem to emerge, thrive and work better: Where a potential exists, the current will flow. Organizations of all kind need to avoid trying to design mobilization strategies for ecosystems that are not trying to exchange value already: Platform Design is the death of inside-out strategies: In the ecosystem lies the center of your strategy. The ecosystem of short-term rental existed for ages, before Airbnb: Platform Design Principle 3 “Use Self Organization to provide Mass Customization In the age of the long tail, consumers demand personalized solutions to specific, custom, contextual and personal expectations. Despite brands trying tricks to solve this issue, such as faking personal interactions with AI remember the chatbot frenzy? Trying to respond to the expectations of the Long Tail, with an industrial, control-driven, bureaucracy is a self-fulfilling prophecy of failure: A key part of this principle resides in reducing transaction cost in self organization: In modern times, a broader market is made of many smaller markets. It let developers to grow a business out of their true fans. In this context, everyone is looking for new ways of learning, and “reciprocally” every organization is in the learning business. Modern organizations therefore need to offer participants a promise of accelerated learning. Their message needs to be: Furthermore, when offering learning opportunities, the journey must be playful, and flow-enabled: Learning must be both competitive with peers trying to outperform each other and collaborative, through mentoring and tutoring: To really learn, peers in the ecosystem need to also be allowed to give space to their true passions. Airbnb has offered thousands of people the opportunity to express their talent and passion for hospitality, helping them become professionals in the industry as superhost, experience hosts, co-hosts. By offering tools, resources and conferences, Google is offering developers the possibility to scale up their operations, to focus on what they like to do develop their content , to be part of an international community of like-minded people, and to learn from each other. Platform Design Principle 5 “Design For Disobedience How do modern strategies evolve when the center of the strategy moves out of the organization, into the ecosystem? In a continuous power shift, from the brand to the consumer, and from the consumer to the ecosystem, we witness the need for the brand to give up the idea that the innovation process can be driven from a central office. It is the ecosystem that innovates, that knows which interactions need to be empowered, and therefore the organization needs to listen carefully. Platform strategies should be loose enough to let players adapt their role to their specific context. This is the way platform shapers embed the Innovate-Leverage-Componentize cycle: Airbnb has been observing the players creating experiences on top of short-term rentals for years: Let participants play loose roles: Platform Design Principle 6 “Design For Interconnectedness What happens when you stop producing solutions, and start designing ways to organize interactions in large scale systems? This brings the organization to move beyond the very concept of a customer somebody you design a solution

for , and embrace the concept of relationships, and interactions between peers as the key element of business. When we design to facilitate interactions between producers and consumers of value, we need to intentionally design with, and for both parties. This boils down to reducing the potential conflicts of interest by helping them to find a common and fair ground , and to make non-zero sum games possible. If the value we generate in the exchange is greater than the original sum of needs and potential, this normally makes the interaction extremely more valuable. In a marketplace, when two parties interact and generate positive reputation, the sum of the value generated in the interaction goes beyond the value exchanged in the interaction itself: Ebay, uses an online mediation service to ensure that disputes between buyers and sellers are set, in a way that is perceived fair to the parties. This increases the willingness to trade. This means losing control, therefore potentially renounce to use a particular brand because the brand may be perceived as conflictual with the ecosystem for example, by competitors that a platform shaper might want to transform into providers. Renouncing to the brand can also be a way to reduce the impact of negative cases that “inevitably” will happen in a less controlled or vetted ecosystem, where, to a certain extent, the organization needs to open doors to riskiest, and therefore more accessible, players. If the premise is to grow a bigger market, this market will eventually need to go farther and be less controlled by the organizer. The organizer of the ecosystem will need to identify more with the whole the objectives of the whole , and think strategies and business models that actualize the opportunity for the whole, instead of the organizer alone. They created a shared governance alliance the OHA and, allowing smaller players to play a role, they ended up powering a thriving ecosystem that completely transformed the whole smartphone industry. Complying with these principles is the best way to future-proof your ideas today, and to enhance your opportunity to shape larger ecosystems of value creation, making your vision, business or organization one worth joining, for the long term. Download and Play with Platform Design Principles For those that want to play with these principles, please find the PDF download here, click on the image below to download. Download the PDF of the Set and start play: We certainly owe a lot to these conversations. As always we owe a lot to many from our community! Do you want to learn how to use this methodology from the ones that created and evolve it? Join our upcoming Masterclasses. A participant once said the masterclass: Check all available masterclasses here on our website or reach out directly for special deals and large groups. As you may know, everything we do is released in Creative Commons for you to use. Thanks for your support! Download Platform Design Toolkit 2. Download The new Toolkit and User Guide.

**Chapter 7 : Project MUSE - Civil Disobedience in the Social Theory of Thomas Aquinas**

*" Gandhi used satyagraha as a lever for social movements. In order to understand the Gandhian concept of civil disobedience and satyagraha, it is desirable to know Gandhi's view on the subject in detail. Gandhi said, "Satyagraha largely appears to the public as Civil Disobedience or Civil Resistance.*

You can help class members or family members think more deeply about a question by giving them time to ponder. After they have had enough time, ask for their responses. When Jesus was on the earth, a lawyer asked Him a question: From these scriptures we learn how important it is for us to love the Lord and our neighbors. But how do we show our love for the Lord? Is it because we fear punishment? Is it because we desire the rewards for living a good life? Is it because we love God and Jesus Christ and want to serve Them? It is better to obey the commandments because we fear punishment than not to obey them at all. But we will be much happier if we obey God because we love Him and want to obey Him. When we obey Him freely, He can bless us freely. Obedience also helps us progress and become more like our Heavenly Father. How can we increase our desire to obey? Sometimes we do not know the reason for a particular commandment. However, we show our faith and trust in God when we obey Him without knowing why. Adam and Eve were commanded to offer sacrifices to God. One day an angel appeared to Adam and asked why he offered sacrifices. Adam replied that he did not know the reason. He did it because the Lord commanded him. The angel then taught Adam the gospel and told him of the Savior who was to come. The Holy Ghost fell upon Adam, and Adam prophesied concerning the inhabitants of the earth down to the last generation. This knowledge and great blessings came to Adam because he was obedient. When has the Lord prepared a way for you to obey Him? The scriptures tell of a man named Naaman who thought that way. Naaman had a dreadful disease and traveled from Syria to Israel to ask the prophet Elisha to heal him. Naaman was an important man in his own country, so he was offended when Elisha did not greet him in person but sent his servant instead. He went away in a rage. But his servants asked him: So he washed in the Jordan and was healed. Sometimes we may think a commandment is too difficult for us to obey. Abraham had waited many years for the birth of Isaac, the son God had promised him. How could he lose his son in such a way? This commandment must have been exceedingly difficult for Abraham. Yet he chose to obey God. We too should be willing to do anything God requires. Joseph Smith [], This can be our rule also. When have you received blessings as a result of your obedience to commandments that seemed small? Jesus Christ was the sublime example of obedience to our Heavenly Father. His whole life was devoted to obeying His Father; yet it was not always easy for him. He was tempted in all ways as other mortals see Hebrews 4: We may also grow spiritually see Jeremiah 7: On the other hand, disobedience brings disappointment and results in a loss of blessings. I command and men obey not; I revoke and they receive not the blessing. Then they say in their hearts: The Lord has described other blessings that will come to those who obey Him in righteousness and truth until the end: What can we do to stay true to gospel principles even when it is unpopular to do so? How can we help children and youth stay true to gospel principles? Additional Scriptures Abraham 3:

**Chapter 8 : Civil Disobedience (Stanford Encyclopedia of Philosophy)**

*The idea that one gives up one's right to be treated under the principles of respect for persons to the extent that one has abrogated someone else's rights; for instance, self-defense is acceptable according to the principle of forfeiture.*

For it appears than in the very beginning, after God created His heavenly sons , He gave them no laws. He was simply their Father and He showed them the things that He wanted them to accomplish. We draw this conclusion from the fact that until the Slanderer Devil rebelled and lied to Adam and Eve, there was no mention of a law to condemn him or other heavenly messengers to death. In fact, the first mention of a penalty for his disobedience is found at Genesis 3: For He obviously realized that His sons could choose to rebel, because He deliberately created each of them with the ability to do whatever they wished to do. And for the heavenly sons, both right and wrong and the results of displeasing God must have been obvious. But, what incentive would there be for that spirit person who made himself the Slanderer gr. Diabolos or Devil to openly defy God? Well, as the results proved Revelation The First Law The first law that we read of in the Bible is the simple one that was given to Adam in the Paradise of Delights , when God told him not to eat from the fruit of the tree of knowledge of good and bad. And a penalty was also spelled out, should they choose to disobey: Death to the offender. And because the particular evil spirit who had likely already made himself the first universal rebel had a stake in seeing Adam break this rule, he set out to challenge God by lying to the first humans and leading them to disobey the law, which would then raise the question before all living creatures everywhere of whether God had the right to expect their obedience and love. Once again, no negative thoughts of the possibility of murder, theft, rape, or any of the hundreds of other human vices were mentioned. There was just the one command: And as might be expected, the second sin mentioned in the Bible was when Cain murdered his brother, Abel. Recognize that apparently there was no law up until then that forbade murder. But you must not eat flesh with its blood of life gr. Otherwise, I will require your blood at the hand of all the wild animals. Whoever spills the blood of men will also have their blood spilled, because I made man in the image of God. The blood of animals was not to be eaten it was to be poured out as some sort of a sacrifice to God ; otherwise, the violator was liable to be killed by wild animals 2. Any man who murdered another was liable to be killed by fellow humans. And while the ban on murder is quite well understood, the reason for the warning against eating animal blood is particularly interesting. However, likely due to what had become common practice prior to the downpour, God told Noah that men could eat the animals as long as they poured the blood, which He described in Hebrew as the ruach or in Greek as the psyche soul or life on the ground. So, what conclusions may we reach from all the above? Rather, these things were forced on Him by the inventiveness and badness of humans and of the rebellious desires of the spirit sons of God. You likely remember the story of what happened to him as he was serving as a slave in the house of an Egyptian named Petrephes Heb. Yet, Joseph resisted and ran away. So, notice that no law was required for this righteous man to make the right decision. The same was true of the righteous man Job. Again, before we read of God providing any laws, Job repeatedly spoke of things that he knew would be displeasing to God. And the foundations for these laws all of which are related in detail from Exodus through Deuteronomy are what we call the Ten Commandments. What did the Old Law accomplish? Well, Paul explained it when he wrote at Romans 3: But now, no flesh is going to be called righteous before Him by obedience to the Law, because the Law just helped us to understand what sin is. Does it come from our obedience to the Law? No, it comes through the Law of Faith, since we believe that a man is called righteous because of his faith, not by the works of the Law! However, where there are many sins, a superabundance of loving-care can be shown. And so, one of the reasons why Jesus gave his life for us was to do away with that old Sacred Agreement of Laws and to make a New Sacred agreement with us, the laws of which are simply to love God and to love each other. As Paul wrote at Romans Whenever people wish to degrade the Bible, they point to the old laws and their penalties, claiming that they were the product of a harsh and unloving God. And all who wished to live in this sacred land IsraElites and gentiles alike , since they claimed to be His people, were required to follow the rules and laws that He set down for them. Then, to show that they were part of this sacred relationship, He said that

all males had to have the sign of circumcision on their flesh, and He told them how to dress, how to groom themselves, and how to act. Realize that the land had been set aside not just for IsraEl, but for all who wished to serve God. Not because God considered such things major sins, but because anyone who deliberately chose to disobey Him and yet live in His sacred land had to be dealt with in a deliberate way to maintain the cleanliness and sacred purpose of that land. All they had was judges who were appointed by God to decide legal matters and to take the lead in war, when necessary. There were no politicians to make laws and no policemen to enforce them; the people were just trusted to know right from wrong. But it was the IsraElites themselves who later demanded to have human kings, which brought the beginning their taxes, legislators, local laws, and the foibles of human rule. Paul outlined them at 1 Corinthians 6: There are also some things that God warned against practicing back in Genesis and which love of God would forbid us from doing. These were repeated by Peter, James, and John when they were laying out the guidelines for Gentile converts to Christianity at Acts And if you were to read the entire Law of Moses, you would have a much better understanding of God thoughts on many matters. They are the guidelines we can refer to in order to make wise decisions. For whereas principles are general guidelines, His laws are the dividing lines, and He has used His inspired servants to write them down in the Bible so we would know the difference. Remember that laws are greater, because they are also principles, but principles that God felt strongly enough about to turn into laws.

**When Men Turn Principles into Laws** Note that whenever someone felt that he or she could take Bible principles and turn them into laws for others to follow, the Bible plainly shows that God considers this to be wrong. The Pharisees, for example, were guilty of turning principles into laws, and Jesus condemned them for doing it. As you read the Gospels, notice the many ways they did this in regard to matters of tithing , washing, the Sabbath, the way they dressed, etc. Well, as is so typical of man-made laws; back when the IsraElites were under the Law of Moses, the Pharisees made up rules that went well beyond the Law. Yet, despite the fact that Jesus recognized the righteous principles behind their rules, he condemned them and called them hypocrites. Understand that virtually all religious laws are the laws of men, not God. As Paul explained it at Romans 6: And if we turn these principles back into laws again, we are putting ourselves back under the Old Sacred Agreement, which Paul showed time and again to be something that is unnecessary and wrong, since we are all under the New Sacred Agreement, which is based on love, not laws! And if there are those who still wish to argue that they have the right to create laws from Bible principles; consider the fact that God pointed out at Leviticus Notice how Jesus himself showed that rules about things we eat for example should not be our concern. For he said as recorded at Matthew But the things that come out of the mouth come from the heart€ these are the things that dirty a man! Note for example, that God told the IsraElites that they were to destroy all the people who had been living in the Promised Land, because they were so wicked. Yet when the spies entered Jericho, they vowed to spare the lives of a prostitute named RaHab and her entire family , because she believed that God had the power to destroy her people. Then later on, the IsraElites unwittingly made a peace agreement with the people of the city of Gibeon , because they were fooled into doing it. Yet the IsraElites honored that agreement and let those people live, because they had sworn to do so€ and this breaking of His Law was blessed by God. As you can see, Laws never come before righteousness. Use your Christian-trained consciences, and when in doubt, do whatever shows that you love God and your fellow humans, and that you even respect the value of the lives of the animals over which you were created to rule. God also requires that we turn from our bad ways. For we are told at Isaiah 1: Remove your wicked lives from My eyes! So we can expect to reap the rewards of our own bad actions. And the more we can personally do to set matters right, the better it will be for us in the long run. This indicates an unwillingness to correct the wrong and to show any repentance. Notice what Jesus said, as recorded at Matthew 5: First, make peace with your brother, And then return to offer your gift. Also, see the link [Christian Forgiveness and Repentance](#). To return to the previous document, select the Back arrow on your browser.

**Chapter 9 : Chapter Obedience**

*Results of Obedience and Disobedience What are the consequences of obeying or disobeying the Lord's commandments? The kingdom of heaven is governed by law, and when we receive any blessing, it is by obedience to the law upon which that blessing is based (see D&C ; ).*

The idea of civil disobedience was introduced to the modern Western political theory by David Thoreau almost years ago. According to Rawls, civil disobedience is "a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government". Civil disobedience is a temporal, public and demonstrative suspension of commonly accepted social rules and regulation under the assumption of some prior agreements in the society and in the context of everyday and usual obedience. It is evident that this notion of civil disobedience is correlated with another basic concept which depicts democratic political order and civil society, the concept of social contract. The theories of social contract are as old as social theories in general. The elements of such theories can be found in the ancient European philosophy since Sophists. According to Plato a contract was the basis of relations between the Ruler and the strata within the framework of political order. In the early Modern political thought the conception of social contract was to broaden the theory of state in general. Puffendorf, J-J Rousseau and I. Kant, social contract was not just an agreement within the framework of the existing order but the basis of legitimacy of civil community in general. The idea of social contract as the prerequisite of the state and society was criticized by Shaftesbury and D. Kant argued that the concept of social contract was not about the origin of the state, but about the law and principle of the state as they should be. So, Nitzshe was not the first who manifested that the social contract theory had become out of date. Who can rule, he argued, who dominates "by nature", who is violent in actions and gestures, does not care about contracts. Since the 19th century "social contract" - has been considered as a kind of philosophical metaphor. However, this metaphor is adequate to the character of democratic organization: The concept of social contract reflects the real practice of different social, economic, political, educational and other enterprises projects , which are mediated by agreements and juridically registered contracts between social agents which by the fact of the agreement, and registration of contract manifest their will to cooperate. A government is as efficient as a civil society that has become a sphere of social partnership, as citizens identify themselves with instances of authority and are ready according to their competence to share social responsibility. In the 18th - 19th centuries the concept of social contract was dislocated to the periphery of social-political thought. His theory of justice basically belonged to the contractorial tradition: According to the contractorial approach the principles of justice are the principles of cooperation between equal agents. In respect to social contract Rawls speaks about "natural duty of civility" which means not to invoke the faults of social arrangements as a too ready excuse for not complying with them not to exploit inevitable loopholes in the rules to advance our interests. A society is hardly imagined to be fully just. In other words, so far we cannot avoid laws which would be just for everybody, the burden of injustice should be equally distributed between different groups. One may propose that these two concepts- of civil disobedience and social concept- contradict each other. However this is not so. Civil Disobedience Civil Disobedience is one of the forms of opposition available to the public established on the basis of majority rule. One among few others, like legitimate public demonstrations, purposeful corruption of law for the sake of court precedents, violent, specifically military resistance, etc. Civil Disobedience is a form of democratic opposition. Civil disobedience is certainly on the bases of that social model, which is usually called- after Henrih Bergson and Karl Popper- " the open society". According to this model social institutions are considered as the products of social creativity and this rational change is discussed in terms of fitness for consumption of human goals and intentions. They appeal, they may even allow themselves to think that the ruler is not always right but they have neither rights, nor abilities to correct their ruler. The situation is quite different in democratic society as a system of cooperation between equals. The above duty of civility includes the duty to defend the rights guaranteed by constitution. Civil disobedience gives an opportunity to resist injustice in adherence to the law. Rawls considers the concept of civil disobedience gives an opportunity to

resist injustice in adherence to the law. Rawls considers the concept of civil disobedience as complementary to the theory of constitutional democracy. It proposes the principles following which can disagree with the legitimate authorities by the means contradictory but loyal to the law. It is actual even under such a formally democratic rule which in fact is embodied in an unjust and corrupt system of power. As an instrument of social change civil disobedience supposes a system of political cooperation in a society based more or less on consensus regarding general principles of justice. The problem is that different conceptions of justice may be presented in a particular community. In a situation of the lack of consensus civil disobedience may be insufficient as means of social change. Civil disobedience may be direct and indirect. Under direct actions citizens disobey a protests law; under indirect actions citizens disobey other laws. Thus, is it unreasonable and dangerous in protest? For example, against certain traffic rules to break these traffic rules? The actions of civil disobedience are political, public and nonviolent by their nature. As political ones they are addressed to the ruling majority; they are motivated and justified by political principles, specifically, the principle of justice which regulates the constitution and social institutions. As public ones these actions are addressed to the public, they are performed in public, openly and fairly. From a pragmatic point of view, civil disobedience as a means of political protest, no matter fine the idea of civil disobedience is, can be reasonable and justified under one circumstance and inappropriate in another. So far as civil disobedience is addressed, according to Rawls, to the sense of justice of a community, it is justified when it is directed against the cases of serious violation of basic rights evident to all. For instance divestment of minority of certain civil and economic rights. On the contrary, the actions of civil disobedience will be insufficient if they are directed against such state decisions or new laws which violate the basic rights of the public. Civil disobedience is justified in situations when other means of political struggles have failed. So far civil disobedience is considered as the last resort, one should be absolutely sure that it is really necessary. As we saw, according to Rawls, civil disobedience is a significant social instrument of resistance to some partial laws and state decisions which contradicts to the general spirit of constitution and for the sake of constitution. But does this mean, that in a non-democratic society there is no room for civil disobedience-- so far there is no democratically accepted and, hence, legitimate constitution? And what will be the justification of civil disobedience for those who would make a decision to resist injustice in such society? Gandhi was invited in Champaran by one of the ryots to help them to change the existing order of relations between ryots and landowners. The challenge was to abolish the tinkatia system in Bihar. He decided to start his study of the problem with figuring out the planters opinion. However the planters association Secretary regarded him as an outlier and, roughly refused to give him any information. Gandhi also visited the presidency commissioner, but the latter tried to threaten him and suggested to leave Tirhut straight away. In the statement read for the District Magistrate Gandhi explained his decision not to comply the Administration order by his civilian duty to help the ryots and announced his readiness to "submit without protest to the penalty of disobedience. Strange as it may sound, but a judge and a state attorney disagreed and the hearing was postponed. The local authorities became ready to collaborate with Gandhi. Although in the Champaran case civil disobedience appeared to be a modest and just ancillary part of more general project of demolition of unjust order, we can make some substantial conclusions from this regarding the nature of civil disobedience. First, in this case we have quite different foundation of civil disobedience. In his decision Gandhi related not to the Constitution or existing general order, but to "the higher law of our being-- the voice of conscience" -- a kind of natural sense of justice. Though his decision not to obey the Magistrate precept was definitely political, it was not so by motivation and explanation. Second, Gandhi intervened into the situation completely selflessly. Although he protested against treating him as an outlier, he, as a matter of fact was not an outlier in terms of stock-holding; he had come to Champaran as an an external observer and embarked into the conflict as a third party mediator. Owing to this his position looked stronger and more convincing. The third observation regards a broader, political context of civil disobedience rather than civil disobedience itself. As Rawls accentuated, civil disobedience was a mechanism of democratic order. Of course, the challenging potential of civil disobedience as a means of nonviolent protest is strong just under the democratic order. Probably, Civil disobedience is senseless in the totalitarian society. Fourth, civil disobedience should be considered as one among many other means of

protests. Struggle against injustice will never win if it is not directed to truth and justice and is not motivated by the will towards truth and justice. In other words, the struggle against injustice will inevitably fail, if it is opposed in a way of "not to see, not to hear, not to speak. The efficacy of civil disobedience depends upon whether it became a moment of satyagraha. The truth of the latter statement was proved again two years after Champaran during the mass campaign of satyagraha against Rowlatt Bill. What Gandhi called "a mistake as great as Himalayas", consisted in a decision to start the campaign of civil disobedience with people who were not ready for such a campaign spiritually, nor politically. Only a person, who is habitual to everyday and principle obedience to the laws, is capable of judging which law is good and just and which is bad and unjust. So, civil disobedience should be inspired not just by, a sense of protest against injustice, but mainly by respect to justice. Gandhi pointed to this in his statement in April of Civil disobedience is one such branch, satya truth and ahimsa nonviolence together make the parent trunk from which all innumerable branches shoot out.