
UNIT 13 CIVIL DISOBEDIENCE AND SATYAGRAHA

Structure

- 13.1 Introduction
- 13.2 Concept of Civil Disobedience
- 13.3 History of the Concept of Civil Disobedience
- 13.4 Theory of Civil Disobedience and Existentialist Philosophy
- 13.5 Gandhian Concept of Civil Disobedience and Satyagraha
- 13.6 Civil Disobedience in Practice
- 13.7 Summary
- 13.8 Exercises

13.1 INTRODUCTION

The concept of civil disobedience movement has become an important element in the political power structure in contemporary world. This movement has spread around the world. It has been exemplified by Dr. Martin Luther King, Jr. in the civil rights movement in the United States, the ‘people’s power’ movement in the Philippines, the non-violent collapse of communism in Eastern Europe and so on. The success of Gandhi and Dr. Martin Luther King, Jr. had a lot to do with the emergence of satyagraha as an organisational power. To discuss about the history of the twentieth century, without exploring the impact of civil disobedience and satyagraha is to malign the very basis of the people’s movement and the study of social science. The Gandhian method of civil disobedience and satyagraha has given a new dimension to the concept of statecraft.

While delivering the most prestigious Gandhi Memorial Lecture on “Towards a World without war- Gandhism and the Modern World” on 11 February 1992, Dr. Daisaku Ikeda said, “As we approach the end of this century of unprecedented wars and violence, we seek as our common goal the creation of a world without war. At this critical juncture what can we – must we- learn from this great philosopher – a man whose spiritual legacy could rightly be termed as one of humanity’s priceless treasures, a miracle of the twentieth century.”

The basic aim of every political system is to assist in the process of self-actualisation of individuals to fulfil the inner requirements for a continuous moral growth. The very concept of satyagraha has provided a new meaning and orientation to the concept of politics. Dr. Martin Luther King, Jr. was so much influenced by the concept of civil disobedience and satyagraha that he said, “If humanity is to progress, Gandhi is inescapable. He lived, thought and acted, inspired by the vision of humanity evolving towards a world of peace and harmony”. The Swedish economist, Gunnar Myrdal said, “In a time of deepening crisis in the underdeveloped world, of social malaise in the affluent societies, it seems likely that Gandhi’s ideas and techniques will become increasingly relevant.”

In a violent international climate, with struggle for economic hegemonism and ever escalating

systemic process of violence, not to mention about human rights violations, poverty, and hunger, the concept of civil disobedience and satyagraha of Gandhi is gaining more and more momentum.

The concept of Civil Disobedience and Satyagraha has played an important role in the theory and practice of human liberation movements. It has, indeed, continued to inspire the social and political movements throughout the world. The Gandhian principles of non-violence and civil disobedience are rooted in his concept of Satyagraha. The anti-nuclear and Green Movements, the termination of statist communist administration in Czechoslovakia in 1987, and the popular resistance movement in Kosovo against the Serbian ethnic persecution are some of the important civil disobedience movements of the last century. The rise of racial and ethnic chauvinism, and retrogressive character of the globalisation process have again highlighted the role of civil disobedience and satyagraha as a strategy of social and political movements.

13.2 CONCEPT OF CIVIL DISOBEDIENCE

The phrase, “Civil Disobedience” which is so widely used as a strategy to ensure social justice throughout the world does not have any precise and specific connotation. Henry David Thoreau is generally credited with using this phrase as the title of an essay in 1849. Thoreau changed the title of his essay from “Resistance to Civil Government” to “Civil Disobedience”. There is, however, neither any documentary evidence to show that Thoreau himself coined this phrase nor any reason given by him to indicate as to why he changed the title of his essay.

The concept of Civil Disobedience has a long and varied history covering almost the whole stream of human thought from the Greek era to the present day. The justification and analysis of the concept has been attempted from a variety of philosophical, political and linguistic angles.

The concept of Civil Disobedience implies an act or process of public defiance of a law or policy, duly formulated and created by a governmental authority, which an individual or a group considers to be unjust and/ or unconstitutional. The defiance of the governmental law or policies must be a pre-meditated act and the movement has to be announced in advance. The defiance of law might take either violent or non-violent form. It may be either active or ‘passive’. As the basic spirit of the civil disobedience movement is to arouse public conscience, the individual or the group must be prepared to accept punishment for the violation of law or policies. The action or non-action of civil disobedience has to be openly insisted on in order to be qualified as civil disobedience. The mere non-compliance of legal provisions does not itself constitute civil disobedience.

The concept of Civil Disobedience is grounded in justice and common good, and its end must be a limited one. The basic aim of civil disobedience movement is to arouse consciousness in the adversaries and appeal to their conscience.

Although the methodology of civil disobedience is not restricted within the limited framework of either violent acts or ‘non-violent action’, for a variety of historical or psychological reasons, most of the practitioners of the civil rights movement are committed to non-violence. Some of the pacifist believers of civil disobedience even assume that a complete commitment to non-violence is ethically superior to the possible use of violence.

In contemporary literature, the concept of civil disobedience has been understood as a political strategy adopted by Mahatma Gandhi and his followers in India to oppose British colonial administration. Martin Luther King Jr., during the Civil Rights movement in the United States, also successfully used this strategy.

Referring to the concept of civil disobedience, Mahatma Gandhi said, “I shall consider it (civil disobedience) to be a public, non-violent and conscientious act contrary to law, usually done with the intent to bring about a change in the policies or laws of the government. Civil Disobedience is a political act in the sense that it is an act justified by moral principles, which define a conception of civil society and the public good. It rests then, on political convictions as opposed to a search for self or group interest. In the case of a constitutional democracy, we may assume that this conviction involves the conception of justice that involves around the constitution itself.”

13.3 HISTORY OF THE CONCEPT OF CIVIL DISOBEDIENCE

The concept of civil disobedience has a long and varied history. The concept was very popular as the Antigone theme in the Greek dramas. It was the basic theme of the anti-war motif of Lysistrata where the women, apart from leaving their men, captured the Acropolis and the Treasury of Athens. This conflict between civil law and conscience could be seen in the passive resistance of Jews to the introduction of icons into Jerusalem.

Throughout the long history of human civilisation, there has always been a conflict between individual freedom and political authorities of the state. The freedom to choose whether to obey the dictates of state law or not has always been the basic theme of civil disobedience movement.

Socrates considered obedience to and search for truth as the fundamental aim of human life. To him, justice is an element of truth. Although he strongly believed that an individual could only develop in a well ordered society, and it was his moral duty to obey the state, he was not prepared to sacrifice the realm of conscience. He strongly advocated that the state has no right to force an individual to act unjustly. This is the area in which he justified the role of civil disobedience.

The early Christians used civil disobedience movements as justification for religious and moral obedience to God. This was the first non-violent civil disobedience movement in the West. The doctrine of civil disobedience movement has been used as an instrument of socio-political transformation on a number of occasions.

The modern concept of civil disobedience had its origin in the writings of empiricists like Thomas Hobbes. The political situation of England in the seventeenth century made Hobbes espouse the doctrine of fundamental natural rights as a basis for obedience to government. He was convinced that in order to guarantee rights to the individuals, the state must ensure a climate of civil peace. He was not prepared to grant the right to dissent to the individuals in the state. The only condition under which the individuals were entitled to have the right to dissent was when the state was not strong enough to protect the rights of the individual and to ensure civil peace in society. The right to civil disobedience was indeed inherent in the specific conditionality of Hobbes.

John Locke was of the opinion that the people have a “right to resume their original liberty and to establish a new government.” Even if he was not so precise and clear about the propriety of resistance to the authorities of the state, he was convinced that the people have the right to have both non-violent and violent civil disobedience movements to ensure liberties, properties and social justice.

While analysing the empirical utilitarian approach to determine the concept of the right to resist,

Henry David Thoreau adopted an idealistic anarchist view. He strongly believed that all *civil laws* that try to encroach upon the areas of *moral law* have no moral justification to exist. The Universal Declaration of Human Rights of 1948, which emphasised humanistic foundations for man's basic rights, supports the contention of Thoreau. In his *Treatise of Human Nature*, David Hume provided a libertarian concept of civil disobedience.

Jeremy Bentham advocated that conscientious citizens have to "enter into measures of resistance as a matter of duty as well as interest." James Mill adopted a paradoxical attitude towards the concept of civil disobedience. He supported the right to a violent revolution while opposing the right to advocate limited civil disobedience.

All the empiricists like Thomas Hobbes, John Locke, David Hume, Jeremy Bentham and James Mill were in favour of a negative concept of individual freedom. They put emphasis on the absence of restraints as the basic requirement of individual freedom. Their views against all improper use of governmental authority provided the basic ground for the modern theories of civil disobedience.

The Idealist School was less hospitable to the concept of civil disobedience. From Aristotle to Rousseau and supporters of Hegelian as well as Marxist traditions, all have emphasised the importance of state over individuals. While emphasising the positive concept of freedom, the Idealists were of the opinion that the positive concept of freedom could only be achieved by an unconditional loyalty to a collectivity.

The Syndicalists emphasised the obedience to democratic trade union leadership only so as to have access to the areas of positive freedom. One must not forget that the Anarchists in the idealist (Tolstoy) or socialist (Bakunin, Kropotkin) tradition have always pleaded for a total rejection of state system based on the positive concept of freedom. In fact, they provided a new approach to the realisation of man's social self through civil disobedience.

Political theorists consider the idea of natural law as an important basis of the modern idea of civil disobedience. Although both Aristotle and Cicero failed to develop a theory of civil disobedience, their views on the subject have definitely paved the way for the justification of a civil disobedience movement. Aristotle said, that "unjust law is not a law." Cicero was of the view that "a true law – namely right reason- which is in accordance with nature, applies to all men and is unchangeable and eternal.". These views have provided a strong ground for the civil disobedience movement.

Thomas Aquinas considered unjust laws as "acts of violence rather than laws". To him, "such laws do not bind in conscience." However, he would not allow any disobedience to the Church at all and, disobedience to the state, only in rare cases.

Modern Neo-Thomists have adopted the same cautious attitude of Aquinas regarding the issues of civil disobedience. Pope Pius XII was criticized for not adopting a bold stand against the genocide of European Jews. Rolf Hochhuth in his play, *The Deputy* (1963), criticised the Pope for not doing enough to disobey or resist Hitler's aggression.

In recent years, the Church has taken a bold stand regarding civil disobedience. The right to disobedience is no more, limited to violation of divine laws. Pope John said, "For to safeguard the inviolable rights of the human person and to facilitate the fulfillment of his duties, should be the essential office of every public authority. This means that, if any government does not acknowledge the right of man or violates them, it not only fails in its duty, but its orders completely lack juridical force."

13.4 THEORY OF CIVIL DISOBEDIENCE AND EXISTENTIALIST PHILOSOPHY

The theme of alienation, drawn from existentialist philosophy, is an important aspect of contemporary theories of civil disobedience. Albert Camus is considered a leading contributor in this area. Although both Albert Camus and Jean Paul Sartre and other existentialist thinkers believe that there is no valid basis for any moral or political authority's claim to validity (or legitimacy) or to obedience, Camus was more forthright regarding his views on resistance to oppression. He was of the opinion that respect for the dictates of justice must precede respect for law. In his Nobel Prize address, Camus strongly advocated his 'refusal to lie about what we know and resistance to oppression'. He was not even averse to the use of physical force, although he always regarded it as a supreme evil, to counteract the worst violence of the state. He considered every power elite and authority of the state as the enemy of justice. He considered pacifists as 'bourgeois nihilists'.

13.5 GANDHIAN CONCEPT OF CIVIL DISOBEDIENCE AND SATYAGRAHA

Mahatma Gandhi is considered to be the leading theorist in the history of civil disobedience movement. The Gandhian concept of civil disobedience and satyagraha is the greatest contribution to mankind in our times. Albert Einstein said, "It is my belief that the problem of bringing peace to the world on a supranational basis will be solved only by employing Gandhi's method on a large scale." Martin Luther King Jr. said, "From my background I gained my regulating Christian ideals, from Gandhi, I learned my operational technique."

Gandhi called his concept of civil disobedience as the doctrine of 'Satyagraha' or 'Truth Force'. For him, the adjective 'civil' in the phrase 'civil disobedience' referred to peaceful, courteous, and a 'civilised' resistance. To him, the concept of passive resistance is inadequate to grasp the full implications of the concept of 'satyagraha'. He said that one must not only resist passively the injustice and arbitrariness of the government, but also must do so without any feeling of animosity.

In the earlier phase, Gandhi had spoken of passive resistance as an 'all-sided sword'. He said, "...it blesses him who uses it and him against whom it is used. Without draining a drop of blood, it produces far-reaching results....Given a just cause, capacity for endless suffering and avoidance of violence, victory is a certainty."

Subsequently, Gandhi abandoned the term 'passive resistance', and chose the term 'satyagraha'. 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. Arne Naess, a leading theoretician on Gandhi has stressed Gandhi's "constructive imagination and uncommon ingenuity in finding and applying morally acceptable forms of political action." Satyagraha, the unique system of non-violent resistance to the government's arbitrary methods and actions is, indeed, his greatest gift to mankind.

For Gandhi, Ahimsa (non-violence) and Truth were inseparable. He said that "Ahimsa is the means; Truth is the end." 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. It is civil in the sense that it is not criminal. The lawbreaker ... openly and civilly breaks (unjust laws) and quietly suffers the penalty for their breach. 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."

Gandhi strongly advocated that it was the birth right of every individual to offer civil disobedience in the face of unjust laws. He wrote in 1920, "I wish I could persuade everybody that civil disobedience is the inherent right of a citizen, He does not give it up without ceasing to be a man. 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."

In his evidence before the Hunter Committee that was constituted by the Government of India to enquire into the disturbances in 1919, Gandhi argued that civil disobedience would be called for and is legitimate even in a democracy. He highlighted its constitutional aspects. In his reply to the Hunter Committee as to what he would have done towards the breakers of laws if he would have been a Governor himself, Gandhi replied, "If I were in charge of government and brought face to face with a body who entirely in search of truth, were determined to seek redress from unjust laws without inflicting violence, I would welcome it and would consider that they were the best constitutionalists, and as a Governor I would take them by my side as advisers who would keep me on the right path."

Some people have questioned the efficacy of satyagraha as a universal philosophy. Gandhi's vision was not confined to the attainment of independence from foreign rule, the control of government by the Indians. He struggled for the Indian soul, not merely for a visible polity.

In the concept of 'civil disobedience and satyagraha' both 'civil disobedience' and ' satyagraha' are deeply interlinked as a theory of conflict resolution. Gandhi said, "Experience has taught me that civility is the most difficult part of satyagraha. 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."

This new orientation of the concept has provided a visionary dimension to the very approaches of conflict resolution in statecraft. 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. Dr. King very successfully implemented this Gandhian method during the civil rights movement. He said, "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law." In the language of Thomas Aquinas, an unjust law is a human law that is not rooted in eternal and natural 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.

Gandhi emphasised 'civil' in 'civil disobedience' to imply non-violence. Non-violence, as it is highlighted in the analysis, has a positive as well as a negative connotation. In its negative form, it implies 'non-injury' to any living being. In its positive form, it means, 'the greatest love' and 'the greatest charity'. In Buddhist literature, it is highlighted as an attitude of creative coexistence.

According to Henry Thoreau, if there is a conflict between 'higher values' and 'lower values', then the citizen in no way should resign his conscience to the legislation of the state. He said that "legislators, politicians serve the state chiefly with their heads; and as they rarely make any moral distinctions, they are as likely to serve the devil, without intending it, as God. 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. Where 'immorality' and 'legality' come into conflict, the only obligation which I have a right to assume is to do at any time what I think right, what I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn".

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 1929. It was the result of British refusal to accept the Congress demand for Dominion Status. Factors such as the Lahore Conspiracy Case, the tragic death of Jatin Das in jail in 1929, the Meerut Conspiracy Case also forced the Congress to demand independence. 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 1930 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. To quote Gandhi, "... to speak of satyagraha is to speak of a weapon... a weapon which refuses to be limited by legality. Challenge, illegality, and action – there are so many keys with which satyagraha is equipped For though satyagraha rejects violence, it does not renounce illegality."

Gandhi always emphasised the value of proper means. To him, "Improper means result in an impure end.... One cannot reach truth by untruthfulness. Truthful conduct alone can reach truth. Non-violence is embedded in truth."

Often Gandhi has been taken to task for his emphasis on self-suffering and satyagraha. 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. It simply means the assertion of one's freedom and one's right to dissent. This method often works as a psychological way to change the minds of an opponent. Gandhi said, "While in passive resistance, there is a scope for the use of arms when a suitable occasion arrives, in satyagraha physical force is forbidden even in the most favourable circumstances. 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 the product of his faith in religion and spiritual values. He was convinced that the supreme law that governs all living beings and universe is nothing but love and non-violence, and Gita carried this message of non-violence as 'soul force'.

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. It includes : truth, non-violence, chastity, non-stealing, swadeshi, fearlessness, bread-labour, removal of untouchability, and so on. Civil disobedience is a 'branch' of 'satyagraha'. All 'satyagrahas' can never be civil disobedience, whereas all cases of civil disobedience are cases of satyagraha. Gandhi said, "Its root meaning is holding on to truth, hence truth force. I have called it Love Force or Soul Force."

13.6 CIVIL DISOBEDIENCE IN PRACTICE

The Gandhian concept of civil disobedience and satyagraha has relevance in contemporary world. Rabindranath Tagore reflected the voice of the generation when he said, Gandhi was a 'living truth', a symbol of humanism. Gandhi used the civil disobedience method for the first time during his march to Transvaal in South Africa in 1913 to protest against the discriminatory policies of the South African government. This was the first real mass movement of civil disobedience led by Gandhi. Gandhi was not interested in embarrassing the Smuts administration. When he found that Mr. Smuts was in trouble, he called off one of his projected marches. Commenting on this action of Gandhi, Louis Fischer, a leading journalist wrote: "In the end, Gandhi had not won a victory over Smuts, he had won Smuts over."

In 1918, Gandhi used the civil disobedience movement in India during his campaign for the textile workers of Ahmedabad. The Salt Satyagraha of 1930, the civil disobedience movement for independence in 1930, and his fast unto death for the development of social conditions of untouchables in 1939 are some of the examples of civil disobedience movements under the leadership of Gandhi in India.

The people of South Africa used the Gandhian method of civil disobedience to demand independence from the colonial administration. The civil disobedience movement against the apartheid policies of the South African Government in 1952, the Johannesburg bus boycott in 1957, and the 1960 march under the leadership of Chief Albert J Luthuli against the Sharpville massacre are some of the historic mass civil disobedience movements.

The Civil Disobedience movement by the Buddhists in South Vietnam against the American bombing was inspired by the doctrine of non-violence. The other historic examples of civil disobedience movements were: the movement against German occupation in Denmark and Norway, Danilo Dolci's strike in Sicily in the 1950s, nuclear disarmament campaign in Western Europe, the non-violent demonstrations in Poland, the Vorkuta prison uprising in 1953 in the erstwhile Soviet Union, the Montgomery Civil rights march in 1955, and the anti-Vietnam war march towards the army base in Oakland in 1965.

The Civil Disobedience movement is gaining momentum day by day throughout the world.

13.7 SUMMARY

The Anti-Vietnam war, Civil Rights, Draft Resistance, Anti-Nuclear Weapons movements, and a host of other movements in Western Europe, USA, and in other parts of the world have given rise to a lively debate about the Civil Disobedience strategy in a democratic setup. The issue is being debated and discussed from various angles in different parts of the world and also its relevance in contemporary international system. Although there has been a significant volume of conservative opinions that would not tolerate any opposition to the laws that have been

democratically passed by various state systems, there is also a considerable opinion of well-reasoned persons in favour of the Gandhian concept of civil disobedience movement.

John Rawls, in discussing the concept of civil disobedience movement in a contemporary democratic set-up said, “The right to make laws does not guarantee that the discussion is rightly made; and while the citizen submits his conduct to the judgement of democratic authority, he does not submit his judgement to it. And if in his judgement, the enactments of a majority exceed a certain bound of injustice, the citizen may consider civil disobedience.” He said that “Civil disobedience is a political act in the sense that it is an act justified by moral principles which define a conception of civil society and the public good.”

Burton Zwiebach said, “Democratic governments must include an agreement to respect differences of opinion concerning justice and right.”

Civil Disobedience is not inconsistent with democracy. When traditional channels of meeting public grievances are incapable of fulfilling legitimate demands, civil disobedience becomes a strategy for the attainment of goods and social justice. Amid the fury of communalism, genocide and the market oriented process of social injustice, the Gandhian method of civil disobedience and satyagraha is becoming more and more popular in contemporary society.

To a superficial observer, it might appear that the concept of civil disobedience and satyagraha goes against the very synthesis of ideals between different faiths and involves a clash of values between the activists of civil disobedience movement and the state. In fact, the Gandhian concept is a means for achieving social synthesis and harmony. It emphasises dialogues for a dialectical search for truth. T.H.Green in his ‘Lectures on the Principles of Political Obligation’ has rightly said, “The functions of government are to bring in those conditions of freedom, which are conditions of the moral life. If it ceases to serve this function it loses its claim on our obedience.” According to Barker, civil disobedience is virtually within the process of social thought; it is a method of persuasion rather than recourse to force.

13.9 EXERCISES

1. Discuss the importance of satyagraha as a method of conflict resolution.
2. What is satyagraha? In what way does it differ from passive resistance?
3. What is the relevance of satyagraha and civil disobedience in the contemporary world?
4. What is Gandhi’s contribution to the theory and practice of satyagraha?
5. What are the various dimensions of the Gandhian concept of satyagraha?