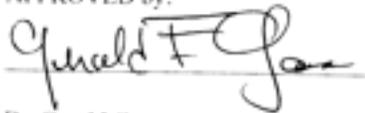


CATCHING FLIES WITH WWW.HONEY.COM:
THE REVISED DEFINITION OF CIVIL DISOBEDIENCE
DUE TO THE EFFECT OF SOCIAL NETWORKS

By
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ABSTRACT

Whether it is Gandhi's 1940's campaign for independence from the British Empire, or the Civil Rights movement of the 1960's in America, civil disobedience has long been the modus operandi for inspiring legal systems to enact change. It has been met with both applause and heckling for though it may be composed of moral intentions, it has also assumed a stance, which is contrary to the body of power at the time. The interpretation of civil disobedience itself has long been the center of controversy's limelight. What differentiates an ordinary breach of law from an act of civil disobedience? What features compile civil disobedience? Is civil disobedience morally justified or is it nothing more than a euphemism for anarchy? The introduction and popularization of information technology and social media--including Twitter, Facebook, email, and so forth -- have come to affect not only the term's common interpretation, but also the various issues that branch off from the core of civil disobedience. The purpose of this thesis includes compiling the various understandings of civil disobedience and establishing a conclusive definition that is both compelling and corresponding towards present day circumstances, whilst answering the questions that may often arise in its regard.

INTRODUCTION

“Disobedience of duly constituted authority and such justifications as can be marshaled for it, therefore, deserve to be pondered by all reflective men.” (Bedau 1969, 7)

Originally, my intent was to write a paper that would search and identify whether civil disobedience was truly an individual’s obligation to morality or if it was nothing more than a euphemism for anarchy. I had set out to research various cases of civil disobedience so that I may find its true underlying definition, thereby being able to analyze which of the two categories it truly fell under. However, instead as I continued to read literature in this vein of discussion such as Thoreau, Rawls, and Bedau, I came to realize civil disobedience had more or less come to inherit a meaning that encompassed both the responsibility for the progress of justice as well as proved to be anarchical in certain respects. Certain features such as lack of violence and motivations still left the floor open to debate, but a manner of defining civil disobedience had come to be developed that satisfied the majority of theorists. Still, there was already so much discussion concerning this topic, it seemed as though whatever contributions I might have presented would be nothing more than a mere summary already touched upon in previous years. It would be difficult to offer an idea that was truly innovative for a subject whose commentary was already in surplus, and so I continued to read while I continued to ponder what novel concept I might be able to supply.

As I continued my research, I found that although civil disobedience had continued to be a highly disputed and continuously discussed subject. Many writings focused upon those instances from the Roman empires up until the late twentieth century. The debate consisted of the same questions and commentary. It was rare to encounter any significant developments; rather the controversies continued to be excessively analyzed. What differentiates an ordinary breach of law from an act of civil disobedience? Can civil disobedience be violent or must it always be nonviolent? The most popular account of civil disobedience of date by far is John Rawls’s approach, which states it to be a public, nonviolent and conscientious breach of law with the purpose of sparking a change in laws or the government; under this policy, disobedients must be willing to accept the legal consequences of their actions.

We must keep in mind that although Rawls is notable for his work in political philosophy, he wrote nearly all of his articles and books covering the subject of civil disobedience including *A Theory of Justice* in the sixties. Therefore, it is no small wonder that he often cites the endeavors of Martin Luther King Jr., and the many protests that compiled the American Civil Rights movement of the time. Since then, the world has changed considerably in several different facets that could very well have influenced and even transformed his interpretation of civil disobedience. After all, it has been said that our separation of miles and seas have decreased to nearly nothing with the introduction of the global marketplace -- the Internet. "As technology continues to affect life, our society continues to change rapidly." (Hall 1973, 325) With such advances, the political sphere has changed indefinitely as the Iranian and Egyptian revolutions have shown. This being the case, we are now presented with new controversies to discuss and scrutinize particularly in this category. How should the law respond to such acts that can come to have an influence on global legislation? If civil disobedience exhibits the power of destruction, even without physical means, is it still considered to be nonviolent? Just what exactly is civil disobedience now that the Internet has come to play a role in it? Such questions have now become the basis of my paper as I have realized they are just as important to discuss along with those questions that appeared in yesterday's past.

I must be sure to include a disclaimer regarding the literature used for this thesis. Without doubt, there are several resources for those wishing to review theories concerning civil disobedience and cases exemplifying the subject matter throughout the ages. The late twentieth century particularly seems to focus upon political philosophies and yields much in this regard. I have found several anthologies that feature popular essays such as Martin Luther King Jr.'s *Letter from Birmingham City Jail* from the 1960's to more recent articles like Brian Smart's 1990 work, *Defining Civil Disobedience*. There are equally as many civil disobedience casebooks such as Curtis Crawford's *Civil Disobedience, A Casebook* that seek to outline the specifics of the American Civil Rights Movement, Gandhi's revolutionary endeavor to push the British out of India, the formation of dissenting parties, and so forth. Furthermore, there are newspaper articles written during the time at which these events were occurring that provide insight as to the perspective of the dissenters as well as the government. Of course, there is additional research if

one were to look upon very early Greek works by Plato and Sophocles that also analyze civil disobedience and political obligation in light of the time period through dialectic methods. All these resources have been of great use in the writing of this paper.

However, when we consider more recent cases of civil disobedience and the way in which social media has seemingly transformed it, there is much less available literature. Perhaps this is because most of these events occurred in recent years starting in the early twenty-first century. It hasn't been long enough for there to be a chance to write upon the subject by those who are well versed political philosophers and theorists. Apart from newspaper articles, there truly isn't enough information to thoroughly obtain and examine the situation. I found that most of my research regarding this area of my paper was received through news reports and magazines. The conjectures I made to form a revised definition of civil disobedience as well as the analysis regarding both the positive and negative consequence of it were both based mostly on inferences I was able glean from these resources. Perhaps in later years there will be enough literature available so that I may revisit this paper and reconsider certain aspects of what I have written.

STATEMENT OF PURPOSE

The purpose of this study is to acknowledge the ever-changing definition of civil disobedience due the recent and continued advances in technology, particularly social media. I hope to compile a new definition for civil disobedience based upon previous theories and present day circumstances. Such a task shall be executed in the following manner. First, I shall cover the reasoning and justifications behind civil disobedience given the various modes of political obligation. Second, I shall continue by discussing the extremes from which the modern denotation of civil disobedience may emerge: its features and motivations, secrecy versus publicity, collective versus solitary revolutionary versus non-revolutionary, and violent versus nonviolent. This shall include examples of civil disobedience from history such as the American Civil Rights movement and Gandhi's revolutionary endeavors against the British reign of India. Next, I shall analyze the particular changes that have occurred in each respective feature through the illustrative usage of more recent civilly disobedient ventures such as the Egyptian and Iranian revolutions of the 2000s as well as smaller present-day acts that have occurred in Europe. From this investigation, a new definition for civil disobedience shall be proposed and analyzed for its advantages and deficiencies according to organized society. Lastly, I wish to include the issue of whether or not, given the above particulars, this contemporary version of civil disobedience is truly deserving of prosecution or if only certain cases are worthy of pardon.

STATEMENT OF RELEVANCE

Eric Fromm once said, “Human history began with an act of disobedience, and it is not unlikely that it will be terminated by an act of obedience.” I have read philosophies that deeply concern political obligation and civil disobedience as well as researched the recent revolutions that have taken place and had social media foundations. There are several countries that either already have or are looking into banning social networks or at least supervising and implementing control over what may or may not be placed upon them. Even the United States and Great Britain, both governments popular for their great encouragement of democracy and freedom have inquired into the possibility of such restrictions. Their defense is the belief that such a limitation of liberty promotes the safety of their citizens as it decreases the influx of heated discussion and the potential for public outrage and following uprisings or actions of dissent. Abe Fortas, a former Supreme Court Justice had once written, “Civil disobedience is never justified in our nation where the law being violated is not, itself, the focus or target of protest.” (Bedau 1969, 50) However, was it not these similar sorts of protests that established the current state of affairs within these governments? Was it not acts of civil disobedience that allowed for proper alterations to the law and advocated for the release of suppressed freedoms?

It is of the utmost importance that we analyze the effects technology and social media in particular have had upon the political sphere, especially when it comes to civil disobedience. Technology has already had a massive effect upon marketing and socializing, it is no small wonder that it has had influence in this category as well. We must redefine such terms as civil disobedience since several of their meanings have become outdated due to these global advances and innovations. Circumstances have given rise to new questions, no matter the lack of answers for previous questions. Such analysis shall allow for us to understand whether or not the sort of regulations concerning these social outlets being discussed by our governments are advantageous or whether they are movements towards a more dictatorial and controlled state. We cannot simply take for granted that what is law to be the equivalent of what is correct. This is the sole basis upon which the moral obligation to be civilly disobedient stems. As a people, it is necessary for us to know if Bedau was truly right in proclaiming “an unyielding ‘No!’ may yet prove to be

our sole password to the future,” and the password to the survival of our individual natural rights. (Bedau 1969, 7) Some might say that these of breakthroughs and modernizations may prove to be additional methods by which we may be controlled, but perhaps they are actually a greater means towards controlling our fates instead.

POLITICAL OBLIGATIONS

“We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness -- That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.” -- The Declaration of Independence

Whenever there is discussion regarding civil disobedience, the topic of political obligation or necessary moral allegiance to the law of one's country or state is also introduced. However, what exactly compels an individual to feel this sort of commitment towards a governing body? Do individuals even have a moral obligation towards the current political power? There are several arguments that favor the legitimacy and necessity of following the rules and regulations of the government including the arguments from utilitarianism, fair play, gratitude, natural duty, and the most popular argument of consent. However, within all these arguments there seems to be much room left for an individual to act contrary to the law. Acton states the justification of civil disobedience is likely to be one of three major paths: “the appeal to the individual's own conscience, construed as a final moral arbiter of what each person ought and ought not to do; the appeal to a higher or so-called natural law, which may not be embodied in the actual legal structure within which the individual is called upon to act; and the utilitarian appeal to the common good or the greatest happiness of the greatest number.” (Bedau 1969, 78) Such loopholes provides evidence for those theorists such as Simmons to reason that there is nothing truly preventing an individual from acting civilly disobedient or simply being in a state of anarchy. “Insofar as we believe ourselves to be tied in some special way to our country of residence, most of us are mistaken.” (Simmons 1981, 194) It is this belief and that of consent that provide the best justification for actions of civil disobedience. Truly, the question to answer is when one commits an act of civil disobedience, is he of the belief that he has the *right* to do so, or does he believe it is his *duty* to do so.

Simmons along with many other theorists reject utilitarianism as a reason for an individual

to remain loyal to the state. The main flaw with act-utilitarianism in regard to political obligation is that the principle of utilitarianism states actions and decisions that produce the most utility or happiness are those one should follow. This belief may very well lead to an individual deciding his compliance with the political institution of his country is best, but it can also produce the opposite: an individual may come to realize that only by defying his government (or perhaps supporting the law of another country) will he be able to achieve a more beneficial state. Bentham's "rule of thumb" argument in favor of utilitarianism claims that we can come to understand generally speaking and with a basis on prior experience, noncompliance tends to yield a worse outcome than compliance. However, this still does not strengthen the flaw established earlier in act-utilitarianism. Sartorius argues for the creation of a norm, which allows for the "rule of thumb" to be a fixed tendency where an individual would be lead to obey rules he may not have previously. And yet, this argument only places further strength upon individuals to comply rather than not comply, it doesn't provide a complete need for one to be politically obligated. Additionally, Hume's theory of "the duty of allegiance" (where small changes to the government, no matter how much more beneficial to the society, should not be forced by the public as it could lead to too great a cost of disorder than what the change might be worth) seems to be just as fallacious. He states, "The common rule requires submission; and it is only in cases of grievous tyranny and oppression that the exception can take place." (Hume 2010, 329) Such a statement only demands obedience towards political institutions if obedience has the ability to produce more happiness than disobedience; we are once more submitted towards measurements of the two to determine whether an action is justified. Therefore, utilitarianism seems to be an argument that lacks a necessity for political obligation.

The fair play and gratitude arguments are very similar in respect to the relationship between benefit and obligation. They both stem from the premise that if an individual is receiving benefits by way of "voluntary acceptance," he is bound to do his share in return. Fair play states that once an individual accepts benefits, he becomes a participant in the scheme. "For an individual to be a real participant in a cooperative scheme, he must have either 1) pledged his support, or tacitly agreed to be governed by the scheme's rules, or 2) played some active role in the scheme after its institution." (Simmons 1981, 67) Gratitude, on the other hand, states that

anyone who receives benefits from something or someone should not act contrary to their interests and should indeed feel obliged to return the benefit. Simmons quotes Sidgwick by giving the example of a poor man who saves the life of a drowning rich man. The latter is not bound to the former in the way that he must give what is equal to his life or what he might have been willing to give in exchange for his life. Still, it would not seem correct for him to give the present of half a crown to the poor man. Rather, something between the two extremes would be more suitable. The principle of desiring the benefit being granted, and the benefit having been granted by ways of special means or sacrifice are two of the foremost requisites of this argument. Again, both stress that the benefits cannot be forced upon the individual; the individual must accept them voluntarily.

Perhaps the greatest difference between the two arguments lies in the further requirements each must have to constitute an obligation on the part of the individual as it changes whether an individual is truly obliged to the organization (or benefactor) at all. Through fair play, “the participants are not acting in order to benefit others, but rather in order to benefit everyone, themselves importantly included.” (Simmons 1981, 172) In contrast, through gratitude, a man who has provided any sort of benefit to another for completely selfish reasoning cannot be considered as having the person he benefited indebted to him. The idea behind an individual having an obligation in the gratitude argument is that the individual has a debt to be owed to his benefactor; in other words, he is supposed to repay the loss or inconvenience his benefactor may have experienced. However, if his benefactor had a duty, which made it so that he was supposed to provide assistance to the individual, then of course the individual may feel grateful, but he doesn’t necessarily owe his benefactor anything. Fair play is much different in this respect, as everyone who belongs to the enterprise must continue to do his or her part if they receive benefits in order for the continuance of benefits and the flourishing of the enterprise. Both of these arguments seem to leave little room for acts of civil disobedience to be justified.

John Rawls believes the natural duty of justice to be the main form of obligation that an individual has politically. He attempts to solve the predicament of finding substantial evidence that accounts for why anyone might be loyally bound to his state. Rawls simply believes that it is

the people's natural moral duty, admitting that there is "no political obligation, strictly speaking, for citizens generally." (Rawls 1971, 114) Such a statement is Rawls's answer to any inhibitions and doubts society may have towards being politically bound. His theory seems to support both the arguments from fair play and gratitude with minimal variations. He believes it is the natural duty that binds people to support and promote progress for their respective countries. "It binds each member 'irrespective of his voluntary acts, performative or otherwise' and is thus properly called a duty rather than an obligation." (Simmons 1981, 147) This duty is installed upon all those to whom the institution is applicable. It is the just nature of the institution that requires such allegiance and if one cannot find any visible justice, the one is no longer obligated to the state. However, the term "applicable" is what raises the most eyebrows for critics of this Rawlsian theory.

Michael Waltzer argues against Rawls's theory by using the term "applicable" and showing it may defend the need for acting contrary to the government. It is Waltzer's belief that men may be members of the society that falls under a ruling body of power. However, they may also find themselves as members of the dissenting assemblage within this larger society. Since they are also loyal to this smaller group, actions that may be disobedient, but in accordance to the group's "laws", are permissible. According to Waltzer, they are not only permissible, but they become one's mandatory moral obligation.

"...Men have a *prima facie* obligation to honor the engagements they have explicitly made, to defend the groups and uphold the ideals to which they have committed themselves, even against the state, so long as their disobedience of laws or legally authorized commands does not threaten the very existence of the larger society or endanger the lives of its citizens. It is obedience to the state, when one has a duty to disobey that must be justified. First explanations are owed to one's brethren, colleagues, or comrades." (Walzer 1970, 16)

Simmons brings up the example of a hypothetical institution that is designed to enhance the lives of philosophers. If this is the case, he analyzes whether it is his duty to support the institution, considering the dues are considerably high. Although Simmons fits the description of individuals that the institution seeks to protect and whose lives it seeks to enrich, therefore

making the institution applicable to him, is it truly his “duty” to be a patron and yield monetary means for its promotion? Despite this applicability and just nature, one cannot say he is morally required to do his part in its sustenance. “People cannot simply force institutions on me, no matter how just, and force on me a moral bond to do my part in and comply those institutions.” (Simmons 1981, 54) Simmons continues by considering the case that he were born into a reservation governed by such an institution. Again, he is hesitant to admit that he bestowed with any sort of duty no matter how “applicable” the institution is in concern to his description and no matter how he may be benefitting from it. His birth is neither an act he is responsible for nor one he can perform therefore nullifying any duty, monetary or otherwise, that he may have towards the institution. “What would be needed, I have suggested, for such a duty to follow would be for the citizens to have performed certain voluntary acts which make those institutions apply to them in the “strong” sense.” (Simmons 1981, 151) Rawls’s may respond to such concerns by saying they are similar to that of fair play, where everyone is meant to do their part so that they may also promote their own welfare by way of the welfare of general society.

It is here, where the theory of consent obligation might come into play. The consent theorist believes that the legitimacy of the government relies upon the consent of those under its governance. A government can only have authority over the citizens who agree to abandon their individual rights and be placed under this power. Individuals are willing to consent as they receive the benefits of safety and security in exchange. “To the consent theory account of political obligation is often added the claim that giving one’s consent to a government’s authority involves no ‘net loss’ of freedom.” (Simmons 1981, 65) However, Simmons does bring up the fact that an entire government’s legitimacy could very well be determined by one citizen’s refusal to provide his consent. Additionally, if that citizen does indeed refuse, then the entirety of the government would be deemed illegitimate therefore negating any obligations the citizens may have had under its governance. Of course, the consent theorist supplies the doctrine of “majority consent” as a solution to this predicament that allows for the government to retain authority so long as the majority of residents in the state agree to its authorization.

Unfortunately this ‘solution’ happens to be contrary to everything which the consent

theorist originally established as essential for determining the legitimacy of a government (complete consent), especially that a man can only be bound by an authoritative power if he grants his consent. “The state is an instrument for serving the interests of its citizens.” (Simmons 1981, 68) From such a statement we may infer that the state has an obligation towards serving *all* of its citizens’ interests. After all, the citizens’ motivations for relinquishing certain liberties is the belief that they will receive benefits in its place. Indeed, this way of thinking necessitates unanimous consent, as majority consent would present the problem of individuals who may not agree with the government still being ruled and bound to it due to the majority having agreed. It is paradoxical to the initial rules formed by the consent theory, and truly only by way of unanimous consent can the consent theory really be considered a strong argument for obligation.

However, there are different forms of consent. Acts of consent or “express consent” are those movements that require explicit voluntariness and actual conscious actions of the individual. It may include promises, written contracts, and permission given for others to act -- however, Simmons believes only the latter to be the purest form of consent. On the other hand, consent-implying acts encompass inactivity on the part of the individual. Rather than express opinion by way of vocal or physical means, consent is given through silence and inertia. We are provided with the example of an individual who joins a baseball team. Although the individual has not directly given his consent to be governed by the umpire’s decisions, since he joined the team and agreed to play the game, he has tacitly also agreed to be under the rule of the umpire for its duration. “Consent is called tacit when it is given by remaining silent and inactive; it is not express, explicit, directly and distinctly expressed by action, but rather is expressed by the failure to do certain things.” (Simmons 1981, 80)

This is also known as “tacit consent” and contains the same amount of power and binding as express consent. It must hold specific requirements for it to be considered an act of consent; the silence and inaction cannot stem from: inability to understand the situation, inability to understand the procedure, and inability to understand the length of time in which a decision must be expressed. Simmons adds two additional requirements: the action needed to declare consent must be easy to complete, and the consequences of disagreement cannot be harsh. He stresses the

fact that many philosophers such as Locke believes actions such as owning a house to be considered consent implying, no matter the individual's situation or intentions throughout. (Simmons 1981, 95) Yet, this kind of consent seems to be contradictory to all the conditions required for an act to be considered an act of consent, whether it be tacit or not. Simmons raises this concern so that light may be shed upon the fact that consent cannot be a strong argument for political obligation as the basis for consent and tacit consent theories have contradictory premises and fallacious foundations (like the one stated above). Consent must be a deliberative and performed action to be considered legitimate as inferences made on the basis of vague actions may not always be properly interpreted by the governing body. An individual may have no other option due to his financial state than to live in a certain state, but that does not mean he is fully providing his consent to be governed; he is limited and providing consent because he has limited options. Since too few give this sort of deliberate consent towards government, a government is not able to impress any sort of obligation as it does not satisfy the requirements laid out by the consent theorist.

The above stated political obligations, especially that of the consent theorist seems to leave enough space for civil disobedience to be justified in some sense. "There are typically two steps to be taken in justifying civil disobedience: (a) showing that the object of protest is an injustice perpetrated by government, and (b) showing that some form of civil disobedience is the proper response." (Bedau 1969, 23) As it were, it seems as though we are placed in a quandary -- whether to allow individuals to behave in any way against the current body of power and what the potential repercussions are in both separate scenarios. There are bound to be negative repercussions if civil disobedience were allowed to run rampant. Bentham writes, "Each subject should obey, in short, so long as the probable mischiefs of obedience are less than the probable mischiefs of resistance:...it is their duty to obey just so long as it is their interest, and no longer." (Simmons 1981, 47) Even then, there would be need for restrictions to be placed upon the sort of actions that may be considered acceptable and not produce harm upon the general public. It is here where the issue of what exactly can be considered as civil disobedience comes into question and there comes to be a need for its definition. For as Acton so succinctly asks, "When there is an argument between a citizen and his government about whether the citizen

should obey or not, by reference to what sort of consideration could one party hope rationally to convince the other that obedience or disobedience is the proper decision?" (Bedau 1969, 13)

DEFINING CIVIL DISOBEDIENCE

“Whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness.” -- The Declaration of Independence

Civil disobedience has always raised much controversy and debate especially when it comes to determining just what sort of activism the term encompasses and what sort of activism it excludes. Many theorists preface their definitions for the term with cautionary statements. “We should not expect too much of a theory of civil disobedience, even one framed for special circumstance.” (Rawls 1971, 364) What are the features and motivating factors of civil disobedience? Are actions of civil disobedience defensible in the grand scheme of things? Can civil disobedience be secretive or must it be a public endeavor? Along those lines, should civil disobedience be an act undertaken by a collective group or might it be solitary? Can civil disobedience be revolutionary? If so, what separates civil disobedience from blatant anarchy? Lastly, must civil disobedience always be nonviolent? After all, aren't there still chances of violent results despite the nonviolence of the action? Such questions are not only difficult to answer, but the answer itself serves as explanatory as to whether civil disobedience is right or wrong to participate in -- whether it hurts society, more than it helps society in the long run.

Bertrand Russell once said, “We advocate and practice nonviolent civil disobedience as a method of causing people to know the perils to which the world is exposed and in persuading them to join us in opposing the insanity which affects, at present, many of the most powerful governments in the world.” (Smart 1991, 51) Acts of civil disobedience are commonly defended due to the assumption that relatively just societies enable people to have a moral or political obligation to follow the law and its governing body. “A person has effective or *de facto* authority only if the people over whom he has that authority regard him as a legitimate authority.” (Raz 1979, 28) Let us consider the case of Plato's Socrates who refrains from absconding prison and his imminent death as he regards it to be his political obligation to stay. He emphasizes the need for moral consistency rather than the spontaneous abandonment of his principles. His escape

would be a direct disregard for the State's ruling, thereby temporarily destroying its laws and regulations as well as encouraging others to act in the same way. "Do you imagine that a city can continue to exist and not be turned upside down, if the legal judgments which are pronounced in it have no force but are nullified and destroyed by private persons?" (Eliot 1937, 50b) And yet, the State has wronged him and incorrectly mandated punishment upon him. It could be argued that he has all the right to abandon the law and be disobedient due to its improper justifications.

Most philosophers align themselves with the belief that it is the government's primary purpose to provide security and preservation of our life, liberty, and estate (estate being an all encompassing word for possessions, housing, etc.), and therefore, it should not provide us with a law which shall act contrary to this main aim. However, at times it can be wrong and as people we should make the government aware of its errors -- therefore, becoming civilly disobedient. (Simmons 2003, 12) Raz raises the issue that our moral obligations may at times be contrary to the governing body and such an obligation shall always be *prima facie* to any obligation, including our political or legal obligations. Of course, Raz also argues that society has no obligation whatsoever to even follow the law. However, if we were to assume society has a *pro tanto* obligation to follow the law, we must conclude that society must use proper and legal methods to inspire change before resorting to illegal measures. One might argue those causes defended by the minority population have a tendency to often be disregarded by those of legal power. Of course one can also maintain that civil disobedience may be performed while engaging in other means. "Civil disobedience in fact, if not in theory, is usually practiced alongside other, more legal, and less disruptive tactics aimed at reforming the same social ills, as study of the civil rights and peace movements will quickly show." (Bedau 1969, 9) The boycotts during the American Civil Rights Movement were entirely legal even if the organized marches and sit-ins were not. However, the latter were conducted later on, once dissenters had come to believe the government would not change its regulations without a greater emphasis of the regulations' wrongs. However, there is too much grey area when it comes to understanding just when the last resort has been reached. Rawls believes if previous acts have illustrated the political power to be stubborn or apathetic to the demands or changes desired by the minority, then civil disobedience may be thought of as the only way to continue. (Rawls 1971, 373) In

Letter from a Birmingham City Jail, Martin Luther King Jr. writes, “In any nonviolent campaign there are four basic steps: 1) Collection of the facts to determine whether injustices are alive. 2) Negotiation. 3) Self-purification and 4) Direct Action. (King 1963)

Conscientiousness is one of the major defining characteristics of true civil disobedience for many theorists. “In the case of civil disobedience it is essential that not only does a principle govern the action and therefore in principle is able to justify it, but also that the principle may be appealed to, invoked, or cited. For this to be possible the act must convey non-natural meaning and civil disobedience as protest meets this requirement.” (Smart 1991, 198) It is informative not only of the sincerity, seriousness, and ethical reasoning of the dissenter, but also displays whether their incentive for infringement of the law is only selfishly inclined or for the interests of the greater good and the defense of morality as well. True acts “invoke the commonly shared conception of justice that underlies the political order.” (Rawls 1971, 32) It is through their disobedience that attention is drawn towards the government or laws that is believed by the disobedients to be at least in need of review and thereby altered or dismissed. Such a conception correlates well with the social contract theory. The social contract theory functions on the belief that individuals relinquish certain freedoms to the governing body in exchange for the protection of their liberty. However, if the people are not receiving these promised benefits, they are no longer obliged to act in accordance to the body of power. “[We should] understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.” (King 1963) Instead, they come to receive the right to act contrary to the law in order to obtain or regain their freedoms; in other words, they may very well act civilly disobedient.

Indeed, both Rawls and Dworkin believe the actions of disobedients to be just so long as they believe the governing body is not being respectful of the freedom and equality of the people or not maintaining the principles of true and proper justice. “A person has a right to disobey a law whenever that law wrongly invades her rights against the government.” (Dworkin 1977, 190) Of course such a restriction is seemingly much too limited as it refrains from the inclusion of other concerns important to the welfare of society such as transparency of government exploits,

security and safety, privacy of personal life, and so on -- all of which may act as incentive to partake in civil disobedience. Rawls does, however, introduce a proviso that permits the public to act in defense of their particular conceptions of justice and how the justice system is meant to serve them, so long as there is a satisfactory amount of evidence supporting their individual moral convictions. (Rawls 1971, 32) In other words, if the individual believes there to be strong support and need to act in a way that may inspire change in policy, that lies in accordance to his or her judicial beliefs, then he may very well take that action.

The political campaigns of Martin Luther King Jr. exemplify this case as King was motivated by his religious beliefs and dedication to equality along with justice. Martin Luther King Jr. founded the Southern Christian Leadership Conference, which organized and advocated on behalf of several boycotts and sit-ins within the African American community. His efforts led to political rallies such as the March on Washington for Jobs and Freedom that assembled for the improvement and equality of both civil and economic rights. Despite being jailed for his work, he continued in a peaceful manner by writing letters and inspiring additional followers. (*Martin Luther King Jr., Biography* 2012) Rawls believed these undertakings of King's to be in accordance with his philosophy and having fulfilled his requirements of civil disobedience. "By engaging in civil disobedience one intends, then, to address the sense of justice of the majority and to serve fair notice that in one's sincere and considered opinion the conditions of free cooperation are being violated."(Rawls 1971, 382)

The motivations of the civilly disobedient are just as important a factor in this course of discussion. Why an action is followed through is immensely significant in determining whether it is justified. It is not enough that the disobedient regards his or her actions as acceptable. The disobedient must have sufficient reasons for supporting the cause and must have an appropriate corresponding action. Even though the cause may be legitimate, the personal reasons of the dissenter must be equally as virtuous. One cannot be seeking to obtain self-gain such as power, election, promotion, and so on without having any real concern for the actual cause. Rather, they must act in accordance so that morality and fairness are encouraged in order for the action to be accepted as a true example of civil disobedience. "The only thing that permits us to acquiesce in

an erroneous theory is the lack of a better one; analogously, an injustice is tolerable only when it is necessary to avoid an even greater injustice,” (Rawls 1971, 4) We could not say the person was sincerely virtuous despite the good consequences that may result from their actions due to their improper inspiration for doing so. Additionally, the way in which the form of civil disobedience is carried out must also be carefully considered. One must have reasonable foundations that not only answer the question of why they are acting, but also why they are acting in that particular way. Even if civil disobedience is an illegal method of reacting towards the law, there are appropriate ways in which it can be handled just as there are inappropriate ways. Rather than vandalize a restaurant that doesn't allow African Americans to dine there, one could simply organize a sit-in instead.

Such an idea is in agreement with just what sort of policies and breaches of laws civil disobedients may target. Usually protests regarding private organizations and businesses like banks, certain companies, and unions are thought to be unacceptable. (Raz 1979, 264) On the other hand, many believe disobedience enacted in opposition of the decisions undertaken by such private parties (i.e. companies and organizations) is a legal action. This is due to the fact that it proves to question the governing body that states these decisions made by private parties to be acceptable. The Montgomery Bus Boycott is a clear occurrence of action taken against the privately owned company, National City Lines that resulted in governmental involvement and modifications to the regulations of that time. This disagreement is better recognized as the debate of civil disobedience being either direct or indirect. It is direct in the sense that civil disobedients may breach the actual law they are opposed to and indirect in the sense that they may breach a law or policy that they may not oppose so that they may demonstrate their disapproval of a separate edict. An individual may not be particularly opposed to cancer research, but by trespassing on laboratory property and releasing test animals -- in response to being against the testing of animals -- he is performing an act of indirect civil disobedience. Truly, the distinction between these two types of civil disobedience tends to be much less explicit and defined than the examples given. One might refuse to pay taxes and such an act is interpretive of direct civil disobedience towards current governmental policy or indirect civil disobedience to the government itself.

One thing appears to be certain; civil disobedience is a type of objection towards the current state of affairs. “Civil disobedience is necessarily a protest *against* something, there must be *an object of protest*.” (Smart 1991, 197) Smart considers the case of a man who continues to practice a certain religion even though this religion has now been banned by the local government where he resides. Although he is technically acting contrary to the legal body, he is not being civilly disobedient. Rather, he seems to be carrying out a form of conscientious objection instead or a protest in which the dissenter believes he or she has an inability to follow the law as they are morally prohibited. It is similar to an orthodox Christian believing euthanasia to be the equivalent of murder or the way in which a pacifist would be against being placed in the military. Of course, the latter is the more common reference when the term “conscientious objection” is spoken, but according to Raz, it may very well be applicable to any law so long as the person believes they are pressured to disobey due to ethical inhibition. (Raz 1979, 278) Such a kind of dissent may be better portrayed as illegal non-compliance, not at all as direct or prone to instigating change as civil disobedience. (Rawls 1971, 279) Smart provides the example of those individuals who harbored and aided slaves in escape during the Fugitive Slave Act. Although they conscientiously violated the law, they did not fight nor even ask for any amendments. “It does seem essential to any act of civil disobedience that it should have an object of protest.” (Smart 1991, 197) This sort of disobedience is much more personal in nature and lacks the vocal character and confidence of what we know as civil disobedience.

Parallel to this conversation, there is the debate regarding whether civil disobedience should be a secretive act. Many, including Rawls, Bedau, and Smart favor publicized displays. “How could the government be addressed if the main condition of success was secrecy?” (Smart 1991, 197) Rawls emphasizes the fact that civil disobedience is a political act and therefore, must be committed openly and communicated to the authorities. (Rawls 1971, 84) Civil disobedience is an instrument of social change and should address the public, and be followed through in public. Rawls states an act must be performed with the intention of inspiring change or the creation of an impact. Since this is its purpose, it must take place without secrecy or evasion of surveillance so that others are completely aware of its occurrence, and are given the ability to come to understand the disobedients’ perspective. After all, how would a secretive action affect

the public in any way and appeal to the majority to review the current system? Publicity is essential in order to illustrate the character of the act as being within moral state, having selfless intentions, and submission on the part of the disobedients to any form of punishment that may follow. Additionally, this open and public means allows for the disobedients to express their willingness to negotiate with the current body of power. (Bedau 1961, 147) Russell points out how difficult publicizing facts through newspapers and the media can tend to be especially when it comes to the minority opinion. Mainstream media limits the amount of exposure defenders of these views receive. However, considering the sensationalism of illegality, civil disobedience can prove to be received with much more publicity than legal methods of persuasion.

Critics of such reasoning believe that this type of advance notice, though potentially essential to a disobedient's strategy to support his or her moral inclinations, can also cause further problems for the disobedient. A person who broadcasts their intention to act contrary to the law submits the action to scrutiny of the government and legal authorities. This allows them with the opportunity to place a halt on all planned civilly disobedient activity. (Bedau 1969, 55) Therefore, it is allowable and preferable for actions to be clandestine during the strategic stage and actually performed openly and publicly. Vandalizing factories that may be harmful to the environment or liberating animals from harmful research laboratories are examples of efforts, which must be kept quiet until they are carried through. If the dissenters are sure to acknowledge the action as theirs and the reasoning for reacting in such a way, then it may still be considered as open and publicized even though it was kept covert during the planning and performance stages. Through this method, the dissenters still are able to illustrate their desire to communicate with the authorities and their moral propensity-- that is so long as the actions and motivations are publicized overtly afterwards.

This does enable the potential of punishment for civilly disobedient actions. It is often argued that dissenters should be prepared for such a possibility as it displays the dissenter's fidelity towards the legal system. It also serves as illustrative of their willingness to negotiate with the government, and are hoping for their governing body to be sensitive to their concerns regarding the current morality and fairness of the law. This discourages further illegal actions

from taking place merely to change miscellaneous policies without properly defined intentions that correlate to the conscientiousness requires by civil disobedients. This feature of civil disobedience is often considered one of the most controversial. Individuals should not always feel the need to be submissive towards the government as they are advocating for what is right. These citizens are engaging in democracy by vocalizing and illustrating their complaints. “There is no general reason why individuals engaged in those activities should make their identity known or voluntarily submit to punishment.” (Raz 1979, 265) Granted, great activists who practiced civil disobedience such as Rosa Parks and Martin Luther King Jr. willingly allowed themselves to be jailed in spite of their strong conviction of their actions being correct in response to the injustice being committed towards the African American community of America. “Gandhi, talking about his first essay into civil disobedience said, ‘None of us had to offer any defense. All were to plead guilty to the charge of disobeying the order...’ Martin Luther King, drawing on Gandhi says, ‘Most important, they [violators of law] willingly accept the penalty, whatever it is.’” (Bedau 1969, 45) This may be because, like Socrates, they understood the fragility with which the legal system works and their need to maintain it no matter as proper righteous citizens.

There is also the problem of whether civil disobedience must be a collective venture or if it may be solitary. There are known cases of solitary acts of civil disobedience such as Henry David Thoreau who evaded taxes due to his opposition of how the money collected was spent, but whose actions and following arrest were hardly influential, as he didn’t reach prominence as a writer until much later. And then, there are cases such as Rosa Parks, a colored woman who was arrested after her refusal to give up her seat on the bus for a Caucasian. Despite her stand initially being solitary, it is said that it inspired movements such as the Montgomery Bus Boycott, and therefore, was collective in a sense. (Cozzens 2012) However, according to Rawls, collective action is necessary in order for it to be categorized as civil disobedience. Not only does such a requirement align itself with the need to be highly publicized and enacted openly towards the legal body, but it also is a necessity for various other reasons. First, it allows for the avoidance of several simultaneous appeals towards the government and society for the same cause diminishing one another. Through coordination and collaboration dissent is regulated and

is able to have a more profound effect. “There [may] be many groups with an equally sound case for being civilly disobedient; but that, if they were all to act in this way, serious disorder would follow which might well undermine the efficacy of the just constitution.” (Rawls 1971, 374) Second, there is a greater chance of collaborative efforts generating positive results and being correct in its motivations. As the wise adage goes, human judgment tends to err, and the greater amount of people who hold the same belief, the smaller the chance that it may be wrong.

Many theorists hold strongly to the belief that civil disobedience is justifiable if it possesses a high possibility of yielding favorable and morally substantial transformations of society or government. It is only this reasoning that allows for any justification of the general public being vulnerable to any risk as civil disobedience has the ability of encouraging disrespect for the law and thereby weakening the legal system in a sense. Granted, in certain circumstances, there isn't enough time to collaborate and organize an assemblage of minorities as other minorities may be resistant towards conspiring together. This raises the question of whether such inabilities and refusals may have an impact on the ensuing defensibility of the civilly disobedient act. (Raz 1979, 253)

Another factor of civil disobedience that is regarded as highly significant in establishing how it differs from other modes of action is the issue of violence and nonviolence. Smart distinguishes the two as the coercion of force and the coercion of persuasion, though he believes both to be of use in civil disobedient cases. (Smart 1991) Several argue nonviolence as promoting the advantages civil disobedience has in purposefully seeking to infringe upon the law; it tends to lessen the more negative consequences the actions undertaken may exhibit. Rawls maintains persuasion as being the only useful method of performance, “Any interference with the civil liberties of others tends to obscure the civilly disobedient quality of one's act.” (Rawls 1971, 366) In other words, violence has an inability to meld with civil disobedience, as it would detract from the purpose of inspiring positive changes. Truly, a disobedient like Martin Luther King Jr. seems to manifest the Rawlsian approach towards defining such actions. However, perhaps the main predicament is not whether civil disobedience is violent or nonviolent, but how one should define the term “violence.”

There are several notions of violence including violence towards others and one's self in both emotional and physical capacities, violence towards property, and actions that may be considered as minor representations of violence such as mere annoyances rather than actual inflictions of suffering. Of course, if violence is determined by way of the probability of whether something leads to harm, then any action, no matter how seemingly inconsequential at the moment, may be classified as violent in the end. (Smart 1991, 189) "Civil disobedience is often accompanied by violence, both incidentally and unintentionally, and sometimes as the deliberate act of those who share the discontent of the civil disobedient but not his commitment (whether it be principled or merely tactical) to nonviolent methods." (Bedau 1969, 10) Additionally, we must take into account the possibility of nonviolent acts as having repercussions that are just as injurious, if not more so, than violent acts as noted by Raz. (1979, 267)

Let us consider the Montgomery Bus Boycott of the 1950's as an example. The boycott was a political and social endeavor against policies of racial segregation on public transportation that set the stage for further activism -- resulting in the creation of the American Civil Rights Movement. African Americans purposefully avoided riding the busses until transportation companies agreed to remove their racist policies. The boycott was meant to be a peaceful display for the promotion of human rights and equality. Still, it has had a significant impact upon the lives of the transportation system workers and their families who were disadvantaged in wages even though they were only following the orders of their employers. It inhibited the economic status of the transportation system as African Americans formed the majority of public transportation consumers. Businesses in busing zones were also hurt by the loss of thousands of dollars as they had come to lose their African American shoppers. Thus, this protest, though seemingly nonviolent, held many "violent" repercussions (in accordance to the term's previously determined definition). Retrospectively, this behavior was a sort of threat as it illustrated to the bussing companies the consequences that would continue to incur if it were to continue acting against the disobedients' wishes. However, this boycott was still successful since it came to lead to increased awareness of the wrong that was being committed towards African Americans and pushed the companies as well as the government to reconsider their initial rulings. (Cozzens 2012)

Furthermore, it seems as though Rawls might have been incorrect in his assumption of violence weakening the “quality” of the disobedients’ actions. Arguably, limited usage of violence assists in expanding communication and awareness of the cause and law being questioned. If this is the case, does it not enhance the quality of the actions in some sense by creating more awareness? Malcolm X was known to be an advocate for self-defense and force over civility towards the enemy source. “Power in defense of freedom is greater than power on behalf of tyranny and oppression, because power, real power, comes from our conviction which produces action, uncompromising action.” (*About* 2012) Why should protesters be subject to the brute of police officers rather than standing up for themselves as no true wrong had been incurred? If violence was committed against Malcolm X or his followers, they made sure to defend themselves. They were different in this sense from Martin Luther King Jr. and his followers who advocated for peace, but historians tend to believe that the two efforts combined woke up the United States to the wrongs being committed. For even King had written, “We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed.” (King 1963) Raz argues that certain forms of violence may be necessary in order to coerce the governing body to listen and negotiate with the disobedients. (1979, 267)

Of course no matter the case, most theorists believe nonviolence to be the preferred method of dissent over more violent measures. Violence may best be described as a means of direct harm, and nonviolence is that which evades such detriment along with discouraging violence in all situations. Likewise, nonviolence does not allow for as heightened a possibility of further arousing hostility from the government and dissuading participation from potential supporters. (Raz 1979, 268) Additionally, nonviolence does not depreciate the value of the change that is trying to be instilled by distracting the general public as violence would. Nor, does it compromise the liberties of others, which would be contradictory to the ultimate aim of liberties and freedoms that civil disobedience is supposed to promote. “To engage in violent acts likely to injure and to hurt is incompatible with civil disobedience as a mode of address. Indeed, any interference with the civil liberties of others tends to obscure the civilly disobedient quality of one’s act.” (Rawls 1971, 366) Therefore, it would seem nonviolence, in the sense that an act does

not *directly* harm anyone or anything, is the best means of carrying out any action of civil disobedience.

In a similar fashion, there are questions regarding the distinction between civil disobedience, radical protests, and more revolutionary forms of action. The nature of the aim is one of the main differences amongst the three. Civil disobedience tends to be focused on specific and particular policies rather than a wide range of issues. A revolutionary act is best defined by its terminology. Its primary purpose usually involves an overthrow of the current governing body in favor of a new regime. Both radical protest and civil disobedience are forms of action that may be classified within the range of revolutionary endeavors, and may very well occur simultaneously. Revolutionary practices are dissimilar from civil disobedience in this way, as dissenters are not hoping to obtain alterations in current regulation. Rather, a transformation in the entirety of the government is what is being sought. However, many might argue that Gandhi's peaceful demonstrations were forms of civil disobedience, and these acts were definitely revolutionary as they lead to the eventual dismissal of the British from India.

Initially, Gandhi led large strikes and marches in opposition to specific taxes and laws such as the Salt Satyagraha or Salt March against the tax on salt. These types of actions are comparable to those led by Martin Luther King Jr., specifically the Montgomery Bus Boycott. Once World War II broke out, India was needed to support the British in their efforts. However, Gandhi preferred nonviolent moral support and such notions offended the Congressional leaders. Finally, Gandhi stated that India could not support a war being fought for the purpose of democratic freedom when such a thing was being denied to India itself and went on to create the *Quit India* campaign. This effort was specifically aimed towards the immediate exit of British forces from India. "First they ignore you, then they laugh at you, they fight you, then you win." (Gandhi, quoted in Rosenberg 2012) Although Gandhi was jailed for his endeavors, he eventually achieved his aim as the British ended up leaving India. (Gandhi, paraphrased in Rosenberg 2012) This case is noteworthy particularly for the fact that it displays the many overlaps that might occur between revolutionary ventures and civil disobedience. Revolutions are usually known to be violent in nature, with the general public using means of terror and outright war against political leaders and the government, as the French revolution and South

African revolution have illustrated in the past. However, Gandhi's revolution indicated the possibility for a revolution to be nonviolent and civil. Therefore, it seems that civil disobedience may indeed be revolutionary after all so long as the act is driven by a conscientious commitment with the intent of improvement for the greater good.

Unfortunately, the various discussions above still do little to solve the debate regarding what exactly constitutes an action of civil disobedience and whether it can be defended in the grand scheme of legality no matter the many laws that have been rightly altered because of it. Gandhi defines civil disobedience in a sense that encompasses not only "a refusal to obey bad laws, but also a violation of laws which work no hardship where the breach 'does not involve moral turpitude and is undertaken as a symbol of revolt against the State.'" (Bedau 1969, 101) Many tend to appeal to the social value civil disobedience has and believe it to be needed to maintain the checks and balances between the people and the government. Properly performed civil disobedience can present the faults of the government and produce much needed amendments. (Rawls 1971, 199) It can serve as supplemental to the idea of democracy as it allows for the encouragement of preserving an open mind towards change targeted towards positive outcomes. Even Mill wrote, "A party of order or stability, and a party of progress or reform, are both necessary elements of a healthy state of political life." (Mill 1999, 48) It can even be argued that it is an individual's political obligation to act contrary to the law in civil disobedience if the law is not fulfilling its requirements. "To be virtuous...is to perform well a socially necessary or important role. This does not mean that the virtuous person must always agree with the prevailing views or attitudes. On the contrary, Socrates and John Stuart Mill have persuaded many people to believe that questioning and challenging the prevailing views are among the highest forms of virtue," (Dagger 1997, 14) Such a statement deeply illustrates the belief that in order for democracy to function in its purest and best form, it is essential for citizens to be active participants and proceed beyond the simplicity of passive legal following.

Considering these premises, it is no small wonder why John Rawls's definition of civil disobedience is the most popular and commonly accepted. Civil disobedients should hold serious and sincere motivations behind their actions. They must be willing to publicize their ventures and seek to act collectively as well as submitting themselves to any punishments they may be subject

to due to their breach of law. This is mainly to increase the chance of the government's willingness to comply or negotiate with the demands. Acts cannot be violent as such a characteristic would conflict with others' freedoms and therefore be contradictory to the sole purpose of civil disobedience as being a tool to promote freedom for the whole. Lastly, it may be both revolutionary as well as non-revolutionary -- this qualification may be reviewed on a case-by-case basis. Rawls asserts his claim, "Civil disobedience is a public, nonviolent and conscientious breach of law undertaken with the aim of bringing about a change in laws or government policies." (1971, 364) Of course, Rawls was writing during a time before the popularization of cellular devices, social media, and the Internet. Since then, the world has changes considerably and one may just as well conclude the nature of civil disobedience has adapted in response.

REVISING CIVIL DISOBEDIENCE

“When you give everyone a voice and give people power, the system usually ends up in a really good place.” -- Mark Zuckerberg, CEO & Founder of Facebook

Launched in February of 2004, Facebook has now come to have an active user database of over one billion worldwide, nearly half of which log on daily through their mobile devices. This exponential growth is only one facet illustrative of its vast popularity; others would include the several million status updates posted daily and the fact that many famous individuals as well as political figures, including the current President of the United States, are in ownership of a profile or page. Even businesses and organizations have recognized the instantaneous speed by which “the word” now has the ability to be leaked and have joined in by creating pages and groups for their consumer base and members. (Bertolucci 2012) Twitter seems to have snatched just as much hype as Facebook. With trending topics that allow for the introduction of the “hash tag”, twitter provides the public with the ability to instantly display just what exactly everyone is talking about everywhere, upon their screens. Of course, who better to be in the know on current events and thoughts than our leaders? It has been noted that “ all but three of the 79 new lawmakers who entered the halls of Congress on Thursday have public Twitter accounts.” (Fitzpatrick 2012) But, we cannot forget about YouTube. Many would state that YouTube has changed lives and coined the term “internet sensation.” The homepage itself boasts that every minute seventy-two hours of video are uploaded; within a day we are presented with hundreds of thousands of hours of footage. However, these are only a few of the many feats such sites have conquered. They have also contributed to world changes by assisting revolutionaries, dissenters, and disobedients.

The role of social media in acts of civil disobedience such as protests and revolutions has garnered attention from the media itself. We find that it has allowed for these acts to be organized and executed with much more ease than the past. It is this feature that has transformed civil disobedience into something that has the capability to take place daily, whether it be online or onsite and able to be watched everywhere at any time. “An underlying assumption is that social media is making it more difficult to sustain an authoritarian regime -- even for hardened autocracies like Iran and Myanmar -- which could usher in a new wave of democratization

around the globe. In a January 2011 YouTube interview, U.S. President Barack Obama went as far as to compare social networking to “universal liberties such as freedom of speech.” (Pacic 2011) And such has been demonstrated in the recent affairs of the Middle East.

On 12 June 2009, it was announced that the incumbent President of Iran, Mahmood Ahmadinejad had been reelected, winning by over sixty percent despite there being many report irregularities. All the opposing candidates claimed the election had been manipulated and filed official complaints. In particular, Mehdi Karroubi and Mir-Hossein Mousavi, both opposing candidates, the latter of whom had claimed victory before the announcement due to his clear majority popularity, were in arms with the dissatisfied people. They encouraged them to outwardly favor and demand the annulment of the election, as it was fraudulent. Both were soon regarded as the main political leaders of the movement known as the Green Movement and nicknamed the Iranian Twitter Revolution. During this movement, the people protested the reelection with signs, marches, and speeches; their methods of dissent were relatively peaceful in nature. Ahmadinejad stayed firm in his victory, dismissing the accusations as nothing more than, “passions after a soccer match.” (*Iran’s Twitter Revolution* 2012) Despite the expressed nonchalant demeanor of the President, the police and the Basij, a paramilitary volunteer militia, suppressed the dissenters through violent means through the usage of pepper spray, batons, sticks, and even firearms.

One of the victims’ deaths, that of Neda Agha-Soltan, became infamous worldwide as a video of her being shot by the Basij was broadcasted over YouTube. “As open defiance of the election results broke out, citizen journalists used new media to spread the word. And the whole Web was watching.” (*Iran’s Twitter Revolution* 2012) Through Internet outlets, opposition groups informed the outside world of not only Agha-Soltan’s death but that of over a hundred others who were arrested and tortured for their participation. The list was inclusive of children. A constant stream of photographs and videos demonstrating the brutality of the government and police was posted on Facebook and Twitter forcing the hash tag “#iranelection” to be the top trending topic in several countries. “The immediacy of the reports were gripping,” the *Washington Times* stated. (*Iran’s Twitter Revolution* 2012) Of course, the Iranian government stalled further leakage of information that supported the dissenters’ position by placing

ensorship upon the Internet and certain sites. Still, the people were able to bypass these blocked walls and continue to post situation updates by using email and hacking when they could. Civil disobedients illustrated just how tech-savvy they could be through the employment of virtual private networks to gain entrance to unbanned IP addresses outside the country so that the banned sites could still be accessed. “Digital photos and videos proliferated and were picked up and reported in countless external sources safe from the regime’s Net crackdown.” (*Iran’s Twitter Revolution* 2012) The Iranian people commanded the world to listen to their pleas to overthrow their dictator and regain freedom. It worked.

These social media sites were influential in enlightening international observers and drawing foreign support from the United States and many European countries, both financially and emotionally. The sites also provided a system for disobedients to organize rallies and protests together. The censorship of news media through deportation of foreign journalists and reporters along with that of local newspapers allowed these sites to be the only way by which the public was able to follow the current situation of Iran. Although the antigovernment party is still working towards reformation of the government today, they were allowed a voice and a tool through which organization could take place during such censored and corrupt times. “Twitter for us is like a parliament, but not the kind of parliament that exists in this region,” said Faisal Abdullah, a 31-year-old lawyer. “It’s a true parliament, where people from all political sides meet and speak freely.” (Worth 2012)

Such a case illustrates the fact that social media has allowed for massive and foreign participation in acts of civil disobedience; it has come to globalize issues. Social media has made the Rawlsian requirement of public activity without secrecy into a major positive for the disobedients, so long as outsiders agree that injustice is being practiced. In this case, the government didn’t have any intention of complying or even peacefully discussing the issue at hand with the dissenters, granted the purpose of dissension was for the government's eventual dismissal. We must remember that many theorists maintain the belief that civil disobedience may be justifiable only if it possesses a high possibility of yielding favorable and morally substantial transformations of the society or government in question. After all, this would assume that the efforts of the disobedients would be for not and any destruction that may occur due to the

disobedience would not be justified as nothing good would come from it. Within this guideline, it seems as though the Iranians' actions could not have held true towards civil disobedience. However, with the introduction of the social media to display their actions, and their resulting foreign support, a possibility for success was created. Therefore, social media has allowed for the requirement of success to be stretched, as it no longer concerns only the measurement of change by way of only the government that is being disputed, but it also encompasses the sympathies of other nations who may assist the disobedients.

Wael Ghonim, a Google marketing executive stationed in Dubai, was just another man browsing his Facebook after a long day of work on 8 January 2012, when he happened upon the shocking blood-soaked photograph of a young man on his screen. Upon further research he found that the Egyptian police had beaten the young man, of the name Khaled Mohamed Said, to death. Angered by this horrid display of inhumanity, Ghonim anonymously created a Facebook page to raise awareness of the tragedy that he named *We Are All Khaled Said*. "Today they killed Khaled," he wrote. "If I don't act for his sake, tomorrow they will kill me." (Vargas 2012) Ghonim did not realize at the time that through his accidental involvement in the matter he had stumbled into an area where several shared his frustration and angst. Only two minutes had passed since his creation of the Facebook page and he already had over three hundred people; after three months his page had over a quarter of a million likes. Many would initially believe Ghonim hadn't started anything other than an internet phenomenon. It wasn't as though citizens were marching through the streets, up in arms for justice. All he had done was start a cyber discussion where people shook their heads and merely clicked the right button on their mouse to show their support, simply raising the numbers of a Facebook page.

However, contrary to such a belief, whatever had begun online had come to spill over in the real world. Soon after, a series of "silent stands" took place. As Egypt had banned mass public assemblies, the people stood in long chains along the seafronts of Egypt in several cities, including Cairo, where they spaced themselves five meters apart and silently read religious texts while dressed in black. This style of dress and stance expressed the people's sadness for the state of their country. It was these stands that formed the basis for an immense and historical protest rally at Tahir Square in downtown Cairo. As it were, *We Are All Khaled Said* had inspired the

Egyptian people to forget their inhibitions and sparked an uprising that led to the eventual resignation of then President Hosni Mubarak as well as the termination of the National Democratic Party. Upon learning Ghonim's identity, the Egyptian police kidnapped and arrested him for his involvement and initial flame throwing. After his release, Ghonim became one of the leading voices of the Arab Spring, the revolutionary wave of protests and stoppages against the political state of much of the Arab world. (Vargas 2012) "Twitter has allowed Saudis to cross social boundaries and address delicate subjects collectively and in real time, via shared subject headings like *Saudi Corruption* and *Political Prisoners*, known in Twitter as hash tags." (Worth 2012) Social media had transcended news networks and allowed for everyone to report and show their side of the story and their opinions on what was taking place. Ghonim may be seen as a celebrity of sorts due to the popularity of his specific page. In actuality there were hundred of other Facebook pages and Twitter profiles dedicated towards the organizing and publicizing of the Egyptian Revolution and the Arab Spring as a whole. Without a doubt, it was the pressure of all these collaborative social networking efforts along with the stands that assisted in the overthrow of Mubarak.

Even Ghonim admits that the internet was "instrumental in shaping his experiences as well as his character." (Vargas 2012) So it must've had an impression on other things as well. Even so, just how has it come to change our definition of civil disobedience? Rawls wrote, "Civil disobedience is a public, nonviolent and conscientious breach of law undertaken with the aim of bringing about a change in laws or government policies." (1971, 364) The creation of a page on a global social network could hardly be described as a breach in the law. Rather, it seems as though the discussion board could be seen as nothing more than a place for the people to vent and release years of frustration over the repression and poverty that had blossomed within their country. Perhaps, in this particular case, the fact that an outsider, in the loose term of the word, ignited the post-discussion revolutionary demonstrations is what modifies our general understanding of civil disobedience. Martin Luther King Jr. and Gandhi were both individuals who were in their respective countries and were directly affected by the injustice of the government. Ghonim, on the other hand, was worlds away from the issue, in an entirely different country, and although he was born in the nation of Egypt, he was not in the nation's line of fire.

Even though his writing was initially anonymous, Ghonim made this far away atrocity into his own personal problem, and those who weren't Egyptian residents were able to do the same by joining into the conversation online. "Khaled Said was a young man just like me, and what happened to him could have happened to me," Ghonim stated. (Vargas 2012) Given this example, it would seem that globalization had come to take hold of more than just the economy and sharing of ideas, technology had created an outlet for individuals to have a hand in changing a world that wasn't their own in the comfort of their own home. "Social media allow organizers to involve like-minded people in a movement at a very low cost, but they do not necessarily make these people move. Instead of attending meetings, workshops and rallies, un-committed individuals can join a Facebook group or follow a Twitter feed at home, which gives them some measure of anonymity." (Papic 2011) Additionally, both King and Gandhi had no choice but to reveal their identities. They gave their speeches personally, to the public whilst actually standing among them, knowing both their safety and that of their supporters were at risk. Initially, Ghonim was able to have the luxury of remaining anonymous while he blogged on Facebook, and spread the word of the wrongs being committed. He didn't need to leave his seat to lead his people. Therefore, it seems social media has altered the need for leaders and participants to express their identities as well as the need for their presence in order to generate positive progress towards justice. "Keeping track of every individual who visits a protest organization's website page may be beyond the capabilities of many security services, depending on a site's popularity, but a medium designed to reach the masses is open to everyone." (Papic 2011) The disobedients' actions were public even under such a veil of secrecy.

However, governmental institutions aren't the only target of these cyber civil disobedients. Twitter and Facebook gurus have focused their attentions upon specific people as well. For example, there are two individuals for whom the world has openly expressed its hatred in recent years: Casey Anthony and Jared Loughner. Anthony was accused of murdering her three-year old daughter, whereas Loughner had attempted to assassinate a U.S. representative and killed several others in the process (such an act was due to his mental disabilities according to some). Before their trials took place and for the duration of their trials, social media sites boomed with their names; they were the trending topics, but nearly everything was said sentenced them to death.

There were hate groups and pages made, entire blogs devoted in favor of the worst punishment possible. It would be ridiculous to believe that society's very public presentation of their views did not have some sort of impression upon the judges and juries of these respective cases. "Beliefs affect behavior in many ways, including the behaviors of one who might not hold the belief but are subject to being exposed to it." (Hall 1973, 13) Loughner was charged with murder after pleading guilty to all nineteen counts against him. Anthony was declared not guilty by the judges, but still people did not succumb to the law's decree of her innocence. "A consultant for Casey Anthony's attorneys analyzed more than 40,000 highly charged opinions — negative and positive — on social media sites and blogs, and used them to help the defense craft their trial strategy." (Pacheco 2011) Many believed she should fear for her life by the amount of hate speech that surged across thousands of online pages. The public acted in ways that were similar to actions of civil disobedients as they rallied against her by way of networks and made her life of freedom, one where she was not so free and forced to maintain a low profile. The people were allowed the opportunity to hold matters in their own hands, regardless of what the legal system had pronounced, by way of heated discussions and the igniting of further anger through such outlets.

Given these cases we are able to model the affect social media has had upon civil disobedience. Civil disobedience may still be considered as Rawls had once defined it -- an illegal conscientious act with the features of being both public and nonviolent. One may argue that civil disobedience hasn't really altered in meaning after all, but it certainly has been changed in terms of its method and feasibility. "Foreign observers -- and particularly the media -- are mesmerized by the ability to track events and cover diverse locations, perspectives and demographics in real time. But a revolution is far more than what we see and hear on the Internet." (Papic 2011) Where once the attribute of complete openness with the public and government was thought of as a sort of weakness, it has now become the disobedients' greatest weapon. They are now able to receive the emotional and financial support of several others even from foreign lands as well as gather more members for their cause within the area. The disobedients' cause has come to form several parallels to the running of a business what with the amount of marketing and gain that is sought. Organization of protests and rallies have come to be

quick and effective, both in notification of those who might participate, those who would like to be informed, as well as the opposing party. “Social media can also allow a movement to be far more nimble about choosing its day of action and, when that day comes, to spread the action order like wildfire. Instead of organizing campaigns around fixed dates, protest movements can reach hundreds of thousands of adherents with a single Facebook post or Twitter feed, launching a massive call to action in seconds.” (Papic 2011) Where once even Russell discussed how difficult it was for the minority to express their opinion through newspapers and the media, social networking has made it all the more easier. Additionally, the problem of whether one should be involved due to possible injury from the opposing side has now been solved. Social media has allowed for dissenters to keep their identities secret whilst posting writing and videos and participating in discussion. It has become considerably difficult to unmask civil disobedients when they wish to remain anonymous. Lastly, the people now have a stronger outlet to voice their opinions and affect the outcome of events simply by way of a click of a button and the creation of a hash tag. Indeed, civil disobedience hasn't necessarily changed in meaning. Rather, it now encompasses a greater range of actions and is a sort of action that allows for participation to be much easier as well as less dangerous for an individual than before due to social media.

CONCLUDING REMARKS

There will always be arguments in favor and against the justification of actions under the label of civil disobedience whether it has changed or not. We now understand that previous notions of civil disobedience have indeed been altered in recent years with the introduction of technologies, particularly social media. The fact that such actions are now much easier and feasible for the public's participation increases the need to understand just how beneficial a civilly disobedient display is to the whole of society, and whether these benefits are worth the cost. Socrates may have been tried unjustly during his trial, but even he believed that to escape the fate Athens had sentenced him would be an even greater injustice. "If you go forth, returning evil for evil, and injury for injury, breaking the covenants and agreements which you have made with us and wronging those whom you ought least of all to wrong...you have done your best to destroy [Athens]." (Eliot 1937, 53) Socrates believed his life not to be worth the potential upheaval of governmental pillars. However, on the other hand, if not for the movements of King and Gandhi, we might just as well think the installment of equality amongst the races in the United States would have been reached much later, if at all and India may still be occupied by the British. It is this quandary of when a civilly disobedient action should be enacted that seems to be one of the main predicaments of our time, given the new facets of civil disobedience. Since it now has the ability to encompass a great multitude of participants while maintaining anonymity, and the ease to occur constantly, we cannot allow it to become nothing more than mass chaotic anarchy.

During the summer of 2011, United Kingdom retailers were found to have lost over one hundred million pounds in stolen goods and property damage from riots. Nearly a thousand people were arrested nationwide for their contribution to the distress and destruction. The riots along with the Occupy movement were against the apparent social and economic inequality in the country and the belief that the current system wasn't suitable any longer for "ordinary citizens". Unfortunately, individuals who believed they were participating in illustrative protests of civil disobedience conducted these crimes. "In August television and computer screens throbbled with images of rampaging youths carrying off lap tops, trainers, and small portable booty bundled out through smashed doors and windows." (*Summer's Riots and the Occupy*

Movement 2011) Perhaps what was most surprising was the fact that these looting sprees and harmful riots were found to have used Facebook pages, Twitter tweets, and Blackberry Messenger to organize these events. Upon the realization that such sites were the cause of these movements, the British government decided the best means of control was banning certain social media. "Free speech is central to our democracy, but so is public safety and security." (Gross 2011) The British Prime Minister, David Cameron believed that the free flow of information, no matter its advantages, could also prove to be extremely dangerous as the riots had shown, and were therefore the government's responsibility to control. The public responded to Cameron's statements with an uproar, believing their given rights were going to be comprised if such would actually take place. "It may be tempting to smother that kind of speech when a government feels it is under siege, as Britain seems to feel that it is," wrote a tech blogger. (Gross 2011) However, given such circumstances, one cannot help but wonder if Cameron was right?

Perhaps the main problem with social media, especially in the case of civil disobedience, is that anyone can post anything. In this day and age, it seems as though civil disobedience would best be left as a last minute resort for the people, as had been one of the requirements by many political theorists in the past. King was known to claim justice being delayed being the equivalent of justice denied. Thoreau wrote of legal channels being a lost cause as the constitution could sometimes be the problem rather than the solution. (Bedau 1969, 28) "Other activists have pointed out that if judicial review is one of the features of American democracy which is supposed to make civil disobedience unnecessary, then it ironically subverts this goal; for to obtain standing to bring an unjust statute to court for review, often a plaintiff must be arrested for violating it." (Suber 1999) Such beliefs seem not to coincide with the predicament we are faced with here, where people passionately desire "change and justice" and yet there isn't any lacking. Legal channels must be used more often before an individual decides to create a heated blog or organize a protest that may easily lead to a violent riot. Activists can always make another phone call, start another petition, write another letter to their congressman and local newspapers, and await another election to cast their vote. Unjust laws created by a democratic legislature have the opportunity to be amended and dropped by a democratic legislature. A.J. Muste, a political activist, was known to argue that the usage of legal channels to fight against

unjust laws is to participate in an evil machine, and to disguise dissent as conformity; this in turn corrupts the activist and discourages others by leading them to underestimate the numbers of their congeners. (Crawford 1973, 37)

Truly, social media has undeniably revised the methods by which civil disobedience is now carried through. However, whether these alterations are for the better is a conjecture even I am hesitant to make. There are cases and circumstances such as the Iranian Election Protests of 2009 and the Egyptian Revolution of 2010 where social media has assisted the people in victory by way of adding anonymity, organization, globalization, and foreign support. However, there are also those moments in recent times such as the British Riots of 2011 that exhibit the possibility of easing destruction and pure violent anarchy. Civil disobedience has long been at the heart of many controversies; whether it is its definition or its justification, and it seems that this introduction of a social media facet will only heighten the discussion indefinitely.

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