

We The People  
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We the People 357 Civil Disobedience and Direct Action



**Good Day to you.** Do the people who agitate and demonstrate for change publically, annoy you. If they stop traffic or disrupt life do you feel distressed and ask why. Are you impatient with people who publically demonstrate for a worthy cause or who take dramatic action to bring about change. This may represent Civil Disobedience which I have come to believe is far more profound and important than simply a disruption or the breaking of a law.

In a country which promotes free speech and democracy like Australia I believe it's essential people have the right to protest in a non violent way in order to bring about change. However if that activity breaks the law, then what. Does this make the cause unjust or the point irrelevant. Does this mean the law is unassailable or perhaps you believe the best way to deal with a bad law is to do this through the political process. Perhaps so but it's a utopian approach where one assumes the people's voice will be heard and more recent Australian and Queensland history suggests the politicians are simply not listening, so this is the very time people might take to the streets to demonstrate just as is the case with the Adani coal mine protests. Let's look at some examples to support what Henry David Thoreau referred to as *Civil Disobedience*. He said....*"There will never be a really free and enlightened State, until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly"*. He was right and yet the bureaucracy built by the politicians focuses all power away from the people and onto the State. This is accomplished through the various means of legislation and by laws and the contrivance of wayward councils like the Gold Coast Council which is deaf to the people. A recent public statement by Mayor Tom Tate underpins this concern when, on his return from Hong Kong during their civil disobedience against the Chinese Communist government, Tate said..... *"you can do democratic process and get your voice heard but don't go and shut down an airport because that's the conduit and life blood of tourism to Hong Kong"*. This demonstrates his lack of concern for the people of Hong Kong fighting for their freedom, peace and well being. In fact he has missed the point entirely as civil disobedience is their only weapon and their only means to achieve change and for the record, they did not close the airport. The people of Hong Kong embody the very essence and basic human right to civil unrest, civil disobedience and direct action and I applaud them.

We all march behind those whose shoes we cannot fill yet they knew the importance of freedom and the right to protest even if that meant breaking the law without violence. If keeping the law throttles the voice of the people then it's an unjust law and should be done away with. India's Mahatma Gandhi was amongst the first few people who adopted civil disobedience on such a level and used it to advance justice. Martin Luther King Jnr said regarding **a moral responsibility to break the law**..... *"There comes a time when the cup of endurance runs over and people are no longer willing to be plunged into the abyss of despair. You express a great deal of anxiety over our willingness to break laws".....We should never forget that everything Adolf Hitler did in Germany was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal". If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's anti-religious laws"*. An unjust law is no law indeed and all judges have a conundrum if they know the law is neither fair nor just.

So let's all be conscious of the right of Australians to protest and to rally peacefully. If this breaks the law at times then that maybe unfortunate but necessary. As Howard Zinn said *"Protest beyond the law is not a departure from democracy; it is absolutely essential to it."*

**Until Next time this is Kent Bayley**