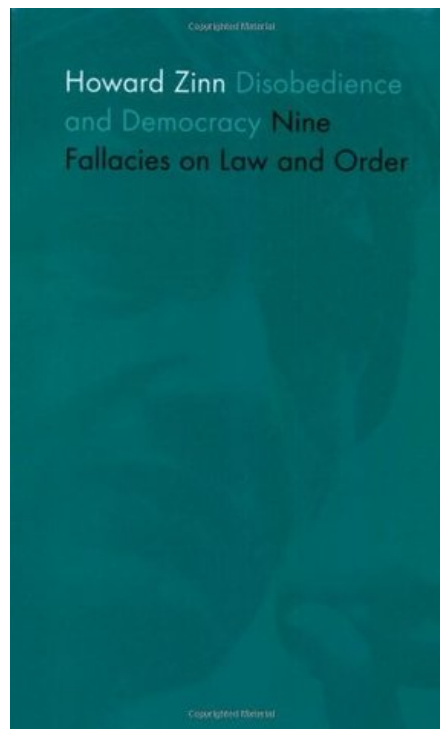




Disobedience and Democracy: Nine Fallacies on Law and Order

Howard Zinn

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Disobedience and Democracy: Nine Fallacies on Law and Order Howard Zinn

Howard Zinn's cogent defense of civil disobedience, with a new introduction by the author. In this slim volume, Zinn lays out a clear and dynamic case for civil disobedience and protest, and challenges the dominant arguments against forms of protest that challenge the status quo. Zinn explores the politics of direct action, nonviolent civil disobedience, and strikes, and draws lessons for today.

Disobedience and Democracy: Nine Fallacies on Law and Order Details

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Author : Howard Zinn

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From Reader Review Disobedience and Democracy: Nine Fallacies on Law and Order for online ebook

Benjamin Richards says

This book is very, very American, which is not a problem but I picked this one up out of curiosity in a charity shop in England.

Civil Disobedience intrigues me intensely, having read Monkey Wrench Gang by Edward Abbey and Walden Pond by Thoreau I feel quite connected to the anti-establishment sentiments of the Americans.

The first quarter of the book flew by, filled with great words and ideas. Then I found Zinn became too preoccupied with countering what this Mr Fortass had written about Civil Disobedience. Having not encountered the article, it reduced the impact of the argument. Some things that caught my eye whilst reading:

"When nations ignore international agreements at will, are they not contributing to gang warfare in the world?"

"Something seems to have happened to the old claim that what distinguishes the democracy from the totalitarian state is its belief in the rights of the individual over the rights of the state."

"What does all this mean - the country reaching fever pitched, and the old medicines not enough? It means that if we want to prevent a perspiring, writhing, life-and-death struggle involving massive violence, we had better develop devices for change, prods to the government, that go beyond what we are now willing to accept, yet trying to keep inevitable costs of turbulent change to a minimum. A new politics of protest, designed to put pressure on our national leaders more effectively, more threateningly, more forcefully than ever before is needed. We need techniques of civil disobedience which will not only ruffle the complacency of the powerful enough to bring needed changes - but begin to replace the old institutions, the old leaders."

I've written this review a week after the United Kingdom voted to leave the EU. Something I support and I have found it quite serendipitous to have read a book upon Civil Disobedience when I had already come to the conclusion that for many of the older voters; their vote to leave the EU was an act of Civil Disobedience.

Ryan Mishap says

Written in 1968 as a rebuttal of Supreme Court Justice Abe Fortas's book on civil disobedience, this slim volume still holds important points that every activist should know about defending the practice of civil disobedience--then, after successfully defending it, we can move beyond it...

Mark Patro says

I have to agree with Zinn's conclusion:

"It is very hard, in the comfortable environment of middle-class America, to discard the notion that

everything will be better if we don't have the disturbance of civil disobedience, if we confine ourselves to voting, writing letters to our Congressmen, speaking our minds politely. But those outside are not so comfortable. Most people in the world are hungry, have no decent place to sleep, no doctor when they are sick; and some are fleeing from attacking airplanes. Somehow, we must transcend our own tight, air-conditioned chambers and begin to feel their plight, their needs. It may become evident that, despite our wealth, we can have no real peace until they do."

Within "They" in the final sentence, we can include ourselves because of the current (2016-2018) movement toward totalitarianistic government buy the wealthy oligarchs of America.

blakeR says

Written as a critique of Supreme Court Justice Abe Fortas' Concerning Dissent & Civil Disobedience, this really serves as an excellent rebuttal to any critics of extra-legal civil disobedience, dismantling their arguments one by one. Zinn's language is precise, accessible, and utterly logical. One can sense the seething emotion behind his words even though he does well maintaining his argument dispassionate. I suffered a minor cringe within the first few pages upon seeing his "The time for action is now" reference, bracing myself for a dated 60's political diatribe. Most of his argument, however, is beautifully timeless. Only towards the end does Zinn lapse into somewhat generalized ideas of the ripeness of the 60s for political change, and the extreme turbulence of the period begging for revolution. He then betrays a now-quaint idealism, though it does little to damage his main argument. This is a must-read for anyone sympathetic to civil disobedience as political action. Zinn offers invaluable arguments in its defense.

@blakerosser1

James Payne says

A surprisingly robust, almost seething though dispassionate/cogent, tear down of quote/unquote liberal opinions regarding actual political change i.e. civil disobedience re: race, Vietnam, etc in the 1960s.

His defense of "violence" as a resistance tactic was AWESOME 2 SEE. Why don't more people talk about this book? He is young and angry and a smartie here, whereas he sometimes came off too Clintonville liberal in his later work.

Dave says

Finally, a book where I can feel the passion for a humanist cause through his words. I wish this was required reading in high school. A quick read and a GREAT introduction to Zinn.

David Bjelland says

For being a response to a specific publication (Supreme Court Justice Abe Fortas' "Concerning Dissent and Civil Disobedience") in a specific time/place (the US circa 1968), Disobedience and Democracy is an

impressively broad treatise on "civil disobedience" - taken by Zinn to encapsulate all the tools at the disposal of citizens to leverage their collective power and bring about a more just society. There is idealism at work here (Howard Zinn is Howard Zinn), but the content is rock solid. Historically, he points out example after example of times that civil disobedience has been necessary to end what would be obvious to the modern reader as blatant injustice, and example after example of times that the arms of the state (in particular the Supreme Court) have served to maintain the interests of nationalism and the status quo. Ethically, Zinn cuts through Fortas' apologetics and exposes just how sinister their implications really are, never letting his righteous anger get in the way of a carefully-argued case.

A profound read - I'd recommend it not only to anyone eager to give their time and energy to the cause of social justice (duh) but also to anyone who fancies themselves an expert on American government and democracy in general. If any book can relieve someone of the delusion that strict adherence to the laws of the state, as it stood in 1968 and as it stands now, is enough to fulfill the goals of democracy, this is that book.

Kyle Minton says

Disobedience and Democracy is a short essay Howard Zinn wrote in response to a short essay about Law and Order written by a Supreme Court Justice. Zinn outlines nine fallacies in the original essay, quoting extensively enough so that reading it is unnecessary. Each fallacy deals with a more fundamental question on law and order; when, if ever, is it morally permissible to break the law through protest? According to Judge Fortas, the justice who wrote the piece Zinn is eviscerating, the answer is never. Zinn disagrees.

It's hard not to look at Zinn's argument as a relic. The moral peril the nation was in at the time of his essay seemed greater than that of today's. We're talking about the Vietnam War, McCarthyism, redlining, and remnants of Jim Crow. So when Zinn states the scope of the civil disobedience in question did not outweigh the immorality of the things they protest, this seems, somehow, more true than today. When Zinn argues that burning your draft card or blocking the road to a chemical weapons manufacturer doesn't compare to the atrocities of an illegal war, the benefit of hindsight means there are few of us who would disagree.

That said, it is important for the modern reader to understand that Zinn's arguments, at the time, were not widely accepted. That which he advocated the protest of is more comparable to what is happening today than we may be willing to admit while reading argumentative essays of the past. The Vietnam war and the conquests of Indochina/Latin America can strike parallels to the relentless wars in the Middle East today. Surely we can use the same fallacies of law and order when assessing the moral decision demanded of the nation in the case of Edward Snowden, or Standing Rock, or Flint Michigan.

In this regard, Zinn's words are more relevant than ever. Providing a moral justification and guidebook for disobedience against the state, Disobedience and Democracy becomes essential reading at a time when democracy is most threatened. While we like to believe we exercise control over our lives by merely participating in democracy, the reality is that we don't have a say in far too many ways. Americans don't vote on foreign policy or wars, they don't decide how much of their taxes go to schools vs corporate subsidies, and with so much corporate spending in elections they don't really even elect the leaders that make these decisions. Zinn makes the compelling argument that when democracy becomes an obsolete tool of change, disobedience becomes increasingly necessary.

Whether you're protesting the state at Standing Rock or the Bundy Ranch, Zinn's line of questioning will prove invaluable. What do we owe the sanctity of law and what does it owe us? Why must civil disobedience necessarily be non-violent? What are the limits of our government and how do we keep it in check?

If you're planning to get organized, don't leave home without your copy of Democracy and Disobedience.

Daniel Lightfoot says

"We are a nation of laws." Even in periods of acute social unrest in the United States, when government has played a dynamic role in stifling change and perpetuating and extending various inequities, it has not been uncommon to hear liberal social critics articulate a doctrine of loyalty to a state.

Such was the case in 1968 when Howard Zinn wrote his Nine Fallacies on Law and Order. Abe Fortas, justice of the American Supreme Court, had just published a book arguing for unflinching loyalty to the law as the most efficacious means of advancing democracy and the commonweal. Fortas condemned all means of social protest operating outside the law, enumerating a castrated "defense" of civil disobedience limited to those actions which did not pose an existential threat to government, namely protestors who resist imprisonment.

Zinn's essential response to this argument was that obedience to law and authority was incidental to the advancement of social goals and thus ought to be subordinated to a process of evaluation of the validity of actions on moral principles at a grassroots level. Zinn goes on to argue that the assumption that law guarantees peace and civility is only acceptable if definitions of "peace" ignore a state's external aggression toward other countries and violent oppression of minorities under its own yoke.

Although Zinn was speaking to a specific instance in history, his arguments and insights are as relevant today as ever. The basic problem of deference to violent and unscrupulous authorities and widespread collective irresponsibility has robbed our democracy of the vigor to adequately respond to the profound social issues of our time. To the extent that this is the case, Zinn's book will always be relevant.

Matthew says

A gross capsule summary: what is legal is not always moral, and what is moral is not always legal. True democracy can exist only when citizens exercise their power to disobey and disrupt an unjust state, often by breaking the laws of the state.

Thought-provoking.

Cel says

A brief and thorough study on morality and the law. It's a quick read, but I go back to it time and again. "Democracy must improve itself constantly or decay." and "The problem is how one perceives the "peace" that society enjoys when civil disobedience is absent. We live in an era when the national state monopolizes power and information. It therefore tries to persuade us that Domestic Tranquility is all-important. It insists that we do not rebel against its authority, that we keep the "peace" despite the fact that it, the state is disturbing the peace on two other levels of our lives," (violence to the body and spirit--no health insurance, unemployment, police humiliation and killing and even young people forced to "fit into money-worshipping, success-idolizing culture. This is the result of a society which distributes wealth irrationally, condemns black

people to a special status, destroys the sense of oneness with nature and with people that we all want. The other level is external--disorder abroad, inflicted outside the country against others." and it was written in 1968.

Craig Bowers says

Have you ever wondered if or when it is appropriate to protest violently? Or to even protest impolitely? As in marching in the street or sitting-in? Well then this little book is for you!

In this wonderful little piece, Zinn goes through a booklet by SCJ Abe Fortas, "Concerning Dissent and Civil Disobedience". This was during the late 60s and Fortas was adamantly opposed to many forms of protest. Zinn goes through the nine of these--ranging from "That the rule of law has intrinsic value apart from moral ends." to "That we, the citizenry, should behave as if we are the state and our interests are the same."--and nullifies them. He uses modern examples like people protesting war drafts to how Americans actually protested against slavery to validate his claims, and even provides support through quotations from people such as Ghandi and MLK Jr. that explain how there are times when being violent can be moral.

If you want to actually be part of a resistance, whether against the current government or a future one, then this is a book you need to read.

B says

So basically, back in the 60's, an associate Justice of the Supreme Court wrote a pamphlet about Civil Disobedience in response to all the upheavals of the time. His name was Abe Fortas. His argument was essentially that disobedience was acceptable only if it didn't go directly against the laws of the country.

Another guy named Howard Zinn read it, got really pissed off, and wrote the book I am now reviewing.

It's pretty much 124 pages of Abe Fortas getting bitch slapped.

Zinn, though especially radical at times, does make some very compelling arguments such as: "how many lives does it take until a law becomes unjust," and "disobedience ensures the health of democracy." He's an excellent writer and extremely educated. I may have a slight intellectual crush.

At the end of the day? Zinn gets the big thumbs up from me.

Jennifer Norton says

I've been carrying this book around for months, savoring its contents. Now it has a permanent place in my bag.

aa says

A sharp exposition on how to judge the ethics and of a law when it entails the attempt to override a right—whether intrinsic or depending on the immediate conditions. All in all, Zinn is a progressive firebrand

that not only delivers a scathing critique on the separation of powers, primarily the judiciary, its fallacies, its prerogatives, but also on how to argue against a *lawful* violation of citizens' rights.
