**Ben’s Neg**

**Framework**

**I negate the resolution that civil disobedience in a democracy is morally justified**

#### [Value] I value morality.

Since I value morality, my criterion upholding a democratic government because it allows for multiple groups of people to get a say and democratic ideals are the core for free speech or expression of opinions.

## RTP

You should prefer my framework because

First, democracy is the only fair government where everyone gets a say unlike a dictatorship.

Second, it is the only realistic government where things are ethical.

**Advocacy/Interpretations**

I negate **civil disobedience in a democracy is morally justified.** **Meriam Webster defines** civil disobedience**, abbreviated “CD,” as “refusal to obey governmental demands or commands especially as a nonviolent and usually collective means of forcing concessions from the government”**

We define morally justified as upholding our framework of equal for all

**Contention 1**

My first contention is that CD leads to anarchy

This is true because CD shows people, they can do whatever they want with little consequences.

#### [Van Dusen] CD is an attack on democracy

[**Van Dusen**]: Van Dusen, Lewis. [lawyer in Philadelphia] “Civil Disobedience: Destroyer of Democracy” In *American Bar Association Journal*, 1969. BZ

Law violations, even for ends recognized as laudable, are not only assaults on the rule of law, but subversions of the democratic process. The disobedient act of conscience does not ennoble democracy; it erodes it. First, it courts violence, and even the most careful and limited use of nonviolent acts of disobedience may help sow the dragon-teeth of civil riot. Civil disobedience is the progenitor of disorder, and disorder is the sire of violence. Second, the concept of civil disobedience does not invite principles of general applicability. If the children of light are morally privileged to resist particular laws on grounds of conscience, so are the children of darkness. Former Deputy Attorney General Burke Marshall said: “If the decision to break the law really turned on individual conscience, it is hard to see in law how [the civil rights leader] is better off than former Governor Ross Barnett of Mississippi who also believed deeply in his cause and was willing to go to jail.” Third, even the most noble act of civil disobedience assaults the rule of law. Although limited as to method, motive and objective, it has the effect of inducing others to engage in different forms of law breaking characterized by methods unsanctioned and condemned by classic theories of law violation. Unfortunately, the most pa tent lesson of civil disobedience is not so much nonviolence of action as defiance of authority. Finally, the greatest danger in condoning civil disobedience as a permissible strategy for hastening change is that it undermines our democratic processes. To adopt the techniques of civil disobedience is to assume that representative government does not work. To resist the decisions of courts and the laws of elected assemblies is to say that democracy has failed. There is no man who is above the law, and there is no man who has a right to break the law. Civil disobedience is not above the law, but against the law. When the civil disobedient disobeys one law, he invariably subverts all law. When the civil disobedient says that he is above the law, he is saying that democracy is beneath him. His disobedience shows a distrust for the democratic system. He is merely saying that since democracy does not work, why should he help make it work. Thoreau expressed well the civil disobedient’s disdain for democracy: As for adopting the ways which the state has provided for remedying the evil, I know not of such ways. They take too much time and a man’s life will be gone. I have other affairs to attend to. I came into this world not chiefly to make this a good place to live in, but to live in it, be it good or bad.

#### [Moraro 1] laws must be followed by the people.

[**Moraro 1**]: Moraro, Piero. [Lecturer in Justice Studies at Charles Sturt University] “Violent Civil Disobedience and Willingness to Accept Punishment” In *Essays in philosophy*, 2007. BZ

A famous defense of the unconditional value of law-abiding is in Plato. In the dialogue Crito, Socrates makes it clear to Crito that he must accept the capital punishment, for this is what the Laws of the State tell him to do, and that, like him, each individual has the moral obligation to obey the laws. Plato’s conclusion is that the refusal to obey the laws of the State is morally wrong. Socrates accepts the requirement to give up his life, since this is what the law tells him to do, and the law deserves obedience always. The civil disobedients have to accept the punishment following their illegal action, for the same reason. This idea has echoes in Martin Luther King: In no sense do I advocate evading or defying the law (...). This would lead to anarchy. One who breaks an unjust law must do it *openly*, *lovingly*, (...) and with a willingness to accept the punishment. I submit that an individual who breaks a law that conscience tells him is unjust, and willingly accepts the penalty by staying in jail to arouse the conscience of the community over its injustice, is in reality expressing the very highest respect for law (King, 74).

One example of this is the lootings in Minnesota which was started as a protest then lead to there being no law enforcement to stop people causing these people to loot near by stores and other things with no control.

An example of harm by anarchy is the economic crisis in Bangladesh caused by an anarchy like state in the government.

One example of this the insurrection of the capitol where what started out as a protest turned into an act of violence against the government.

The impact of this is people can get hurt and not want to support the cause that is being fought for.

## Contention 2

#### My second contention is that CD leads violence

This is true for because they use the theoretical definition of CD violence is accepted by people who are civilly disobey because they know it will lead to violence and they still use it.

#### [Moraro 2]: activist are aware CD will lead to violence

[**Moraro 2**]: Moraro, Piero. [Lecturer in Justice Studies at Charles Sturt University] “Violent Civil Disobedience and Willingness to Accept Punishment” In *Essays in philosophy*, 2007. BZ

The proviso of non-violence has been criticised by many theorists, who have argued that some degree of violence within civil disobedience may be allowed. The main difficulty lies, indeed, in what we mean by “violent act”. According to the traditional view, violence is equated to the illegitimate use of physical force applied to people, or things, with the intention of causing harm. Falcon Y Tella (2004, 57-59) underlines the fact that in the 1960s there were two opposed factions, a moderate one, affirming that violence should be excluded entirely from civil disobedience, and a radical one, taking violence as permissible against the State, its representatives, and third parties directly or indirectly linked to the state. Members of the “radical” faction held that civil disobedience, while “peaceful”, should not be equated with “non-violence”. They assumed that, although civil disobedience cannot aim at moral or physical destruction of the adversary, a certain risk of violence -on occasion and always as a secondary condition- is to be accepted. Thus, according to them, the main issue would be choosing carefully which methods could achieve the limited objectives aimed for. It is also crucial that the use of violence be proportional to the injustice that one is trying to abolish. It is on this “radical” faction that I will focus my discussion.

Example violence leads the media to say people are bad like BLM looting

[Impact]: When CD leads to violence people see this as an act of domestic terrorism causing people to not support the cause no matter how unjust a law is. My example from before of the insurrection relates to this because it started out as CD and later became what is seen as an act of domestic terrorism that people are very against.