

CIVIL DISOBEDIENCE IN H.D THOREAU AS A PARADIGM FOR NATION-BUILDING IN NIGERIA

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Abstract

Henry David Thoreau is conventionally considered as a towering figure that advocated and practiced nonviolent resistance against social evils. Thoreau's elevation of conscientious integrity in an era of social conformism, his passionate opposition to the institutional degradation of human life and values, and his enduring literary production as an author, public speaker, and natural scientist, all expressed in a distinctive prose style at once classic and personal, placed him at the heart of the era now known as the American Renaissance. Consequently, because of the complexity associated with the readings, understanding and the application of the paradox of Civil Disobedience as contained in Thoreau's *On the Duty of Civil Disobedience*, this paper adopts a hermeneutic method which is basically the philosophical method of interpretation of texts, ideas, etc. from another's or author's point of view to interrogate the crisis of nation-building in Nigerian state. This is apt especially now that the crisis is plunging the Nigerian state into a state of lawlessness. Thus, it is the findings of this paper that corruption, leadership failure, institutional decay, and poor exploration of the rich tenets, and techniques in the concept of civil disobedience by the Nigerian citizens, especially as it has been demonstrated globally by their citizens remain the bane of Nation-building in Nigeria. It is our conclusion that unless, there is a conscious, deliberate, and effective exploration of the concept of civil disobedience by the Nigerian citizens, especially as it has been demonstrated globally, the crisis of bad leadership and underdevelopment rocking the Nigerian state would remain a perpetual stigma on us.

Key Words: Civil Disobedience, Democracy and Nation-Building.

Introduction

Thoreau asserts that because governments are typically more harmful than helpful, they therefore cannot be justified. [Democracy](#) is no cure for this, as majorities simply by virtue of being majorities do not also gain the virtues of [wisdom](#) and [justice](#). The judgment of an individual's conscience is not necessarily inferior to the decisions of a political body or majority, and so it is not desirable to cultivate a respect for the law, so much as for the right also. The government, according to Thoreau, is not just a little corrupt or unjust in the course of doing its otherwise-important work, but in fact the government is primarily an agent of [corruption](#) and injustice. Because of this, it is "not too soon for honest men to rebel and revolutionize.

Political philosophers have counseled caution about revolution because the upheaval of revolution typically causes a lot of expense and suffering. Thoreau contends that such a cost/benefit analysis is inappropriate when the government is actively facilitating an injustice as extreme as slavery. Such a fundamental immorality justifies any difficulty or

expense to bring it to an end. Thoreau argued that they cannot blame this problem solely on pro-slavery [Southern](#) politicians, but must put the blame on those in, for instance, [Massachusetts](#), "who are more interested in commerce and agriculture than they are in humanity, and are not prepared to do justice to the slave and to Mexico, cost what it may. There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them. He exhorts people not to just wait passively for an opportunity to vote for justice, because voting for justice is as ineffective as wishing for justice; what you need to do is to actually be just. This is not to say that you have an obligation to devote your life to fighting for justice, but you do have an obligation not to commit injustice and not to give injustice your practical support.

Paying [taxes](#) is one way in which otherwise well-meaning people collaborate in injustice. People who proclaim that the war in Mexico is wrong and that it is wrong to enforce slavery contradict themselves if they fund both things by paying taxes. Thoreau points out that the same people who applaud soldiers for refusing to fight an unjust war are not themselves willing to refuse to fund the government that started the war. In a constitutional republic like the United States, people often think that the proper response to an unjust law is to try to use the political process to change the law, but to obey and respect the law until it is changed. But if the law is itself clearly unjust, and the lawmaking process is not designed to quickly obliterate such unjust laws, then Thoreau says the law deserves no respect and it should be broken. In the case of the United States, the [Constitution](#) itself enshrines the institution of slavery, and therefore falls under this condemnation. [Abolitionists](#), in Thoreau's opinion, should completely withdraw their support to the government and [stop paying taxes](#), even if this means courting imprisonment, or even violence.

Under a government which imprisons any unjustly, the true place for a just man is also a prison, where the State places those who are not with her, but against her, the only house in a slave State in which a free man can abide with honor. Cast your whole vote, not a strip of paper merely, but your whole influence.² A minority is powerless while it conforms to the majority; it is not even a minority then; but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose. If a thousand men were not to pay their tax bills this year that would not be a violent and bloody measure, as it would be to pay them, and enable the State to commit violence and shed innocent blood. This is, in fact, the definition of a peaceable revolution, if any such is possible. But even suppose blood should flow. Is there not a sort of bloodshed when the conscience is wounded? Through this wound a man's real manhood and immortality flow out, and he bleeds to an everlasting death.³ I see this blood flowing now Thoreau argues. Because the government will retaliate, Thoreau says he prefers living simply because he therefore has less to lose. "I can afford to refuse allegiance to Massachusetts.... It costs me less in every sense to incur the penalty of disobedience to the State than it would to obey. I should feel as if I were worth less in that case."⁴

He was briefly imprisoned for refusing to pay the [poll tax](#), but even in jail felt freer than the people outside. He considered it an interesting experience and came out of it with a new perspective on his relationship to the government and its citizens. Thoreau said he was willing to pay the highway tax, which meant to pay for something of benefit to his neighbors, but that he was opposed to taxes that went to support the government itself—even if he could not tell if his particular contribution would eventually be spent on an unjust project or a beneficial one. "I simply wish to refuse allegiance to the State, to withdraw and stand aloof from it effectually.¹ Because government is man-made, not an

element of nature or an [act of God](#), Thoreau hoped that its makers could be reasoned with. As governments go, he felt, the U.S. government, with all its faults, was not the worst and even had some admirable qualities. But he felt we could and should insist on better. "The progress from an absolute to a limited monarchy, from a limited monarchy to a democracy, is a progress toward a true respect for the individual. Is a democracy, such as we know it, the last improvement possible in government? Is it not possible to take a step further towards recognizing and organizing the rights of man? 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.² Deductively, Thoreau's argument was deeply influenced by the way things were done during his time and especially the slave trade that did happen during his time. However, for him, it is injustice to obey unjust laws in a state as he obviously advocated for a revolt against bad government as silence would amount to acceptance and the greatest of all injustice as it were.

Consequently, from the forgoing, it is apt to note that rather than hinting at a type of anarchy, Thoreau's task was in describing each man's duty. He devoted himself to the eradication of any, even the most enormous wrong. The place of the citizens in ensuring that things don't go wrong in the state. He sees the citizens as stakeholders in building a just and egalitarian state. Thoreau effectively proves his statements regarding citizenship and government. He remains consistent to nearly every idea he presents and therefore surrounds them a seriousness that cannot be ignored. However, in the course of this paper, we shall be focusing on why Nigeria after many years of her independence is been referred to as underdeveloped nation while Singapore has many years ago joined the Asian Tigers. In doing this however, attention shall be given to the concept of civil disobedience as a concept that underlines this work. Attention shall be on why and how every concerted efforts geared towards the growth and development of Nigeria have many times hit the rock and remained a mirage. Thus, these and many other questions/concerns constitute the rationale for this paper.

Conceptualizing Civil Disobedience

Henry David Thoreau (1817-1862) was a citizen of Concord, Massachusetts, where he lived during the middle of the 19th century. He was a good friend of various literary figures of the day, including Ralph Waldo Emerson, one of the most eminent of American authors and a popular orator.

The incident from which the following essay arose was a night that Thoreau spent in jail for refusing to pay taxes to the government. He was later asked to give a talk about his experiences in jail to the Concord Lyceum on January 26, 1848, and this talk was then committed to paper and published in an obscure journal, where it was promptly forgotten. Although Thoreau's writing achieved little fame during his lifetime, his essay on civil disobedience was later "re-discovered" by Mohandas Gandhi, who came across it while studying law at Oxford as a young man. Gandhi later used the essay as a foundation of his efforts in India resisting the British government through civil disobedience. Through Gandhi, Thoreau's work also became known to Martin Luther King, who made use of it during his resistance in the 1960's to the racial segregation laws in the United States.

Thoreau is probably best known in the United States for his longer work *Walden*, in which he recounts his two-year stay at Walden Pond. But internationally, Thoreau's fame rests on the brief essay printed in abridged form below which, although of little consequence in his own day, went on to transform our view of the political world. In stating his motives Thoreau writes...I heartily accept the motto "That government is best which governs least"; and I should like to see it acted up to more rapidly and systematically,³ carried out,

it finally amounts to this, which also I believe “That government is best which governs not at all”; and when men are prepared for it, that will be the kind of government which they will have.⁴ Government is at best but an expedient; but most governments are usually, and all governments are sometimes, inexpedient. The objections which have been brought against a standing army, and they are many and weighty, and deserve to prevail, may also at last be brought against a standing government. The standing army is only an arm of the standing government. The government itself, which is only the mode which the people have chosen to execute their will, is equally liable to be abused and perverted before the people can act through it. Witness the present Mexican war. The work of comparatively a few individuals using the standing government as their tool; for, in the outset, the people would not have consented to this measure.

The practical reason why, when the power is once in the hands of the people, a majority are permitted, and for a long period continue, to rule, is not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest. But a government in which the majority rule in all cases cannot be based on justice, even as far as men understand it. Can there not be a government in which majorities do not virtually decide right and wrong, but conscience in which majorities decide only those questions to which the rule of expediency is applicable? Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience, then? In response to these questions Thoreau argues.

...I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume, is to do at any time what I think right. It is truly enough said, that a corporation has no conscience; but a corporation of conscientious men is a corporation with a conscience. Law never made men a whit more just; and, by means of their respect for it, even the well-disposed are daily made the agents of injustice. How does it become a man to behave toward this American government today? I answer that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as *my* government which is the *slave's* government also.⁵

Thoreau stressed that all men recognize the right to revolution; that is, the right to refuse allegiance to and to resist the government, when its tyranny or its inefficiency become great and unendurable. But almost all say that such is not the case now. He writes:

But such was the case, they think, in the Revolution of '75. If one were to tell me that this was a bad government because it taxed foreign commodities brought to its ports, it is most probable that I should not make an ado about it, for I can do without them: all machines have their friction; and possibly this does enough good to counterbalance the evil. At any rate, it is a great evil to make a stir about it. But when the friction comes to have its machine, and oppression and robbery are organized, I say, let us not have such a machine any longer. In other words, when a sixth of the population of a nation which has undertaken to be the refuge of liberty are slaves, and a whole country is unjustly overrun and

conquered by a foreign army, and subjected to military law, I think that it is not too soon for honest men to rebel and revolutionize. What makes this duty the more urgent is the fact, that the country so is not our own, but ours is the invading army.⁶

Unjust laws exist; shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse. Why is it not more apt to anticipate and provide for reform? Why does it not cherish its wise minority? Why does it cry and resist before it is hurt? Why does it not encourage its citizens to be on the alert to point out its faults, and do better than it would have them? In response to questions like this Thoreau argues:

If the injustice is part of the necessary friction of the machine of government, let it go, let it go; perchance it will wear smooth certainly the machine will wear out. If the injustice has a spring, or a pulley, or a rope, or a crank, exclusively for itself, then perhaps you may consider whether the remedy will not be worse than the evil; but if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.⁷

Thoreau further stressed that under a government which imprisons any unjustly, the true place for a just man is also a prison, and explains that the easiest and safest way for a violent free and peaceful revolution is to refuse to pay tax to an oppressive regime. He explains:

The proper place today, the only place which Massachusetts has provided for her freer and less desponding spirits, is in her prisons, to be put out and locked out of the State by her own act, as they have already put themselves out by their principles. It is there that the fugitive slave, and the Mexican prisoner on parole, and the Indian come to plead the wrongs of his race should find them; on that separate, but more free and honorable ground, where the State places those who are not with her but against her the only house in a slave-state in which a free man can abide with honor. If any think that their influence would be lost there, and their voices no longer afflict the ear of the State, that they would not be as an enemy within its walls, they do not know by how much truth is stronger than error, nor how much more eloquently and effectively he continues. he can combat injustice who has experienced a little in his own person. Cast your whole vote, not a strip of paper merely, but your whole influence. A minority is powerless while it conforms to the majority; it is not even a minority then; but it is irresistible when it clogs by its whole weight. If the alternative is to keep all just men in prison, or give up war and slavery, the State will not hesitate which to choose. If a thousand men were not to

pay their tax bills this year that would not be a violent and bloody measure, as it would be to pay them, and enable the State to commit violence and shed innocent blood. He reiterates, This is, in fact, the definition of a peaceable revolution, if any such is possible. If the tax-gatherer, or any other public officer, asks me, as one has done, "But what shall I do?" my answer is, "If you really wish to do anything, resign your office." When the subject has refused allegiance, and the officer has resigned his office, then the revolution is accomplished. But even suppose blood should flow. Is there not a sort of blood shed when the conscience is wounded? Through this wound a man's real manhood and immortality flow out, and he bleeds to an everlasting death. I see this blood flowing now.⁸

In conclusion, both the earlier essays and the later ones explain and defend the direct action that Thoreau found appropriate then. And that pragmatic focus on a particular action makes Thoreau's essay legitimately available to sharply opposed readers; both King and Gandhi, on the one hand, and the anonymous fighter in the Danish Resistance on the other, all read Thoreau rightly.

Nation-Building Clarified

Nation-building is constructing or structuring a national identity using power of the state. It aims at the unification of the people within the state so that it remains politically stable and viable in the long run. Nation-building is a significant undertaking that governments employ to develop political, economic, security, and social institutions in other countries—especially those emerging from conflict. Nation-building can involve the use of propaganda or major infrastructure development to foster social harmony and economic growth.

Nation-building is a normative concept that might mean different things to different people. As scholars like Carolyn Stephenson will talk on the latest conceptualization is essentially that nation-building programs are those in which dysfunctional or unstable or "failed states" or economies are given assistance in the development of governmental infrastructure, civil society, dispute resolution mechanisms, as well as economic assistance, in order to increase stability. Nation-building generally assumes that someone or something is doing the building intentionally.

In a functional understanding of nation-building, both economic and social factors are seen as influential. The development of nation-states in different times and places is influenced by differing conditions. It has been suggested that elites and masses in Great Britain, France, and the United States slowly grew to identify with each other as those states were established and that nationalism developed as more people were able to participate politically and to receive public goods in exchange for taxes. The more recent development of nation-states in geographically diverse, postcolonial areas may not be comparable due to differences in underlying condition

Traditionally, there has been some confusion between the use of the term *nation-building* and *state-building* (the terms are sometimes used interchangeably in North America). Both have fairly narrow and different definitions in political science, the former referring to national identity, the latter to infrastructure, and the institutions of the state. The debate has been clouded further by the existence of two very different schools of thought on state-building. The first (prevalent in the media) portrays state-building as an

interventionist action by foreign countries. The second (more academic in origin and increasingly accepted by international institutions) sees state-building as an indigenous process.

Now, in the African context, nation building is used to refer to efforts of leaders of newly independent nation-states to redefine the populace with a single identity, of citizenship, regardless of ethnic, religious and other identities, so that they assume a coherent national identity.

To understand the idea of nation-building, to explain the meaning of a nation becomes important. Early definitions of nation conceived it as 'a group or race of people who share history, traditions, and culture, sometimes religion, and usually language. In this regard, the people of a nation generally share a common national identity. Part of nation-building therefore becomes building of a common identity. Accordingly, distinction can be drawn between ethnic nations based in race or ethnicity and civic nation based in common identity and loyalty to sets of political ideas and institutions as well as the linkage of citizenship to nationality. However, the contemporary understanding and usage of the term nation is fast corroding the older order and is now synonyms with the state only that a state is more properly the governmental apparatus by which a nation governs itself. In the content of this paper, a nation may be likened to an umbilical cord that joins the fetus with its mother thereby creating an everlasting bond that is sustained after delivery through breastfeeding. A state, on the other hand, is like an apparatus that makes or mars this bond. Nationhood would give the state the legitimacy to operate. Once a nation is built to an enviable standard, state failure becomes difficult and security guaranteed. With this in mind, a nation is here seen strictly in the Civic sense which de-emphasizes ethnic monolithic in a place of political commonality irrespective of the number of ethnic groups that make up the nation-states.

The implication of that is, nation-building generally assumes that someone is doing the building intentionally and consciously. The building must be planned and properly defined if the structure were to reflect the choice of the builders. The concept of nation-building has been seen as 'the use of armed forces in the aftermath of a conflict underpins an ending transition to democracy. Nation-building is a process which leads to the formation of countries in which citizens feel a sufficient amount of commonality of interest, goals and preferences so that they do not wish to separate from each other. In the context of this paper, nation-building can be seen as a process of constructing or structuring a national identity using the state power which aims at the unification of the people within the state so that it remains politically stable and viable in the long run.

Nigeria and the Struggle for Nation-Building

Nigeria since independence has made some efforts targeted at nation-building. Some of these efforts came after the civil war which understandably was an ample time to engineer nation-building to enhance proper integration of the warring ethnic groups. Among the efforts are: the institution of the policy of 'No Victor, No Vanquished' with its attendant 3Rs mechanism, the establishment of the National Youth Service Corps (NYSC) scheme, the convocation of political reform conferences including the ongoing one, among others.

The 'no victor', no vanquished' policy which gave rise to the 3Rs of Reconstruction,

Reconciliation and Rehabilitation was initiated to demobilize the Biafrans and reintegrate them into the national life. While the objectives of this policy were laudable, actual implementation was deceitful. However, the policy remained a nation-building effort in Nigeria whether or not it yielded meaningful outcome.

Similar effort was made through the establishment of the NYSC scheme. The National Youth Service Corps scheme was created by decree No. 24 of 22nd May, 1973 in a bid to reconstruct, reconcile and rebuild Nigeria after the civil war. The core objectives of the scheme include: to foster encouragement and development of common ties among the youth of Nigeria and promotion of national unity. This scheme involves posting of young graduates of thirty years and below to different parts of the country distinct from their states of origin and probably regions. This was to enable them learn and appreciate the cultures of the people in their places of primary assignment. Whilst this scheme has recorded a lot of achievements, recent developments in the polity where corps members become easy preys in times of crisis and where the well-connected graduates are posted to their choice and juicy places irrespective of their geographical contiguities (always blamed on corruption) are some of the challenges confronting the scheme and undermining the national integration efforts.

More importantly, the convocation of national political reform conferences over the years in Nigeria has remained an attempt at nation- building., these conferences often had the mandate to draw the way forward for Nigeria but each time, failures have continued to be recorded; either as a result of the character of the delegates or the convocation and selection processes of members. And where the delegates succeeded at reaching a genuine and feasible conclusion, their recommendations are often not binding and are therefore confined to the dustbin of history. This is why people are increasingly becoming jittery with political reform conferences in Nigeria especially as they have turned into avenues for political settlements.

Unfortunately, the only huge success of nation-building recorded in Nigeria is adorning our public institutions with the national symbols like flag, coat-of-arm, and pictures of the Nigeria President, Governors (within their respective states) as well as the recitation of the National Anthem in Official gatherings which in effect, does not guarantee oneness but at least, it is a sign of togetherness. However, while this effort is not bad because it reminds us of our national identity, it is not sufficient to guarantee nation-building which issues from personal conviction and patriotic stand.

Civil Disobedience, Nation-Building and Democracy: Any Nexus?

Civil disobedience is of great benefit to democracy and Nation-building. It does not only enhance the development of democracy, but it also helps to stabilize democracy and prevent it from degenerating into tyranny. In addition, it also plays an important role in culturing democratic tenets in the minds of the citizens. Civil disobedience enhances democracy in two ways. First, it plays an important role in the establishment of democracy. Second, it is a powerful instrument or springboard that consummates democracy. As we know, many democratic systems today were established after long political struggles, which often included some form of civil disobedience. From the independence of the United States of America to the establishment of India, from the anti-Apartheid Movement in South Africa to the collapse of authoritarian regimes in Eastern Europe, civil disobedience has contributed significantly to their foundation. Moreover, in

some of these cases, such as in India, South Africa, civil disobedience played a decisive role in the transition to democracy. Civil disobedience and mass protest, rather than revolutionary violence or top-down political reforms were often the main instruments for establishing democracy in these countries. In other countries, such as the United States, civil disobedience was not the major cause of the establishment of democracy, though it nevertheless played an important role. For example, the actions of the Boston Tea Party (in which citizens of the colony of Massachusetts trespassed on a British ship and threw its cargo overboard into the sea, rather than be forced to pay taxes without representation to Britain) was one of the many acts of civil disobedience leading to the War for Independence that established the United States of America as a sovereign state.

The significant role of civil disobedience in the establishment of democracy is persuasively explained in a recent study led by Adrian Karatnycky and Peter Ackerman. The study titled “How Freedom is Won: From Civic Resistance to Durable Democracy” covers transitions that have occurred from 1971 to 2004. One of the principal findings of the study is that “people power” movements, including civil disobedience, matter and nonviolent civic forces are a major source for decisive change in most transitions. “The force of civic resistance was a key factor in driving 50 of 67 transitions, or over 70 percent of countries where transitions began as dictatorial systems fell and/or new states arose from the disintegration of multinational states.”⁹ It is clear that civil disobedience and other nonviolent protests, rather than revolution and violence, were the main tactics for bringing about political change in these countries. Moreover, the study also found that democracies that were established through nonviolent tactics are more stable, enduring and sustainable than those founded on violence. Recourse to violent conflict in resisting oppression is significantly less likely to produce sustainable democracy.¹⁰ Therefore, it is safe to conclude from the study that civil disobedience and other similar tactics are instrumental in the establishment of democratic states. It is also reasonable to suggest that nonviolent disobedience, if available, is a preferable way of fighting for democracy than violent resistance and would certainly work in Nigeria if effectively deployed especially as it has been demonstrated across the globe.

But civil disobedience is more than just a case of asserting democratic values against autocratic or authoritarian, and hence illegitimate, regimes. It is an integral part of a well-functioning democracy, which can help to improve the quality of democracy and promote its development. As argued by scholars, democracy is not a settled or static concept. Rather it is an evolving and aspirational one. No democracy is perfect. After basic democracy is achieved in a state, it still needs to be refined continuously to realize its ideals. Government may not be a dependable source for accomplishing this task. As Thoreau complained in the 19th century, government was rarely important in the development of American democracy: “It was not the government that created the conditions for liberty, educated the people, settled the frontier, and made possible the beauties of nature. Nor should Americans be so naïve as to believe that politics provide the means by which society could be reformed. Civil disobedience and other kinds of protest, not government, play the major role in the development of democracy. And when normal means of protest are not available, the role of civil disobedience becomes crucial. It is questionable whether American democracy could have emerged had there been no such famous civil disobedience movements as the anti-war movement, the women’s suffrage movement, the abolition of slavery movement, the civil rights movement, and the labor rights movement, and so on. Civil disobedient were generally punished and even subjected to severe criminal punishments. Yet, in the long term, civil disobedient

invariably were vindicated by having their views adopted by larger society. Acts of nonviolent civil disobedience have proven to be central to the achievement of social and political reforms, in other words, to the improvement of democracy.

However, some may argue here that since these days democracy in western society has become more mature and more advanced and that the serious injustices have been eradicated; the “golden age” of civil disobedience has passed, only to be replaced by other means of legal protests. Unfortunately, this is only an illusion rather than an accurate reflection of the current situation. In fact, western countries where mass civil disobedience was largely a memory of the 1960s and 1970s have witnessed a recent resurgence in the practice. In the United Kingdom alone, mass civil disobediences between 2002 and 2008 involving several hundred thousand people have taken place in protest of both the government's anti-hunting legislation and the recent invasion and occupation of Iraq and Afghanistan. Needless to say, in those countries that are still in pursuit of a decent democracy, civil disobedience has a greater role to play. Consider, for example, mass protests in the Philippines in 1986; Chile and Poland in 1988; Hungary, East Germany, and Czechoslovakia in 1989; the Baltic States in 1991; South Africa in 1994; Serbia and Peru in 2000; Georgia in 2003; and Ukraine in 2004. These are all the latest cases of civil disobedience in a series of successful transition to democracy. Therefore, it is too hasty to conclude that a golden age of civil disobedience has passed. Actually, as long as the democracy is imperfect, democratic and justice deficits will arise and civil disobedience will endure as a way of eliminating those deficits, especially at a time when there is declining faith in representative democracy in liberal states owing to many unpopular policies it creates, it is quite possible that civil disobedience will experience resurgence in the near future.

Another important function of civil disobedience is that it helps to stabilize democracy. First, civil disobedience can function as a “**safety valve**” for discontent which prevents democracy-destroying violence from happening. Second, civil disobedience can be used as a tool to eliminate or eradicate injustice from society which is beneficial to the stabilization of democracy. Civil disobedience is not a threat to democracy and the constitutional order, but provides a mechanism for stabilizing it. In fact, an important function of civil disobedience is to serve as a safety valve for discontent, with the effect of preventing anger from accumulating and escalating into violence. As Haksar argues in his book *Civil Disobedience, Threats and Offers: Gandhi and Rawls*, “civil disobedience, when properly conducted, can be a stabilizing device and can work as a safety-valve” because minorities or the disadvantaged may feel compelled to resort to violent measures if civil disobedience were not allowed, even as a last resort.¹⁸ Indeed, it is easy to imagine that a social movement, if suppressed, could migrate from a purely nonviolent form of civil disobedience to a more drastic form, and if further suppressed, to revolution. For example, if the movement led by Gandhi had been brutally suppressed by English colonists, the Indians might have resorted to violent revolution to gain the independence of India. Similarly, if the civil rights movement in the United States had been met with systemic and lethal violence, the African-Americans might have to win their freedom through civil war rather than nonviolent civil disobedience. Therefore, civil disobedience, though illegal, if you like could in some cases prevent violent actions from taking place and serve to stabilize democracy.

The possibility of violent escalation is all the more important given that those who resort to civil disobedience are often those who feel discriminated against and prejudiced by existing political system. Lawful means, they often feel and insist, are not available or not

sufficient for them to advance their cause. As a result, they often believe that there is no fair and effective way for them to participate in the deliberative process of democracy. Thus, if the government continues to insist that they must resort to lawful means and refuses to tolerate their acts of civil disobedience, greater hostile attitude toward society would likely result. Seen in this light, tolerating civil disobedience may be a way to give a voice to those whose voices cannot otherwise be heard within the existing democratic system and, to retain or even regain their confidence in and loyalty to democracy. The hope is that as long as they still have some confidence, no matter how little, in the existing democracy, it is less likely that those who are discontent with particular policies would adopt a hostile attitude that supports violence as the way of changing the existing system.

The contribution of civil disobedience to the stabilization of democracy can also be explained by the theory of elastic systems. According to this theory, elastic systems are more stable and dynamic than rigid systems. More elastic systems, which allow open and direct expression of conflict within them and which adjust to the shifting balance of power that these conflicts both indicate and bring about, are less likely to be menaced by basic and explosive alignments within their midst. Civil disobedience, by venting high systemic pressures, may enable systems to become more elastic and stable.

While democracy is considered by many to be the most just form of government, it remains imperfect. One of its most important deficiencies is that it does not always guarantee justice, no matter how young or how mature it is. Indeed, many great injustices, such as colonization, the slave trade, and the use of nuclear bombs against civilians, were all committed by the so-called civilized and democratic countries. To a large degree, democracy is a system based on the majority rule. But, unfortunately, the majority is not always right. "If 49 per cent of the population can be wrong, so can 51 percent. The existence of injustices, especially serious injustices, is a terrible threat to the stability and sustainability of democracy because injustices seriously endanger the social cohesion on which democracy greatly depends. Therefore, another way in which civil disobedience can contribute to the stability of democracy is by helping to right injustices that could endanger it.

Certainly, the effect of civil disobedience on the stability of democracy may not be discernable immediately after its practice. Sometimes, it even makes the democracy appear more fragile. For example, the civil rights movement led by King was criticized fiercely as a threat to the social stability in his time, and King himself was hated and harassed by both the American government and white segregationists, and even the mainstream media. In fact, the indecency and barbarism aimed at him were so strong at that time that these finally led to his murder. But when we look back at those turbulent years, it is not difficult to agree that King contributed much to American democracy. Democracy in the United States has become more stable rather than more fragile after King. As previously discussed, had there been no King and no civil rights movement, it is difficult to imagine that the United States would now enjoy its status as a relatively successful democratic country. Thus, the conclusion is that while civil disobedience might cause short-term disruptions to the society, in the longer term it often makes the democracy more confident, more stable and more durable.

Some might argue here that civil disobedience is not the only way to right injustice; every democracy has some checks, balances and normal avenues to ensure justice. The answer to this argument, is that normal avenues are not always enough. Indeed, it is impossible for a democratic system to anticipate all the injustices it generates and to develop lawful

means that perfectly redress all of them. Neither the court nor the practices of voting, lobbying, or lawfully demonstrating can perfectly accomplish the task of eradicating injustices. When normal avenues are obstructed or ineffective, the only sensible way left for those people who want to stop injustice is to commit civil disobedience to arouse the public and to compel the government to confront questions which, otherwise, it is unwilling to. For example, the great movements for civil rights, workers' rights, women's rights, animal rights, environmental protection all represent a democracy society being forced to look into its soul to find better ways to redress the injustices it generates. And the 2020 #ENDSARS protest and subsequently the disbandment of the operative SARS by the Inspector General of Police is a clear indication of the capacity of civil disobedience to right wrongs and justice. Seen from this light, civil disobedience is not simply a safety valve, but also a useful and ethical means of serving humanity, justice and the common good. To this end, the Nigerian trade union and labour unions should as a matter of urgency begin to corroborate efforts with the general public for a ceaseless protest that would demand a paradigm shift on the status quo so as to save the country from eminent collapse as danger looms. Thus, having hermeneutically done justice to this concept, the next and final stage shall focus on the evaluation and conclusion.

Conclusion

Civil Disobedience movements have played a crucial role in shaping our modern values, including freedom, equality, and justice. Therefore, civil disobedience is always newsworthy. It is a unique, justifiable and sometimes even necessary, political category. The paper found out that the justification of this unique category is usually exceptional, meaning that it is based on occasion. Searching for the justification of civil disobedience, this paper concludes that depending on different cases of civil disobedience, it is sometimes justified based on the motivation behind it and depending on the mode of action, or consequences it brings.

No matter how paradoxical it sounds, this deliberate breach of law makes social choice possible, has an exclusive impact on law-making and is beneficial for the ideal of constitutional democracy. Of course, this is not to say that civil disobedience is always good. Moreover, civil disobedience can and sometimes is linked to counterproductive populism and this is another reason which makes it important to agree upon the formula over a justifiable civil disobedience. If civil disobedience is here to stay, and the recent development all around the globe shows that it is, we need to build a justified attitude towards it. The question of its compatibility with the laws should better be of prime agenda for the sake of both government and civil disobedient to survive change without revolution or civil war, and unless, the Nigerian citizens rise to this occasion, we would remain perpetually underdeveloped among other Nations of the world.

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