## Title of Lesson:
Breaking the (Unjust) Law

## Lesson By:
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### Grade Level/ Subject Areas:
- High School: Law, Government, History

### Class Size:
Any size, small groups between 3-5 members

### Time/Duration of Lesson:
Six Days, 45 minute periods
(Number of days/periods can be adapted depending upon activities used and capabilities of students)

### Guiding Questions:
- How were Gandhi and King able to use specific laws to test and overcome the unjust system as a whole?
- How can we apply the principals and systems used by Gandhi and King to address contemporary injustices?

### Lesson Abstract:
Mohandas Gandhi and Martin Luther King remain important examples of leaders who successfully opposed an unjust system of laws and government through the targeted use of civil disobedience and noncooperation. These men carefully selected specific laws that were indicative of prevailing systems of injustice, and formulated well-planned methods of addressing those individual laws in their ongoing efforts to change the system as a whole.

### Lesson Content:
Mohandas Gandhi’s first work in nonviolent social justice began in South Africa, where he organized massive civil disobedience to oppose the ill treatment of Indian immigrants. When he returned to India over twenty years later, he continued to organize large-scale, targeted actions that focused on a specific law as indicative of the ill-will of the system as a whole. Likewise, Martin Luther King, Jr., began his work as an activist leader during the Montgomery Bus Boycotts, which were an attempt to address the poor treatment of black bus riders in one town in Alabama—a single specific example of the systemized racism and dehumanization that prevailed in the legally segregated South at the time. In later campaigns, as King’s work in the civil rights movement took place on larger and larger scales, he continued to focus his followers (and observers) on a single specific law or practice that was reflective of the overall system of injustice and oppression. Both Gandhi and King used a template that has since been followed by many diverse social justice movements throughout the world: select one law that represents an oppression either tacitly approved of or overtly supported by the government or society at large; organize direct action and civil disobedience focused around that individual law; allow the resulting struggle to bring awareness and, ideally, change to the system as a whole.

Gandhi’s first opportunity to apply civil disobedience in his struggle for the fair treatment of Indians in South Africa came with the passing of the Asiatic Registration Act in 1907. The Act, which Gandhi told Indians in 1906 was “directed against Indians and was therefore an affront to them and India” (Fischer, 36), required all Indians over the age of eight to register with the government, including the provision of their fingerprints. Indians who refused to register or could not present a certificate of registration could be subjected to fines,
imprisonment, and deportation. Gandhi called for his fellow Indians to refuse to register, accepting jail terms rather than submitting to what he saw as an unjust law that revealed larger social ills. General Smuts agreed to repeal the law if Indians would voluntarily present themselves for registration; Gandhi, in a controversial decision, agreed that this would be acceptable. As explained by Louis Fischer in the biography, Gandhi, “To bow to compulsion reduces the individual’s dignity and stature… Collaboration freely given was generous and hence ennobling. Therefore the withdrawal of compulsory registration altered the situation” (36-37). Although some Indians had difficulty accepting what they saw as a reversal in Gandhi’s position on this issue, he maintained that there is a significant difference between an individual acting of his own accord and an oppressed person who is forced to act by an unjust government; even if the action remains the same, it is the agency of self that matters.

Gandhi further clarifies the role of civil disobedience in his “Constructive Programme” address to members of Indian National Congress. He explains that there is a definite role for civil disobedience, and that it can serve one of three purposes: to fix a wrong that occurs at the local level; to draw attention to injustice without an expectation of changing the law selected to be broken; or to focus on changing one specific issue in the overall system (Parel, 1997, 179). Gandhi clearly states that “Civil disobedience can never be directed for a general cause such as for independence. The issue must be definite and capable of being clearly understood and within the power of the opponent to yield” (Parel, 1997, 179). Gandhi’s system for the use of civil disobedience requires leaders to thoughtfully select laws that are to be broken based on the intended outcome: either to redress a wrong, create a spectacle that will draw attention to the larger problem, or to allow the opponent an opportunity to change a single aspect of the system as embodied in the targeted law.

An example of the power of a single law in the fabric of the lives of both oppressor and oppressed is encapsulated in Gandhi’s famous Salt March in 1930. The Salt Laws forbade anyone in India to make or possess salt outside of the British salt monopoly, a system that generated revenue for the British government through heavy taxation of a staple necessary to all classes of Indian citizens. Gandhi’s intention in breaking the Salt Laws clearly fell into the second category of his structure: he anticipated that he would be arrested well in advance of any opportunity to actually violate this law, and carefully orchestrated and staged his march to the sea in order to maximize publicity. Prior to setting out on the march, he wrote to Lord Irwin, then Viceroy of India, of his intention to “disregard the Salt Laws… It is, I know, open to you to frustrate my design by arresting me” (Fischer, 97). Lord Irwin, however, did not arrest Gandhi, who then commenced a twenty-four day walk to the sea. According to Fischer, “Had Gandhi gone by train or automobile to make salt, the effect would have been considerable. But to walk two hundred and forty-one miles in twenty-four days and rivet the attention of all India… and then to pick up a palmful of salt in publicized defiance of a mighty government… It appealed to the illiterate peasants and it fascinated sophisticated critics” (99). The individual act of Gandhi, who simply scooped up salt from the beach in violation of the law, had been so carefully staged to draw the attention of the entire nation that it was quickly followed by massive waves of civil disobedience, including a nonviolent raid on the Dharsana Salt Works that resulting in the brutal beatings and imprisonment of thousands. Gandhi’s intention, according to Fischer, was fulfilled: Gandhi’s Salt March “gave the Indians the conviction that they could lift the foreign yoke from their shoulders; it made the British aware that they were subjugating India” (102). Although Indian independence from British occupation did not come until 1947, Indian independence from British rule arguably began with the Salt March in 1930.
Martin Luther King, Jr. first became widely known in America in connection with his work on the Montgomery Bus Boycotts. The original intent of the boycott was not to gain national attention; in reflecting on the first boycott meeting during a 1956 speech at the First Institute for Nonviolence and Social Change, King said “Little did we know that night that we were starting a movement that would rise to international proportions” (King, 62). Contrary to popular misconceptions, the boycott was not initially organized as an attempt to change the local law that established a system of segregation on the public busses. The boycott was merely an attempt by the black community to redress a local grievance: they wanted more civilized treatment under the system of segregation; not to have to suffer the indignities of insults from bus drivers, to have to give up their seats for white passengers in the non-white sections of the bus, etc. King grappled with the idea of a boycott initially, as the same system of boycotts had been used by White Citizens’ Councils against his own community. King finally reconciled himself to the idea that it was the purpose of the action, not the action itself, that dictates its morality: “We would use this method to give birth to justice and freedom and also to urge men to comply with the law of the land. Our concern would not be to put the bus company out of business, but to put justice in business” (King, 53). Upon further reflection, King determined that what was actually taking place was more properly explained as a form of civil disobedience, of refusing to participate in an unjust system, claiming, “From this moment on I conceived of our movement as an act of massive noncooperation. From then on I rarely used the word ‘boycott’” (King, 54). Like Gandhi’s opposition to the Asiatic Act in South Africa, King’s support for the bus boycott hinged on the responsibility of the oppressed individual not to allow himself to be coerced into compliance by an unjust system. While Gandhi’s followers broke the law in refusing to register, but voluntarily registered once the law demanding registration was to be repealed, King’s followers broke no laws in refusing to board the busses of Montgomery, they merely withdrew their assent from an organized system of oppression. In both cases, the power of the just individual over unjust law was reaffirmed by the actions of the mobilized community.

Although the Montgomery Bus Boycott was not designed to create a spectacle, King understood the power of the images that came out of that nonviolent action. In The Autobiography of Martin Luther King, Jr., he claims that victory from the courts was nominal, “...in a real sense, the victory had already come to the boycotters, who had proven to themselves, the community, and the world that Negroes could join in concert and sustain collective action against segregation... Montgomery gave forth, for all the world to see, a courageous new Negro... whom whites had to confront and even grudgingly respect, and one whom Negroes admired, and then, emulated” (99). The powerful transformation that took place within the individual and was then broadcast to the community and nation became a key tool in King’s organized marches and activities, with one of the most powerful being the Birmingham Campaign.

King makes it clear that every aspect of the Birmingham Campaign, from its selection as a site for nonviolent protests, through the timing and specific nature of different actions, and culminating in the Children’s Crusade, was intended to not only overturn the system of segregation in Birmingham, Alabama, but to “break the back of segregation all over the nation. A victory there might well set forces in motion to change the entire course of the drive for freedom and justice... we decided that the most thorough planning and prayerful preparation must go into the event” (King, 174). The Birmingham Campaign would employ all three of the types of targeted nonviolence described by Gandhi: the attempt to have Bull Connor legally
removed from office would serve as a redress of local grievance; the marches, conducted in the knowledge that Connor would eventually employ violent tactics and which were intended to flood the jailhouses with arrested protestors, would create headlines around the world forcing attention on the injustices prevalent in Birmingham and throughout the segregated South; and the organized boycotts and disruption of the business community would lead to an overturn in legalized segregation of business practices. King’s laser-like focus in this case came from the failed campaign in Albany, Georgia, where, he explains, “We had been so involved in attacking segregation in general that we had failed to direct our protest effectively to any one main facet” (174). The success in Birmingham was unquestionably a result of the manner in which King and other leaders were able to maintain focus on the specific desired outcome of each aspect of the campaign.

The importance of careful planning, clear strategy, and strong leadership in the campaign for civil rights is perhaps nowhere made more clear than in situations where these three elements are absent: situations such as the Watts riots of 1965 where more than 30 people, all but two black, were left dead. King acknowledged that the violent actions taken in Los Angeles during the riots shared a similar cause as his own carefully orchestrated nonviolent actions in the South: racially based, systemized injustice. The key difference for the blacks of Los Angeles, he claimed was that, “The nonviolent movement of the South meant little to them since we had been fighting for rights which theoretically were already theirs” (291). There was no specific law to which the oppressed could point as the cause of their inferior social and economic status: therefore they rebelled against the system as a whole. King emphasizes the lack of leadership and direction among the rioters: “They were the disorganized, the frustrated, and the oppressed. Their looting was a form of social protest” (292). Unlike the social protests organized so carefully by King, the Watts riots failed to produce a change to a specific law, but they were successful in highlighting the plight of the oppressed people. This attention, however, jeopardized the gains, and even the existence, of the nonviolent movement in the South and elsewhere. According to King, “Violence only serves to harden the resistance of the white reactionary and relieve the white liberal of guilt, which might motivate him to action, and thereby leaves the condition unchanged and embittered. The backlash of violence is felt far beyond the borders of the community where it takes place” (294). So, while the causes, and even the initial outcome, of a violent, disorganized reaction to social injustice might bear similarities to the nonviolent, carefully targeted strategies employed by King, an action such as the Watts riot was bound to not only fail, but undermine the larger goal in the long run, due to the lack of discipline and purpose that drove such actions as the Montgomery Bus Boycott.

Gandhi and King used many similar strategies in their fights against social injustice, but each successful stage of their struggles was individually staged for a particular purpose, with a clearly defined objective that could be obtained through nonviolent means. Students who wish to create change in their own communities can apply this system purposeful action, so long as they keep in mind the need to plan carefully and act deliberately.

**State Content Standards:**

New York State Standard for Social Studies Standard 5 (Participation in Government):

Understand how citizenship includes the exercise of certain personal responsibilities including voting, considering the rights and interests of others, behaving in a civil manner, and accepting responsibility for the consequences of one’s actions. (Adapted from *The National Standards for
Analyze issues at the local, state, and national levels and prescribe responses that promote the public interest or general welfare, such as planning and carrying out a voter registration campaign.

Describe how citizenship is defined by the Constitution and important laws.

Explore how citizens influence public policy in a representative democracy.

Materials Needed:
- *A Force More Powerful: Nashville Sit-Ins*
- Viewing sheets for film
- Planning Guide for Group Plans
- Analysis Outlines for Group Plans
- Computers with Internet access
- Chart paper and markers
- Compare/Contrast Organizer

Suggested Teaching Activities:
1- Following review of Gandhi and King’s systems for combating injustice through focus on a specific law, view *A Force More Powerful: Nashville Sit-Ins*. Students individually complete viewing sheets that will assist them in focusing on the specific issue and desired outcome as identified by the student activists in the film. Students evaluate in small groups the degree to which they think the student activists were successful in their attempts. Have students share out in a whole-class guided discussion and debrief, encouraging them to present additional actions that the students could have taken to achieve their purpose, or an alternative purpose that might have been achievable through the same actions.

2- Have students work as a whole class to come up with a list of rules and regulations they think are unjust/oppresive. Review the list and have students select which of the three purposes of civil disobedience they think would best fit an action that would address each law (redress of local grievance, drawing attention to system of injustice, overturning a specific example of an unfair system). Break students into small groups of 3-5 and allow each group to select one law and purpose to develop further. Students will use computers to look up the exact wording and intent of the law, then develop a written plan for specific types of action that could be used to help their “movement” fulfill the intended purpose for civil disobedience in that case. Students then individual analyze the plan developed by another group and provide written feedback that the group can use to revise its plan.

3- Students work in groups to analyze other cases of nonviolent activism (either from a list of options provided by the teacher, or from their own research), in each case identifying
the specific law targeted by the activists, the reason that particular law was selected, and the purpose of the group’s action as well as the actual outcomes. Students will then create a chart paper summary of their findings to share out with the class. Students will work as individuals to compare and contrast any three examples of nonviolent activism, explaining the degree to which they believe that each action was successful in fulfilling the purpose of the activists involved.

Bibliography:

