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Infographie & Montage

Dr Aminou Idjadi KOUROUPARA

Contacts : (+228) 90284891/91643242/92411793

Email : larellicca2017@gmail.com

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Editorial

La *Revue Internationale de Langue, Littérature, Culture et Civilisation* (RILLiCC) est une revue à comité de lecture en phase d'indexation recommandée par le Conseil Africain et Malgache pour l'Enseignement Supérieur (CAMES). Elle est la revue du Laboratoire de Recherche en Langues, Littérature, Culture et Civilisation Anglophones (LaReLLiCCA) dont elle publie les résultats des recherches en lien avec la recherche et la pédagogie sur des orientations innovantes et stimulantes à la vie et vision améliorées de l'académie et de la société. La revue accepte les textes qui cadrent avec des enjeux épistémologiques et des problématiques actuels pour être au rendez-vous de la contribution à la résolution des problèmes contemporains.

RILLiCC met en éveil son lectorat par rapport aux défis académiques et sociaux qui se posent en Afrique et dans le monde en matière de science littéraire et des crises éthiques. Il est établi que les difficultés du vivre-ensemble sont fondées sur le radicalisme et l'extrémisme violents. En effet, ces crises et manifestations ne sont que des effets des causes cachées dans l'imaginaire qu'il faut (re)modeler au grand bonheur collectif. Comme il convient de le noter ici, un grand défi se pose aux chercheurs qui se doivent aujourd'hui d'être conscients que la science littéraire n'est pas rétribuée à sa juste valeur quand elle se voit habillée sous leurs yeux du mythe d'Albatros ou d'un cymbale sonore. L'idée qui se cache malheureusement derrière cette mythologie est que la littérature ne semble pas contribuer efficacement à la résolution des problèmes de société comme les sciences exactes. Dire que la recherche a une valeur est une chose, le prouver en est une autre. La *Revue Internationale de Langue, Littérature, Culture et Civilisation* à travers les activités du LaReLLiCCA entend faire bénéficier à son lectorat et à sa société cible, les retombées d'une recherche appliquée.

Le comité spécialisé « Lettres et Sciences Humaines » du Conseil Africain et Malgache pour l'Enseignement Supérieur (CAMES) recommande l'utilisation harmonisée des styles de rédaction et la présente revue s'inscrit dans cette logique directrice en adoptant le style APA.

L'orientation éditoriale de cette revue inscrit les résultats pragmatiques et novateurs des recherches sur fond social de médiation, d'inclusion et de réciprocité qui permettent de maîtriser les racines du mal et réaliser les objectifs du développement durable déclencheurs de paix partagée.

Lomé, le 20 octobre 2020.

Le directeur de publication,

Professeur Ataféï PEWISSI,

Directeur du Laboratoire de Recherche en Langues, Littérature, Culture et Civilisation Anglophones (LaReLLiCCA), Faculté des Lettres, Langues et Arts, Université de Lomé.
Tél : (+228) 90284891, e-mail : sapewissi@yahoo.com

Ligne éditoriale

Volume : La taille du manuscrit est comprise entre 4500 et 6000 mots.
Format: papier A4, **Police:** Times New Roman, **Taille:** 11,5, **Interligne** 1,15.

Ordre logique du texte

Un article doit être un tout cohérent. Les différents éléments de la structure doivent faire un tout cohérent avec le titre. Ainsi, tout texte soumis pour publication doit comporter:

- un titre en caractère d'imprimerie ; il doit être expressif et d'actualité, et ne doit pas excéder 24 mots ;
- un résumé en anglais-français, anglais-allemand, ou anglais-espagnol selon la langue utilisée pour rédiger l'article. Se limiter exclusivement à objectif/problématique, cadre théorique et méthodologique, et résultats. Aucun de ces résumés ne devra dépasser 150 mots ;
- des mots clés en français, en anglais, en allemand et en espagnol : entre 5 et 7 mots clés ;
- une introduction (un aperçu historique sur le sujet ou revue de la littérature en bref, une problématique, un cadre théorique et méthodologique, et une structure du travail) en 600 mots au maximum ;
- un développement dont les différents axes sont titrés. Il n'est autorisé que trois niveaux de titres. Pour le titrage, il est vivement recommandé d'utiliser les chiffres arabes ; les titres alphabétiques et alphanumériques ne sont pas acceptés ;
- une conclusion (rappel de la problématique, résumé très bref du travail réalisé, résultats obtenus, implémentation) en 400 mots au maximum ;
- liste des références : par ordre alphabétique des noms de familles des auteurs cités.

Références

Il n'est fait mention dans la liste de références que des sources effectivement utilisées (citées, paraphrasées, résumées) dans le texte de l'auteur. Pour leur présentation, la norme American Psychological Association (APA) ou références intégrées est exigée de tous les auteurs qui veulent faire publier leur texte dans la revue. Il est fait exigence aux auteurs de n'utiliser que la seule norme dans leur texte. Pour en savoir

plus, consultez ces normes sur Internet.

Présentation des notes référencées

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La gestion des citations :

Longues citations : Les citations de plus de quarante (40) mots sont considérées comme longues ; elles doivent être mises en retrait dans le texte en interligne simple.

Les citations courtes : les citations d'un (1) à quarante (40) mots sont considérées comme courtes ; elles sont mises entre guillemets et intégrées au texte de l'auteur.

Résumé :

- ✓ Pour Pewissi (2017), le Womanisme transcende les cloisons du genre.
- ✓ Ourso (2013:12) trouve les voyelles qui débordent le cadre circonscrit comme des voyelles récalcitrantes.

Résumé ou paraphrase :

- ✓ Ourso (2013:12) trouve les voyelles qui débordent le cadre circonscrit comme des voyelles récalcitrantes.

Exemple de référence

Pour un livre

Collin, H. P. (1988). *Dictionary of Government and Politics*. UK: Peter Collin Publishing.

Pour un article tiré d'un ouvrage collectif

Gill, W. (1998/1990). "Writing and Language: Making the Silence Speak." In Sheila Ruth, *Issues in Feminism: An Introduction to Women's Studies*. London: Mayfield Publishing Company, Fourth Edition. Pp. 151-176.

Utilisation de Ibid., op. cit, sic entre autres

Ibidem (Ibid.) intervient à partir de la deuxième note d'une référence source citée. Ibid. est suivi du numéro de page si elle est différente de

référence mère dont elle est consécutive. Exemple : *ibid.*, ou *ibidem*, p. x.

Op. cit. signifie ‘la source pré-citée’. Il est utilisé quand, au lieu de deux références consécutives, une ou plusieurs sources sont intercalées. En ce moment, la deuxième des références consécutives exige l’usage de *op. cit.* suivi de la page si cette dernière diffère de la précédente.

Typographie

-La *Revue Internationale de Langue, Littérature, Culture et Civilisation* interdit tout soulignement et toute mise en gras des caractères ou des portions de textes.

-Les auteurs doivent respecter la typographie choisie concernant la ponctuation, les abréviations...

Tableaux, schémas et illustrations

Pour les textes contenant les tableaux, il est demandé aux auteurs de les numérotter en chiffres romains selon l’ordre de leur apparition dans le texte. Chaque tableau devra comporter un titre précis et une source propre. Par contre, les schémas et illustrations devront être numérotés en chiffres arabes et dans l’ordre d’apparition dans le texte.

La largeur des tableaux intégrés au travail doit être 10 cm maximum, format A4, orientation portrait.

Instruction et acceptation d’article

A partir du volume 2 de la présente édition, les dates de réception et d’acceptation des textes sont marquées, au niveau de chaque article. Deux (02) à trois (03) instructions sont obligatoires pour plus d’assurance de qualité.

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LITTERATURE

Political Authority and Civil Disobedience in the United States of America: An Insight into the Conflict between the Needs of the State and the Right to Disobey Laws

Sènanankpon Raoul AHOANGANSI

Université d'Abomey-calavi⁹

peacemakersouls@yahoo.fr

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Abstract

This article sheds light on the mismatch between political authority and civil disobedience regarding the American justice. Based on Marxist critical theory of class and responsibility, this study has established that the American political thought reflects in one way or the other that state of ambiguities, paradoxes and dilemmas which builds the whole history of Americans. While authority is seen as the existence of established rules that entitle one individual or few persons to represent people, civil disobedience rests upon the assumption that the individual is the ultimate source of authority.

Keywords: American – authority – disobedience – principle – justice.

Résumé

Cet article renseigne sur la dichotomie qui s'étale entre l'autorité politique et la désobéissance civile concernant la justice Américaine. Basée sur la théorie critique Marxiste de classe et de responsabilité, cette étude explique que la pensée politique Américaine comporte d'une manière ou d'une autre cet état d'ambiguïtés , de paradoxes et de dilemmes qui fonde l'histoire des Américains. Tandis que l'autorité est perçue comme l'existence de règles établies conférant à un ou à quelques-uns de représenter plusieurs d'autres, la désobéissance civile se base fondamentalement sur l'assertion selon laquelle l'individu est l'ultime source de l'autorité.

Mots clés : Américain – autorité – désobéissance – principe – justice.

Introduction

Like a magnet, the New World did attract so many peoples coming from everywhere of the globe. Though they are diversely motivated to live a better life in America, a land of revival social waves , the making of the American character immensely instills both changes and loggerheads in Americans' social and political endeavors. Immigration, colonization and the institution of slavery ramified in all socio-political aspects regarding life in general perspective and in field of justice in particular. As a conglomerate of highly diversified ethnic and religious groups, the United States of America witnesses societal upheavals both with exercising authority as well as acquiring rights that was mostly a privilege for the few and a nightmare for the many.

Between the needs of the nation and the aspirations of peoples for liberty and pursuit of happiness, political authority and civil disobedience urge up to contradict as long as they presuppose one another. Taking roots early on in the making of the United States, the conflict between power and liberty expands ramifications in socio-political considerations, construed by intellectual forces which inquisitively incarnate both the legitimation of public authority and the logic foundations of civil resistance. Viewing Americans by principle as peoples of protests, fights for rights for individual to empower and for the general interest to prevail over particular concerns, this seeming dichotomy appears worth being elucidated.

Social and political issues of class and related responsibilities fall to Americans to opt for peace among social groups and likewise establish appropriate equity and equality in field of justice: equal justice for all regardless of social glitches, source of inequality among Americans. Basing on the American system of politics and the theoretical foundations for political authority and civil disobedience, the sense of conscience and ethical sensibility coupled with the recorded critiques from colonial time to the one of Revolution, help apprehend the gist about the persisting duality between political authority and civil disobedience. For, the Marxist critical theory of class and responsibility is selected as the scientific pillar on which this research-work is based.

Being a theory of determinacy of causal relations and consequences, the intellectual appreciation of material conditions will be at stake within the American socio-economic context. After grasping some important clues about political authority and civil disobedience in the American context on the one hand and approaching critiques related to the American system of politics on the other, a focus will be made on the American civil disobedience as a sense of conscience and ethical sensibility or as a lead to civil right. Then, the Marxist critical theory of class and responsibility that seeks to humanize artificial classes into admitting that cooperation and progress form a tandem, would clearly be apprehended through political authority and civil disobedience, all of them inclusive in solving socio-political problems.

1. Gathering some clues about authority and civil disobedience in the American context.

The pursuit of American character in the making of the nation displays a series of fits and starts regarding the full respect of life, liberty and pursuit of happiness for the best interests of Americans regardless of social stands. The *American Heritage Dictionary, the second college edition*, defines character as all qualities and features that make a person, group of people and places different from others. The American character connotes different values that make the centrality of their lifestyle, the does and the don'ts. It is worth noting that the building in process of time of the American character leads the necessity to establish a social organization that could best suit the tastes of Americans socially and politically. Yet, such an organization hits the bloc of resistances in many ways from early colonies till years of civil right movements: political authority and civil disobedience forged a tangible loggerhead to be apprehended. Between the needs of the nation and individual aspirations to full enjoyment of freedom, the gap appears so huge and institutions and American people realize it as a hard nut to crack: the exercise of political authority and the right to disobey unsatisfactory laws.

America's history of liberty could in no way be separated from its history of immigration and colonization since time immemorial. The first one did bind American life in every field and the second one which, dating back to the first Native American treaties, impacts seriously the American

conception of liberty. In fact, the liberty Europeans claimed in America was undoubtedly accompanied by slavery which directly or indirectly reduced liberties for many others in the same 'Promised Land'. In many regards, the story of American liberty is quite well about how people of highly diversified ethnic and religious groups progressively acquired rights that had long been associated with only European colonists: men of property. In spite of their original ethno-cultural associations with a particular national, ethnic, and religious groups, Americans live in a society with more or less chances to attain the ideal of liberty unfortunately associated with some typical considerations which jeopardize equitable justice among themselves: all could try for freedom, claim for rights and win the case but not all had equal access to it. This biased intent is a cause for national insecurity when the victims claim vengeance.

While considering the identifying characteristics of the two principles, social scientists set the tone about the nature of the dichotomy existing between authority and disobedience as strictly related to justice in the United States of America. There is, as plain to be noticed, a mutual antagonism which needs to be clearly contextualized, differentiated and explained with possible way-outs best for the nation to stand unified. The American historian, John P. Diggins, author of the book entitled *The rise and Fall of the American Left* (Norton, New work, 1992), member of the American Historical Association and the American Philosophical Society, elucidates opinions about authority in the following ways:

Authority has been defined in various ways: the uncontested acceptance of another's judgement ; the ability of an agent or institution to express its will ; the capacity to induce compliance either by offering rewards or threatening deprivations ; the claims of competence on the part of an expert whose knowledge is put to public Service ; the aura of 'charisma' on the part of an exceptional leader whose qualities inspire admiration and awe ; or the existence of established rules that entitle the one or few to represent the many. (John, P. D. (1992).

Making America: The Society and Culture of the United States. New York: Norton House)

With regard to the above-mentioned assertion that deciphers in a variety of ways the possible definitions of authority, one could frame out that authority could easily be differentiated from power. Authority is intrinsically rooted on the voluntary will of subjects who deliberately consent of is exercise over themselves. How such an authority is dictated, expressed or implemented stands as the bone of contention that creates havoc among Americans who share different cultural values but who are meant to live together under common principles and values. Breaking laws for the purpose of right or the right to fight for right as Americans do enjoy in line with their revolutionary history, civil disobedience apparently offers another facet as opposed to authority, by definition. John P. Diggins illuminates the case as follows:

Civil disobedience often rests upon on the assumption that the individual is the ultimate source of authority and that the self acts under the sanction of some principle that is 'higher' that the state, society, or even the people under a system of democratic government. Its animating ethos is the feeling that one is morally bound to disobey some law or custom, for not to do so would betray the dictates of conscience. Civil disobedience can be either peaceful or violent, although the idea of non-violent, passive resistance has been the more frequent principle of action. ((John, P. D. (1992). *Making America: The Society and Culture of the United States.* New York: Norton House))

Working on realities related to the dichotomy between political authority and civil disobedience, there is a clear antagonism that appears blatant to the detriment of a certain kind of complementarity, best to help solve socio-cultural problems. The tie that binds individuals and their living societies whether cultural or social, extends hegemony onto political issues without which, any social contract would hardly reach expected targets best for the well-being of both individuals and societies. Whether violent or non-violent, civil disobedience doesn't by the means of open manifestations from protesters, systematically withdraw allegiance from

institutions with regards to their defiance of particular laws or customs. Remarkably, grasping a fuller comprehension about the nourishing debate raised by political authority and civil disobedience within the American context would definitely lead to refer to the intellectual background that gives birth and helps fuel the debate over the persisting opposition. Basing on the multiple cultural origins of Americans and banking on the Anglo-American political ideas in addition to Judeo-Christian traditions, John P. Diggins provides this appreciation about the situation:

The intellectual roots of civil disobedience can be traced not only to Anglo-American political ideas but also to Judeo-Christian traditions. Jesus expressed the conflict between religious conscience and social customs when he sought to purify the temple by chasing out the money changers. In nineteenth-century America, abolitionists attacked the institution of slavery by refusing to uphold the Fugitive Slave Laws. In the twentieth century, Mohandas Gandhi subverted colonial rule in South Africa and India with acts of passive disobedience, a practice later adopted by Europeans resisting Nazi occupation , by American civil right activists campaigning against segregation, and by students engaging in boycotts and ‘sit-ins’ to protest the Vietnam War.((John , P. D.(1992) . *Making America : The Society and Culture of the United States* . New York: Norton House)

Ruling on the principles of the usefulness of political authority and civil disobedience in a nation that seeks for equitable justice, such endeavors were surely taken in defiance of existing systems of political authority in relation to the impacts their decisions have on their related societies. Whether totalitarian or democratic, resistances to political systems that threaten stability and promote inequalities are most welcome to establish normal course of common life: the dearest wish of all individuals sharing the same political environment with others who, in one way or the other aim at the same social objectives. Even though they presuppose one another, the idea of political authority and the one of civil disobedience

appear in many regards contradictory. Nevertheless, the early American political thought with colonists in general , founding fathers in particular and some intellectual activists at a precious given time in the constitutional making of the nation , power and liberty , reveal more than a simple contradiction between authority and disobedience. Marxist criticism values the relationships between the set groups with contradictory needs to draw people's attention on the responsibility issue with each group in the set as a class for a more humane society.

2. The theoretical foundations for civil disobedience and political authority.

The political history of the United States of America reveals from early on that authority and what it means for Americans, have always been tough to apprehend because of primary antagonism in the framing of its structural background. Colonists, intellectual leaders, founding fathers and social activists as well mostly oppose to one another challenging and contradictory basis toward the building of structural frameworks, appropriate to make a nation stand. From Virginia in 1607 to Georgia in 1733, the thirteen original colonies had already projected signs of discord before revolution time with regard to the ideologies of their founders, the reasons guiding them to establish colonies, the types of governments which vary from one colony to another one (whether royal or corporate) and mostly the important characteristics which clearly illustrate the manifestations of power, authority and liberty as a paramount condition of self-affirmation. The Revolution time helps comprehend the harsh duality between disobedience and authority in early American and related consequences it displays on the whole political systems of the American nation.

2.1. Colonial America and Revolution time: Knowing more about Americans and civil disobedience.

In colonial America, the types of governments in the different original colonies were diverse and contradictions happened to be frequent not only between founders but also among local governments and the ones been administered by them. What proved to be the reasons which led to the foundation of new colonies definitely originate from discontent talks

among leaders and hidden motivations sometimes reveal themselves in the open air, to the knowing of everyone. In the time of Revolution, Americans launch hostilities following repeated and exaggerated abuses of authority from British. They broke existing laws which they judged more degrading and embarrassing to help build a prosperous nation where citizens of every social stand could freely enjoy fruits of their efforts guaranteed by laws of their own making.

Dating back to the fight for independence also known as the Revolution time, the relationship between authority and disobedience irrevocably had its very first political manifestation in the conflict between power and liberty. In limelight, it is important to point out that the intellectual gears or forces of that Revolution aiming at turning the tables, could be traced back to two significant sources Protestantism and Liberalism: profusely, the teachings of John Calvin and John Locke respectively with their ideas of 'covenant' for the first and 'social contract' for the second, all of them viewed by their pioneers as theories of government. Then, bounding individuals and governing bodies to interact in a well-organized way, based on the consent of the governed for the best interests of whole societies.

John Calvin (1509 -1564), the French lawyer and theologian, the most important figure of the second generation of the Protestant Reformation carries out works which deal with man and his socio-political achievements. Here comes a brief content of the covenant theology and the covenant itself as derived from the Holy Bible, an interpretation from John Locke for the sake of social management:

Humanity possesses 'Free Will', but it is bondage until it is 'transformed'.... The standard form of covenant theology views the history of God's dealings with mankind, from Creation to Fall of Redemption to Consummation, under the framework of three overreaching theological covenants: those of redemption, of works, and of grace....

For this is the covenant that I will make with the house of Israel after those days, declares the word: I will put my

laws into their minds, and write them on their hearts, and I will be their God, and they shall be my people, and I will be their God and they shall be my people... (John, L. (2016). *On the Christian Faith*. New York. Whitaker House)

A critical focus on these assertions leads to presume that the idea of covenant the Protestant reformer put forward implies with regard to his doctrine and related practices, both conservative and radical implications. In the first instance as could primarily be deduced by anyone, the idea of the 'covenant' directly calls upon the people to submit to their leaders and to strictly obey laws of the land as the will of God. Knowing that the land and laws accordingly made are always man-made and that there's always an interest behind social policies, respecting such a covenant intimates some indirect drawbacks. Congenitally, the Calvinist political philosophy imposes the principle according to which the people have the right or the duty to disobey leaders when they happen to act in ways that violate the covenant of God and thus forfeit their authority. Marxist brand of responsibility connotes in this context the individual duty beyond class to take into account the welfare and the wellbeing of the other in the name of humanity given that political authority and civil disobedience take antagonistic roots whereby it is established that the needs of a given society do not necessarily couple with the way rulers lead, basing on principles or rules they view adequate but which often bring to hardships. Americans inherit some political traits from the implementation of this covenant. They knowingly or unknowingly pass them on from generation to generation. Indeed, they are indeed men of resistance and protest. Referring to a certain number of standpoints from some social scientists about the covenant as regard to its implementation and consequences on Americans, the American author and educator Luther S. Luedtke declares:

If a wayward ruler were allowed to continue in office, the people would be disobeying God and risking his wrath by submitting to a government that had broken the covenant. Historians such as Edmund Morgan see the Puritan

covenant as the intellectual seed of the American Revolution. To the extent that Americans indicted British rule for its moral leniency as well as political harshness, they believed that the only way America could arrest corruption and backsliding was to resist, oppose, and defy the Stamp Act and other rules and regulations. The English philosopher and statesman Edmund Burke tried vainly to warn Parliament that Americans were, above all, Protestants who loved nothing so much as to protest, question, and deny authority. When the colonists threw tea into Boston harbor, the American Revolution began, at least symbolically, in a dramatic act civil disobedience. (Luther, S. L. (1988). *Making America: The Society and Culture of the United States* .Washington, D.C: Unites States Information Agency)

In short, Americans are rooted in protesting whenever rules and regulations are broken whereby people feel harsh living conditions. They owe their sovereignty whether social, economic and mostly political to their inflexible determination to resist, protest and make reign a course of things that reflect their own tastes; the ones of life, liberty and pursuit of happiness. The Calvinist political philosophy proves the double-edged doctrine about power and liberty and at the same time, the political authority in question and the civil disobedience which is protected as well. The social contract advocated by the English philosopher John Locke, paints in another way run, the other facet of the iceberg.

Considered as one of the most influential of enlightenment thinkers who fiercely fought against absolutism, John Locke, praised as the ‘father of liberalism’ defends in ‘social contract’, arguments sustaining that individuals have consented either explicitly or tacitly, to some of their freedoms and likewise submit to the authority in exchange for protection of their remaining rights or maintenance of the social order. His theory of government makes authority and obedience rest on interest and the primacy of self-preservation. He doesn’t radically oppose the ‘covenant’ in its rules and regulations in terms of leading authority prerogatives and civil disobedience. Under some specific conditions, the purpose of

government he proposes, offers flexibility or precaution about the fulfilment of God's will meant to protect life, liberty and property seen as human sine-qua-non conditions of descent live. This second idea spiriting the American Revolution and developed by John Locke reasonably opposes the philosophy on pre-existing concepts, defends natural rights as life, liberty and property but at the same time book room for disobedience to take place. Freedom from government, public authority and the rights to protest and resist law-defaulters presuppose one another even with Locke. Luther S. Luedtke apprehends the situation this way:

The purpose of a 'social contract' theory of government was not so much to fulfill God's will as to protect life, liberty and property as the prerequisites of human happiness. Like the Puritans, however, Locke also emphasized the limited nature of the ruler's power. In Locke we have one of the clearest expressions of what Isaiah Berlin has called 'negative liberty', the individual freedom from government and public authority. Locke offered Americans not only a rationale for the right of resistance, but even the right to revolution. To the extent that an existing regime violates the original compact by failing to protect people's rights an safeguard their interests, Americans were entitled to break the 'bonds of affection' with their mother country, as Thomas Jefferson wrote in the Declaration of Independence.(.(Luther, S. L.(1988) . *Making America: The Society and Culture of the United States*. Washington, D.C: Unites States Information Agency)

In one way or the other, both the Calvinist political philosophy of government and the liberal contract of government under Locke incarnate with no doubt the legitimation of public authority and the logical basis of its resistance. The theoretical foundations for civil disobedience to government can be traced back to the intellectual gears which are represented by Protestantism and Liberalism respectively promoted by John Calvin and John Locke.

2.2. Liberal political philosophy and right to resistance.

The right to resistance and the civil disobedience to government dispose little in common since the liberal political philosophy lends priority to the principle of majority rule. Ruling on the theoretical principle of Locke, the right to resistance indicates that the will of the majority should not only top over the one of the minority but also dictate authority as the sovereign body of people. Thus, the majority's decision shall, in any case, be binding on everyone in such a way that decision to either perpetuate or dissolve a government rests specially upon popular consent. Unlike civil disobedience which in opposition, indicates that a small minority of citizens are plainly endowed with rights which stem from conscience rather than consent. Blatantly, there is an enormous ambivalence in terms of comprehending if civil disobedience allows people to act morally as well as individually or whether they do as many or alone. In order to appreciate protest against government or supporting government as the sovereign leading organ, it would be nice to develop an insight into the way the idea of authority and obedience are developed in the constitutional theories: the Declaration and the Constitution.

The American framers of the Declaration of Independence and the Constitution advocated antithetical viewpoints in their appreciation of the motives of political conduct. Whereas the Declaration of Independence clearly exposes the colonists' claims against England so as to legitimize their undeniable right to overthrow a government that happened to break the social contract, the Constitution was knowingly framed to defend the opposite. It mainly aims to establish the right of a new government meant to rule and explain on its own way, people's obligation to obey. In another word, the most influential framers of the constitution such as James Madison, John Adams and Alexander Hamilton reject the consideration that people are capable of acting morally as a self-contained ethical person for fear that people would be sticking to personal 'interests' and undisciplined 'passions' instead of promoting the best interests of the general public. Thus, the government controlling mechanisms would constantly act to keep close eyes on all political conduct that is meant to provide a peaceful environment thanks to justice in treatments and regards. Here comes a specific detail cherished by the

framers of the Constitution but exposed by the Luther S. Luedtke on life and liberty of Americans, still in line with political authority and civil disobedience:

The great promise of the Constitution was that it would preserve liberty by guaranteeing to the people all the rights and powers not explicitly granted to the new federal government. The Constitution would therefore not interfere with the rights that Jefferson had enunciated in the Declaration: life, liberty and pursuit of happiness Yet, Jefferson and Thomas Paine remained skeptical of the Constitution ; believing that the framers, more preoccupied with citizens' vices than virtues, concentrated too much on controlling liberty instead of augmenting it. Jefferson and Paine feared the few (aristocracy); the framers feared the many (democracy). The former saw the potential for tyranny in centralized power, the latter in the unruly behavior of aggressive masses. The former demanded a Bill of Rights so that individuals could protect themselves from the actions of government, the latter a system of 'auxiliary precautions' so that government could protect itself from the threat of popular majorities. (Luther, S. L.(1988) . *Making America : The Society and Culture of the United States* .Washington , D.C: Unites States Information Agency)

In short, both theorists of civil disobedience and framers of the Constitution could be seen as fearing one another. Defenders fear the actions of the state and federalist authors, actions of society. In certain circumstances, theorists of civil disobedience fear both state and society. Since it is generally noticed that theorists of civil disobedience mostly bank on actors of the Declaration than Federalists, it is worth making a distinction between ideas and values of the Declaration and the ones of the Constitution.

Basing on contexts, objectives to fulfill and contents of the writings defending each philosophy, it is a common notice that the Declaration

has liberty as object and the Constitution as an authority. While the Declaration projected to reduce the authority of an old government and restrict its power, the aim of the Constitution is in contrast to enlarge the authority of a new government and accordingly, legitimate the exercise of a centralized power. The Declaration emphasizes values such as individual autonomy and reason which characterize the theory of *Liberal Individualism* whereas the Constitution promotes *Liberal Pluralism* which defends the need for a stronger state to preserve liberty and prosperity. The two theories apparently oppose one another in principles via their intrinsic ideas and values. In an explicit way, the Declaration puts specific accent on individual autonomy and reason, considered as sufficient conditions that assure the right to pursue one's private concern independently of government interference but the dissimilarity comes from federalists who, operating from different assumptions, assume that government is fundamentally important to prevent individuals from harming one another. Yet, the Constitution emphasizes on the weakness of man and the need for a stronger state to preserve liberty and property.

3. American system of Politics: At the heart of some insightful critiques.

The abundance of meaningful criticisms over the permanent opposition between political authority and civil disobedience, fuels the debate concerning the American system of politics. Much deeper comments were made even though ideas and values of the Declaration and the Constitution help grasp to a certain degree, comprehension about the interplay between civil disobedience and political authority. Apart from John Calvin and Locke, the transcendentalist Henry David Thoreau, an American practical philosopher and vigorous advocate of civil liberties, dismantles with most American framers about the general conceptions of Jeffersonian individualism and Madisonian pluralism.

3.1. Civil disobedience as a sense of Conscience and ethical sensibility.

Defined according to the *American Heritage Dictionary* as the belief that knowledge of reality is derived from intuitive sources rather from

objective experience, Transcendentalism wittily nourishes Henry D. Thoreau in his intellectual comments towards civil disobedience. Henry D. Thoreau not only enlarges the horizon of comprehensive approaches but also enriches it with new perspectives. Being a man who tied to demonstrate why politics should be about truth or morality but not power and interests, he reasonably departs from Thomas Jefferson and James Madison, two emblematic American framers of Declaration and Constitution. He sees civil disobedience or passive resistance as the refusal to obey the demands or commands of a government without resorting or active measures of opposition. Even though he shares some specific points of view with framers of the Declaration, mainly Thomas Jefferson with his liberal individualism, and with federalists about liberal pluralism, he at the same time clears off significant details, which embarks the whole nation on a new drive of political thought:

It was not only that Thoreau's call for civil disobedience would transfer authority from the state to the individual or that he rejects the whole system of checks and balances. Thoreau departs from Jefferson as well as from Madison when he questions whether the 'pursuit of happiness' must be regarded as a materialist proposition and whether true liberty required property and the acquisition impulses that alienate man and lead to 'lives of quiet desperation'. Thoreau also departs from Locke when he demands that government relate to its subjects as moral rather than political creatures – that government touch the 'soul' of citizens and not only their senses. (Luther, S. L.(1988). *Making America: The Society and Culture of the United States* .Washington, D.C: Unites States Information Agency)

In fact, framers of the Declaration developed an economic perspective concerning the politics in the newly born nation. Though, they could basically focus on determination of the manifestation and satisfaction of economic wants and needs of Americans. Yet, for fear that political factions and religious sects could always tend to oppress and tyrannize one another; Federalists made political option another way run. Thus,

from the above quotation, Thoreau observes that what would preserve the American Republic wouldn't be the moral passions of citizens but the carefully balanced 'machinery of government'. He then indirectly advocated while analyzing individual's relations to politics and 'civil disobedience' that neither genuine freedom nor authority lies in the nature of government. He presumes that government is not that important leading organ in the history of America because he always sees individuals as the main gears to political improvement. The political scientist Michael Walzer depicts Thoreau's position as follows:

...Thoreau wants to demonstrate is how unimportant government really is in the history of America. It was not the government that created the conditions liberty, educated people, settled the frontier, and made possible the beauties of nature. Nor so naïve as to believe that politics provided the means by which society could be reformed. "It is not man's duty, as a matter of course, to devote himself to the eradication of any, even the most enormous wrong". The regeneration of society, Thoreau and Emerson insisted again and again, must begin with self-regeneration, not political participation. (Michael. W. (1970) *Power and Community: Dissenting Essays in Political Science*. New York: Philip Green and Sanford Levinson)

Thoreau professes conscience of individuals for their senses of duty and rational devotion toward the nation. Knowing that evil and injustice require citizens to act responsibly, he calls upon individuals' self-regeneration for an effective civil disobedience that could really impact the American society where political authority has its place but not absolute obligations to dictate to its subjects. Assuming individuals sovereignty unto themselves apart from the state and people, he advocates that the only obligation of individuals remains what they think is right to be done. Qualifying them not as political citizens but as moral agents, Thoreau appeals to individuals on what grounds should the right of resistance be fully justified and by the same token, hits hard the

institution of slavery regarding the blatant injustice it develops with quite unbearable decisions:

Must the citizens ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience then? I think 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....if the injustice is part of the necessary friction of the machinery of government, let it go...perchance it will wear smooth...But if it is of such a nature that it require you to be an agent of injustice to another, then, I say, break the law. Let your life be a counter friction to the machinery. (Milton, M. (1963) *Thoreau, People, Principles, and Politics*. New York: Norton)

In the eyes of Thoreau as his impressive rhetoric demonstrates it, he proves impatient to see Americans, line up with his sense of civil freedom fighter. Troubled so much by the state's relations to the individual who manifestly fail to conceive the psychology of individuals but compel them by threats and force, he defensively sustains the conscience of civil disobedience. By the means of sit-ins, marches, boycotts, demonstrations and any other acts of civil protests, civil right movements sprang over the country under the guidance of some leaders. Meant for the right to fight for rights, Americans of all social rank are duly endowed with. For, the state has always been at loggerheads with individuals with their constant will to fully enjoy life, liberty and pursuit of happiness.

3.2. Civil disobedience as a lead to civil right movements

Established as the main economic backbone of the United States of America, the institution of slavery did stratify the whole American society in such a way that social hardships impact on Americans' life in every ramification. The invention of race and its hideous manifestations among Americans, does oppose the later ones in a lamentable way, socially. Racial discrimination in the North and the institutionalized

segregation in the South highly motivated freedom fighters like the black Protestant minister, Martin Luther King to ring out for civil disobedience with a strategy different the one of Thoreau. Being the hero of the civil rights movement and the leading theoretician of civil disobedience, Martin Luther King Jr encouraged his fellow citizens for direct action while being purposely involved in politics. Fully aware of the fact that freedom is never voluntarily given by the oppressor but must be demanded and fought for by the oppressed, he offered and defended several reasons why a given law could be considered as unjust and unmoral. In such circumstances, civil disobedience takes place in whatever possible forms of manifestation provided claiming voices are heard and satisfactory measures are accordingly taken by authorities.

Collection of the facts to determine whether injustice exists, negotiation, self-purification and direct action represent the main steps to follow according to Martin Luther King Jr to address disagreement and protest legally against laws which handicap or jeopardize social order among Americans. Because civil disobedience presupposes recognizing political authority and its processes, he frames it as a crisis-heightening tactic that could lead administrations into dialogue that would in its turn, lead to solution for the best interests of Americans regardless to race and origins. In fact, behind that precious and operational strategy lies in fact the burning will of Martin Luther King Jr to fight for the fulfilment of racial integration in public institutions as promised by the American Supreme Court in 1954 at the event of the well-known *Brown V. Board of Education* decision. Even though he is quite well aware of the fact that conscience can logically offer grounds for breaking the law, using the legal and political apparatus of the state may certainly help as panacea to reach expected targets. Yet, he dutifully enumerates sufficient reasons why a given law could be considered unjust and illogical:

First of all, a law could be imposed upon a minority that was denied the right to vote and thus played no role in legislating it. Moreover, the law could be unjust if it were not applied universally, and hence a majority compelled a minority to obey what it did not make binding on itself. Above all, a specific law designed to continue segregation

resembles 'sin' in that it separates man from man. It is thus "out of harmony with the moral laws" degrades human personality". (Bernard, B.(1965) *The Ideological Origins of the American Revolution* . Massachusetts. Cambridge)

Indeed, the urgent call and ardent demand of Martin Luther King Jr, related to the fatal duality between political authority and civil disobedience refers to inequalities among Americans. Though Blacks' social conditions imposed by illegal but political measures did influence his determination, the universal character of laws matters so much for him with a democratic perspective of power of the people, for the people and by the people. There is according to him, no need to resist or prevent a street protest, meant to proclaim the restoration of both Blacks and Whites in the constitutional rights of freedom of speech, freedom of assembly and related liberty-based initiatives. Failure to impose strict respect to laws of our own making implies consciously a process that automatically degrades human personality. Being bound to follow rules of majority means in one way or the other that the minority's voice doesn't matter at all but it is only and strictly compelled to what reflects in no way , its own social aspirations. Yet, it could be assumed that not all the time is a majority right in its endeavors mainly in field of social concerns where sources of oppression deeply take roots. A democratic respect of the rule of majority implies automatically the right of the minority because in the nature of social existence, antagonisms always take place among people of the same social environment and only well-balanced regulations make reign peace and order.

Opposed to a solitary act of defiance or civil disobedience, Martin Luther King's collective movement did succeed in securing black voting rights and legally integrating schools and other public facilities. Profusely acknowledging that civil disobedience implies recognition of political authority and its processes, he openly instills in his sense of power politics, the use of legal and political apparatus of the state to fulfill his objectives. Meant to break unsound laws which endangers or flouts the conventional channels of power and social change, civil disobedience

remains a legalized tactic on the part of loyal citizens, knowing that Americans are by nature, people who protest.

Conclusion

The purpose of this study has been to shed light on the mismatches between political authority and civil disobedience regarding the American justice and public life. The study has noted that in every step of the American social organization, what is law and what is not, creates enormous tensions mostly with the invention of race and the related institution of slavery which expands the scope of inequalities within the American society. The political authority and civil disobedience thought they often contradict each other can be proved as complementary within the American political thought.

The study has proved that in defiance of existing systems of political authority and disobedience, restoring the minimum possible equilibrium between governors and governed, for the well-being of the nation, remains the only cord binding Americans in common regardless of any kind of differentiations. An insight into the theoretical foundations for civil disobedience and political authority from colonial America to Revolution time reveals civil disobedience as a sense of conscience and ethical sensibility as well as a lead to civil right movement. The conflict between the needs of the state such as fulfilling the demands of moral law and the right to disobey unsatisfactory laws remains ever since, indelible in the American system of politics.

Presupposing one another, political authority and civil disobedience do expose blatant antagonisms in many respects. For, ideas and values instilled in the Declaration and the Constitution highly influenced American social scientists and activists in apprehending the seemingly contradictory inconsistencies between the two principles. Disassociating from the 'machine' of government then, from the claws of political authority or, getting deeply involved in politics in order to secure guaranteed rights of the conventional channels of power and social change, some influential social activists diligently address the issue of

why a given law could be considered unjust and unmoral. Thus, for social order to be effective for the few to be legally endowed with the rights to represent the many, there is still reason to believe that individual is the ultimate source of authority. Yet, the mutual antagonism between political authority and civil disobedience illuminates the American political thought with both motives of political conduct and the right for individuals to protest against laws of their own making but which appear detrimental to safeguard interests of peoples. Within the American political thought, political authority and civil disobedience contradict one another as long as one depends on the other to exist, best for a democratic republic like the United States of America to function, ruling on its principles of life, liberty and pursuit of happiness.

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