

CIVIL DISOBEDIENCE, FROM CIVIL RIGHTS TO CLIMATE JUSTICE, 2009

If the Capitol Climate Action, the string of civil disobediences in the Coal River Valley, and Mountain Justice Spring Break's concluding march and die-in at TVA's Knoxville headquarters are any indication, we are at the beginning of a new stage in our movement. This is an exciting, and I'd argue necessary, development. If we are to build a movement that conveys the urgency of climate destabilization and current conditions in front line communities, we must physically stand in the path of the fossil fuel empire and the laws that justify it, just as readily as we lobby for its regulation and investment in alternatives. This post is meant to spark dialogue about civil disobedience in our movement – what it is, its place in a greater strategy, and what it means for those of us who choose to engage in it.

I cannot count the number of times I have heard the climate justice movement compared to the civil rights movement. There are commonalities. We too, at our core, are a movement seeking to bring about a society in which "life, liberty, and the pursuit of happiness" are guaranteed to all people, present and future. However, while the stories we tell share a common goal, they begin in different places. Thus, when we employ tactics such as civil disobedience, we are breaking the law in a very different context. In order for us to come to an understanding of civil disobedience in the climate justice movement, I'd like to draw out some distinctions between the implications of civil disobedience as used in the civil rights movement, the environmental (save the trees and animals) movement, and then come back to climate justice.

In the civil rights movement, most civil disobedience took the form of individuals exercising a tangible right that was unjustly denied them on the basis of race. Sit-ins in segregated spaces highlighted the injustice of segregation by actually creating desegregated spaces until they were forcibly re-segregated by agents of an unjust law. Those breaking the law did so on behalf of themselves and all people affected by racism (=everyone). This form of civil disobedience is breaking a law that has no place in a just society.

The environmental (save the trees and animals) movement has also used civil disobedience. In these instances, activists break the law on behalf of "the environment," in order to protect a species or ecosystem that has inherent rights that are not recognized by the laws of state. Rather than acting out a right that a just society would guarantee, the activist is acting to prevent an action that would not take place in a just society, and doing so on behalf of another being or group of beings. This form of civil disobedience is breaking a law that may or may not have a place in a just society, but is currently being applied towards unjust ends.

Civil disobedience in the climate movement is undertaken to protect the future of all people and to bring an end to the damages presently inflicted upon impacted communities by the fossil fuel empire. Stated in terms of rights that would be recognized and respected in a just society, our acts of civil disobedience involve interference in processes that violate the rights of all people (and life forms) in the future and the rights of impacted communities in the present – the operation of a coal-fired power plant or the destruction of land and communities. Similar to "purely environmental" civil disobedience, we act to interfere with and prevent actions that would not occur in a just society, and in so doing may break laws that are not inherently unjust.

Civil disobedience is not an end in and of itself. It will not be effective just because it worked in the civil rights movement. Our context and starting point is different. If we are to effectively employ civil disobedience in the movement for climate justice, we must tailor our tactical goals to best fit our context and the story we wish to project.

Within the climate justice movement, there are at least two ends towards which an act of civil disobedience can be oriented, largely dependent upon the situation: expanding the dialogue or last line

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of defense. The first expands realm of possibilities under consideration in the “legitimate” discourse that fills boardrooms and governmental offices. For instance, a few high profile acts of civil disobedience calling for the decommissioning of all coal plants could potentially shift the dialogue in government from “how much new coal do we need in the future?” to “how quickly can we decommission currently operating coal plants, and replace them with sustainable energy systems and energy efficiency, gainfully employing millions in the process?” This use of civil disobedience is part of the tactical mix in a strategy that builds both inside and outside pressure and was the great strength of combining the Power Shift lobby day with the Capitol Climate Action. Last line of defense acts of civil disobedience are pretty much what they sound like. When all legal means have been exhausted, people can resort to acts of civil disobedience to prevent greater violations of their rights from occurring, even though these rights-violating practices, such as mountaintop removal, are protected in the law’s current incarnation. Such instances ultimately rely on intervention from forces that are more powerful than either the activists or the institutions they oppose – state or federal action, or widespread populist sentiments that sufficiently threaten the challenged institution to make them concede.

On the surface, it may seem that the campaign to protect Coal River Mountain falls entirely in the latter category. True, legal means to protect the mountain have fallen short and civil disobedience can at best stall Massey from blasting Coal River Mountain until Obama’s administration bans mountaintop removal or the Clean Water Protection Act is passed. The campaign, however, is about much more than saving one mountain. It is about a community actualizing a sustainable and prosperous alternative to coal in a region that has been shackled to coal for over a century. As such, high profile civil disobediences in and around the valley have the potential to not only defend the mountain and community’s future, but expand dialogue about coal’s place in the future of Appalachia and the nation. Earlier this month, I took part in an act of civil disobedience on Schumate sludge impoundment above Marshfork Elementary School and across the valley from the Coal River Mountain. It was my first time being arrested. For me, as a person working for a sustainable and just society, crossing this line was an empowering experience. But that wasn’t the point. A civil disobedience against fossil fuels is not meant to be a valorized arrest; it is meant to crack the increasingly fragile guise that the fossil fuel industry wears to justify the crimes it perpetrates against all of us. Enough cracks, and that guise will shatter.

Activists engaging in climate justice civil disobedience often interfere or disrupt capital intensive processes. In our current arrangement, the law upholds profit at any cost, and thus it must be broken. The fossil fuel empire knows that despite these laws, we are a threat, and that a hard-hitting combination of civil disobedience, legislation, and private innovation in the clean energy sector spells its end. The greater the threat they perceive from us, the more they will try to squish us. They will litigate us to the fullest extent they are able –restraining orders, civil suits for damages, fines, and possibly jail. They may not succeed, but I can guarantee that they will try. We must be ready for this and remain grounded in the truth. Remember what it is you stand for.

Two characteristics often attributed to “millenials” that may partially determine our readiness to engage in civil disobedience are that we view ourselves as agents of change through our career choices, and that many of us have grown up with a strong dose of “don’t let rash youthful choices come back to haunt you.” Seeking change through our career choices is noble - the world will be a better place for it - but it is vital that we not view this idea as conflicting with our participation in activism beyond that which is “career-sanctioned.” The second characteristic has implications for how we understand the power of our own youthfulness and points to a deeper question of “what will we regret?” It is easy to misrepresent acts of civil disobedience as rash decisions of youth that in some future job interview will come back to haunt you. If we fall prey to this logic however, we are guaranteed regrets. Precious opportunities - a wind farm on Coal River Mountain - will slip away; not because we were powerless to act, but because we conceded. That is regret.