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Resistance to Law

William Batchelder Greene

April 30, 1851

Mr. Editor:—In former times, when the people supposed that their kings reigned by divine right, men were bound *in conscience* to obey the laws with alacrity. But it happened, in the progress of events, that the people rose against their rulers, as in England during the reign of Charles Stuart; as in France during the reign of Louis XVIII, Charles X, and Louis Philippe; as in America at the time of the Revolution. The kings that reigned by divine right were deprived of their authority, and new authorities were raised up for the government of the nations—upon what were these new authorities founded? upon a new divine right? Not at all. They were founded upon the force of arms, upon violence, upon the law of the strongest. It is true that Charles II was restored to the throne of England, and that with him was also restored the ancient authority, as of divine right; but that divine right gave way again to the law of force when William III mounted the throne, so that the present government of England is founded on undoubted might, not on divine right. It is true also that divine right was restored to France during the reigns of Louis XVIII and Charles X, but Louis Philippe, was the king of the barricades; and the present republic finds its basis, not in divine authority, but in the might

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of the people. We have condescended to speak of the right of the kings as divine: but we consider it to have been—and to be now, where it bears sway—not divine, but infernal. But be that as it may, men do not believe that the present governments of England, France and the United States are invested with divine authority, and therefore they do not feel themselves bound *in conscience* to obey laws emanating from them.

When men threw off their prejudices in favor of the divine authority of thrones, dominions, and powers, and recognised clearly that actual governments are founded, not on divine right, but on prevailing might, they said among themselves, “Why should we shed each other’s blood? Let us rather establish universal suffrage; and by the actual counting of votes, discover on which side the balance of might lies; and thus, without violence, without inflicting pain and suffering on innocent persons, without laying whole provinces in ashes, we shall become enabled to place the government in the hands of the strongest party. Moreover, by the policy of frequent elections, we shall be able to ward off violence in the future; for by such policy we may cause the government to change hands according as the balance of power changes.”

Is a man justified, therefore, in resisting the government by force of arms? By no means. If a man is in a minority, and appeals to arms, he will be beaten, and will be found to have shed his own blood, and that of others, uselessly: if he is in a majority, and appeals to arms, then he is cruel and wanton—for why should he resort to violence when he can have his own way peacefully? The *higher law*, the law written on the heart, says that the right of insurrection is abrogated wherever the ballot box may be substituted for the cartridge box. The revolutions in England, France, and America were justifiable—why? Because the people fought for the right of electing their own magistrates, and of making their own laws.

What is universal suffrage? It is the revolution rendered chronic and permanent; it is insurrection organized. What the

emperors of Russia and Austria consider anarchy, what they consider the most active agent of dissolution, is precisely what we have taken for the corner-stone of our political system. Every one of our elections is a revolution, but a bloodless one. What the kings and despots consider anarchy, is found to be the highest principle of order which has ever yet been applied to systems of government.

When I vote for a representative in the State Legislature, or in congress, I assist in clothing the government with power: but I do nothing to invest either the government, or that representative, with moral authority. I do not bind myself to obey all the laws which shall be made. When the legislature makes a law, and says that I shall not lend money at more than six per cent interest, I obey the law so far as my moral sense tells me that it is just, or so far as the government can force me to obey—no further. If a neighbor comes to me and says, “Lend me \$100, that I may go into a certain business, and I will pay you ten per cent interest for it,” I answer, “I cannot lend you money on such terms, for the law forbids;” if he continues and says, “my business is very hazardous, and you ought to have ten per cent to pay you for the risk of losing the whole” I answer, “my friend, *I will enter into partnership with you*, so arranging the terms of the agreement that I shall receive the profits of the business in the same proportion that I should if I loaned you the money at ten per cent interest.”—I thus evade the law: but I dare not so evade a law of God, that is a law emanating from a divine authority. Who is there who would dare play such pranks with the law revealed in his heart, as the lawyers play every day with the law of the land? I will not offer forcible resistance, for that would be wicked: not wicked because of the law of the land, but wicked because the *higher law* says, “Thou shalt not kill.” I will not evade the law of the land when it coincides with the law of God, for I am morally bound to obey the law of God: but I will evade the law of the land, when it is in opposition to the laws of God, I can do it without resort to vio-

lence. The serfs of Russia are justified in resorting to violence in opposing an unjust law; but with me the case is different, for, if I can effect a revolution at all, I can do it peaceably, and what I can do peaceably I have no moral right to do violently. That tyrants, and the advocates of tyranny, should dislike this doctrine, is not inconceivable; but that a democrat should find it essentially objectionable, is what I, at least, do not believe.

But perhaps it will be said, "God rules over all, and every thing comes to pass according to his determinative will; if therefore he permits a government to enact a wicked law, that fact is enough for us: it convinces us that the law is according to his will—for how could the law have passed against the will of God? This is the sophistry which has always been used to convince men that it is good to submit to tyranny; the sophistry which has always been used to demonstrate the divine right of kings; the sophistry which found a place a few days ago in the mouth of one of the judges of our courts. I answer, "If I find that I have the heart of a thief, a liar, and adulterer, shall I say—God has permitted me to go on in a course of crime until my heart has become as hard as the nether millstones, and I will therefore behave as badly as I can, because it is God's will that I should do so, seeing that he has allowed me to obtain the character and disposition I have? God forbid!" The existing fact is no proof of God's will; and the less we say about God's will the better, as our ignorance on that head is great. If any body knows what god's will is, I am ready to listen to him; for my part, the Divine Mind transcends the reach of my observation, and I recognize no fountain of political law except the will of the people—which is something quite different. I know what RIGHT is and what WRONG is, my individual conscience and understanding tell me that: I can appreciate general principles: but the decrees of God, as relating to particular political measures, and to particular laws answering to certain temporary exigencies,

I leave to be proclaimed by those who have power to work miracles as a testimony to the truth of their mission.

Am I a bad citizen because I hold these doctrines? I hope not. I obey such laws as commend themselves to my sense of right, and such laws also as I consider wrong but cannot violate without declaring war on the constituted authorities. I believe that I am a good citizen, and that I should remain such even if all the laws in the statute book should be repealed to-morrow: I believe the majority of the people are good citizens, and that all the talk about the danger of anarchy is sheer humbug. Suppose the President of the United State, the Vice President, the Chairmen of the House of Representatives, the Governors of all the States, the Judges, the Selectmen of the towns, &c., &c., &c., should all die to-night, would anarchy prevail to-morrow? By no means. The people of the twos would elect new Select-men, or other appropriate functionaries who would take the matter into immediate consideration, and a new government would be extemporised—here in Massachusetts at least—within a week. It would be easier now to form a new government than it was fifty years ago, for the people have more experience in the art of *self-government*. The art of organising *anarchy* is now pretty well understood. The majority is unquestionably the strongest: who shall resist it?

These are my views; if they are incorrect, I desire to be set right. I am ready to discard my opinions whenever I can replace them by better. I confess that the civil government is clothed *with power*, and can command respect; but, with my present light, I must deny to civil government, as such, *all moral authority whatever*.

Yours truly,
OMEGA.