ETHICS OF PROTEST, PART 1

Sandra: Examining Ethics with Andy Cullison is hosted by the Janet Prindle Institute for Ethics at DePauw University.

Christiane: The views expressed here are the opinions of the individual speakers alone. They do not represent the position of DePauw University or The Prindle Institute.
[music]
Sandra: Hi Christiane!

Christiane: Hi Sandra!

Sandra: Welcome to the studio.

Christiane: Thank you.
[music ends]
Sandra: I don't know about you, but with all of the protests that have been happening recently, I've noticed that a ton of criticism being directed at protests and protesters, even when they're non-violent.

Christiane: Yeah my Twitter feed has been packed recently with people like responding to protesters and responding to the methods that they're using. And it seems like people always have something critical to say, whether it's like setting a garbage can on fire or just you know taking to the streets and kind of blocking traffic for a Saturday morning or something.

Sandra: Yeah, so it's like it doesn't matter--violent or non-violent, it seems, people just have a lot of problems with the way people are protesting and--

Christiane: Exactly.

Sandra: --Yeah, we noticed that recently with the Women's march and the inauguration protest. But, I mean for the past few years it's been happening a ton with the Black Lives Matter movement, too, where no matter how nonviolent a protest is, there's still something that people have to say about how they should have done it better or how they shouldn't have protested the way they did. It's still gonna receive criticism and not just about the ideology, specifically about HOW the protests are happening. So I want to show you a mashup of people who are criticizing non-violent protests.

Clip mashup:
[woman's voice] Half of the country is angry right now, I get it, but before we start calling the reaction a protest, let's get something straight. A protest is a peaceful objection to a grievance.

A bunch of sore losers occupying a space is called a tantrum, and that's exactly we're seeing around the nation after Trump's historic and earned victory.

[man's voice] There's been a lot of Black Lives Matter protests and rallies. People blocking entrances to off-ramps on the interstates.People blocking the downtown tunnel out here in Virginia where I am. Now, my thing is this: what is the purpose? You blocking the downtown tunnel prevents you from getting home, to Portsmouth, you don't know if people have a sick relative they're trying to get to look after.

[different male voice] NFL quarterback Colin Kapernick's silent protest of the National Anthem is spreading, but so is a controversy around it. Joining me now is Ben Ferguson, the host of the Ben Ferguson show. What was your response?

Ben: I'm not surprised by this, that obviously there's a lot of people that were going to back him and support him. The big issue now moving forward is you've got the anniversary of 9/11 on Sunday and there's other athletes that are jumping on this. And the big question is on a day where we had such an American tragedy and where America came together after 9/11, is it appropriate for teams and some of these players to not honor the flag and the men and women who've served this country, that's my thing.

Christiane: I'm sorry I don't have words. I don't have a response.

Sandra: You speechless right now?

Christiane: Yeah.

Sandra: I'm speechless too, honestly. I thought this kind of criticism of nonviolent protesters was a new thing--but I did some research, and it turns out, it's not. I actually found criticism of protesters dating all the way back to the 1940s-- and at the time, it was directed at these incredible non-violent anti-segregation protesters in Seymour, Indiana during WW2.

Christiane: Ooh that sounds really interesting.

Sandra: Yeah! So Seymour is a small city in the south of Indiana and it's the location of Freeman Air Field, which was an Air Force training base during World War II. And a protest called the Freeman Field mutiny occurred there. And that led to the official desegregation of the entire military.

Christiane: Wow, wow--I wanna hear that story.

Sandra: I will tell you that story. So in the 40's military was supposed to be desegregated already--which is sort of weird to think about bc we usually think of the US as desegregating in the 60s. But it was supposed to be desegregated.

Christiane: I'm gonna take a wild guess that in practice the military wasn't actually desegregated in the 1940s.

Sandra: Ding ding ding ding. That is correct, Christiane. So, what happened was that the NAACP, black press and the presidents of Historically Black Colleges and University in the country had to band together to fight for the first all black group of aviators in the Air Force.

Christiane: Was that like the, um Tuskegee Airmen?

Sandra: Yeah, so some people have heard of the Tuskegee airmen before. And they were the first black aviators and they flew in World War II, but they mostly functioned as escorts. So when they came back from war, they wanted to be bombardiers instead, which meant them being able to fly bomber planes in combat. But, that was a struggle, too. Even these experienced pilots, these war veterans, had to fight just to become bombardiers.

Christiane: Why would they want to become bombardiers?

Sandra: I'm gonna let J. Todd Moye, history professor at University of North Texas answer that.

Moye: One of the reasons for that was that they knew that, after the war, pilots who were trained as multi-engine pilots, bomber pilots, would have better job prospects with civilian airlines. They were pushing for this, and pushing for this, and finally the Army Air Corps, against the judgment of the generals who ran it, accepted African-Americans into bomber training. They trained as pilots at Tuskegee, they trained as bombardier navigators at bases throughout the country, and they finally, once they had trained enough men to form a unit, they created the 477th Bombardment Group.

Sandra: But the struggle wasn't over. The 477th faced a lot of discrimination and difficulty getting the training they were supposed to be getting as bombardiers. But the thing that we're talking about today is that on every base they were sent to, there were segregated officers clubs.

Christiane: Okay so I want to know more about the segregation, but first of all I need to know--what is an officer's club?

Sandra: So, an officer's club is like a country club. So it's a place that officers can go after working really hard all day, and bring their wives, and sort of relax and drink.

Christiane: Okay, I get it, yeah.

Sandra: And these officer's clubs were usually the places where black officers encountered the most segregation. So when they were transferred to Seymour, Indiana and they found two distinct officers clubs, one for black officers and one for white, they got pretty fed up.

Christiane: Well yeah, because segregation's not legal, it's not allowed, right?

Sandra: Yeah, in the military, it definitely wasn't allowed. And so the way the commander of the 477th, Colonel Selway, was able to finagle the segregation was that he never said explicitly this officer's club is for black officers, and this one is for white officers… instead he said that one was for trainees -- which just happens to be all the black officers. And the other was for instructors-- which just happened to be all the white officers.

Christiane: Wait, I thought members from the 477th were experienced pilots.

Sandra: Yeah. Some of them were decorated war veterans, like some of them had already come back from combat abroad. And according to Moye, in order to make some of the 477th sound like trainees, you had to really defy logic.

Moye: The only way you could make this work is by bending logic into a pretzel, But by any rational standard, a combat veteran is not a trainee and someone with 200 or 500 hours in a cockpit, is not a trainee. But again, the goal to keep the facility segregated, that ideal was more of a priority than every other priority on the base.

Sandra: So even before the 477th arrives in Seymour Indiana, they had heard about these segregated officers' clubs. And so they had started to plan what they were going to do about it once they got there. And luckily for them, they had Lt. Coleman Young amongst them who was an experienced organizer. And so he was really able to train the rest of the officers in non-violent resistance. And he knew the law inside and out.

Christian: Which means he knows that there's a law stating there's no segregation in the military?

Sandra: Yes, he knew that. In fact, there was even a specific provision about officers clubs. Here's retired colonel and historian of the Air Force Alan Gropman.

Gropman: So in 1940, they wrote a regulation 210-10, Army regulation 210-10, that said that any officers club on a post is open to any officer on a post. That would mean black and whites.

Sandra: But he also knew that there were different laws for wartime. So we're still in World War II, we're still at the end of World War II here, and he knows that the law that applies at that time are the Articles of War, which basically is regular military law on steroids. So anything you do wrong, if you're in the military during war, it's really bad, like you could be sentenced to death for just the most basic infractions. So he knows the Articles of War, and he knows that it's that

much more important to be really careful in the way they protest. So he's the one that makes sure that they're not violating any other law or code or standard so that all the attention would be on the fact that there are segregated officer's clubs. And not that they had like, a hair out of place. So after Young prepped them for non violent resistance, they went for it. Here's Lt. Wendell Freeland who was part of the first group to attempt entry into the white officers club to tell you what happened in his own words.

Wendell Freeland: When the 477th was transferred to Freeman Field, Indiana, the command decided that there would be a separation of officers, so they established what was then "The Officer's Club" and it was called "The White Officer's Club." What was then the "Non-Commissioned Officer's Club," became the "Colored Officer's Club." But we knew, we learned, that army regulations provided that there should be no discrimination with officer personnel by the reason of race, creed, or color. We decided because of that Army regulation that Selway, who was the commanding officer, was wrong. And we would test it. So we went on a choo-choo train to Freeman Field, Indiana. I went to the White Officer's Club. I was greeted by a white officer, I think a Lieutenant Colonel, who told me not to go in. I said, "Thank you, sir," and went in. I went into the foyer, and sat in a chair, found a magazine. I sat, read the magazine for a while, and then decided, having established a beachhead, and I left. And when I left, the same officer, or another officer, said, "Consider yourself under arrest in-quarters."

Christiane: Wow, that, that gives me goosebumps, that's just such a brave thing to do.

Sandra: It really is. And Freeland wasn't the only brave officer. Over a hundred officers participated in this protest and tried to enter the white officer's club over the course of a couple of days. And they were all arrested.

Christiane: Wait, what are they arrested for?

Sandra: So the commander of the 477th, Colonel Selway, the one who segregated the clubs in the first place, is still trying to convince everyone that this isn't a race issue--completely unrelated to race. And that his order was perfectly legal and that the protesters knowingly disobeyed a base regulation. And that base regulation is that trainees are not allowed in the instructor club and vice versa.

Christiane: Okay, so, the base regulation basically, for Selway, is saying, 'this isn't about race, this is about trainees and officers.' And then he can also say, 'you're breaking a base regulation, you're not just protesting segregation, you're breaking a base regulation.'

Sandra: Right, which if you'll remember, in the Articles of War, if you break an order, that could lead to death. So Freeland and the others who were arrested entering the club is sort of part one of the protest. But at this point Selway realizes it looks pretty bad that he has over 100 black officers locked up on his base. So he tries to make it look even more like these protesters

are just troublemakers. So he wants the black officers to admit that they broke the rules and he wants them to admit that those rules also aren't racist.

Christiane: Even though they pretty clearly are.

Sandra: Yeah. So part two of the protest is resisting Selway and what he wants from them--which is a confession.

Wendell Freeland: We went back to our BOQs, and, "arrest in quarters" meant staying in that area. And not going beyond that area. Then we were released from arrest in quarters, and the command ordered us to attend a meeting. And the command passed out base regulation. Selway was not there, but the command through Lieutenant Colonels told us that base regulations preempted army regulations. That every officer was deemed to know all base regulations upon entering a base. And the command wanted us to sign that we had read and understood these base regulations. A number of questions were asked by men at that time: "May I sign it and say that I've read it but I don't understand it?" "May I sign it and say I've read it, but I don't agree with it?" They were told, "Yes, you may do that. That'll be sufficient." Well, there was a larger group of us who didn't do that. And when the command found out there was a group, it arranged for hearings before certain officers, for each of us. I went to the headquarters, and there was 4 officers, white officers, of course: couple lieutenant colonels. And then a Negro quartermaster officer. I was asked by the white colonel, he probably was the executive officer of the group, to sign the document that I had not signed in the meeting. And I remained mute, I have to put this in: nobody believes I could ever remain mute. But I did. Then, he gave me another piece of paper, asked me to sign it. And, I didn't do anything. So then, one of the officers got up and read the Article of War that provides that the failure to obey a direct order from your commanding officer is punishable by death or such other punishment as the court martial may direct. Those are frightening words. I was 20 years old. They're frightening words even today. And then, "I, Captain Anthony Anchiappe [sic], US Air Corps, dot dot dot dot dot, order you to sign that piece of paper." I did nothing. I was then arrested again, told I was on arrest in quarters. On that night, there were 101 of us who refused to sign. We would tip our caps as we left, so the next guy knew he would not be alone. So, that was our form of mutiny.

Sandra: And mind you this whole time, Selway is on the phone with every higher up he can get into contact with to try to spin the situation. There are recorded phone conversations where he is complaining to General Hunter, who he reports to, that he doesn't understand why the black officers need to focus on race, when he has never mentioned it or brought it up.

Christiane: But he literally made segregated officers clubs!

Sandra: Yes. [incredulous noises from Christiane] No, there's no words. [incredulous and horrified laughter from both]. This is the Freeman Airfield Museum Curator, Larry Bothe.

Larry: what happened was they arrested all these people. Well, Now it's starting to make the

national news. We didn't have the internet and Twitter and all this stuff back in 1945, but nevertheless, you know, there were telephones and so forth. Well, it became an unpopular thing, because they had arrested some World War II combat veterans.

Sandra: Here's Moye again.

Moye: NAACP chapters throughout the Midwest started writing letters to the White House demanding justice for the Freeman Field arrestees. Eventually it became such a political embarrassment for the War Department that they did court-martial the three men who had been accused of jostling another officer as they entered the Officer's Club, but they let the other 101 go.

Sandra: So, three men are accused, but only one is actually found guilty of jostling a superior officer, and his name is Bill Terry.

Christiane: So he got in trouble for jostling?

Sandra: Jostling.

Christiane: Okay, so when I hear "jostling" it makes me think of just like walking past somebody and like bumping up against them or like ...

Sandra: Yeah, like accidentally brushing shoulders with someone. That's what I think of.

Christiane: Doesn't sound like a big deal?

Sandra: Yeah, that is definitely what I think of too, and I was so surprised because at first, when people were using that word with me...I thought it was just because I was talking to a lot of people who sympathized with Bill Terry, and so were toning down the sort of language they were using to describe his offense or whatever. But I found the actual records, and in the official court documents, he is accused of jostling.

Christiane: Wow. So in the official account, he got in trouble for jostling.

Sandra: I thought all this jostling business was so ridiculous that I had to ask every historian I talked to about, what did jostling mean? And surprisingly, I got a pretty varied response from the historians I talked to. So Gropman said that the superior officer had been knocked to the ground but Larry Bothe said that Bill Terry might have brushed against the superior officer. So by the time I talked to Moye I had to ask him... is jostling really a serious offense?

Moye: It's not. It basically amounts to getting into the physical space and actually touching another person. It's short of assault, but it's not respecting the physical space of another officer. And so, they had to charge him with something, and because he entered the door of the

Officer's Club while there was an officer there blocking the entryway, that's what they could charge him with.

Sandra: Would a white officer ever be dishonorably discharged from the army for jostling?

Moye: I don't know of any cases where that would happen and it would definitely be unlikely.

Christiane: Wait so, this doesn't sound like a mutiny at all, is it still a mutiny?

Sandra: It was and it wasn't. Here's Bothe again.

Larry Bothe: This thing, by the way, is recorded in histories. The Freeman Field Mutiny, which sounds like it includes weapons and fighting and injury and maybe death. None of those things occurred. The worst thing that happened was a little pushing and shoving. So don't make it into some bloody massacre, because that wasn't what it was.

Sandra: Something really interesting to me is the motivations that people have for calling it or not calling it a mutiny. So most officers who actually participated in the protest, they do call it a mutiny because they absolutely were trying to overthrow the powers that be. [music begins] But the government at the time called it that… as Freeland says, to get these men to be killed…

Freeland: The command really wanted us to be court martialed. Selway wanted us to be shot. And I think he had the support of our general.

[music ends]

Christiane: So they were released but what came of all this?

Sandra: I'll let Bothe take it from here:

Larry Bothe: So, in the end, in the total scheme of things, no one was hurt, no one except for one individual, Bill Terry, no one was substantially harmed by this. It was Bill Terry's career that was harmed, not bodily harm. And so maybe you could say it wasn't too big a deal, but it turned out to be, because the Freeman Mutiny was one of the catalysts that led to the final desegregation of the armed services. And I guess it was President Truman that said enough is enough. The services are supposed to be desegregated, and by God, they're desegregated.

Sandra: At least that's what people say about President Truman's executive order 9981 in 1948 that called for equality in the military. But Gropman's research points out that the air force takes almost a year to do so and the army doesn't desegregate until forced to during the korean war. But still, the mutiny was a huge step towards desegregation, and had impacts on black aviators.

Larry Bothe: Up until that point, for example, no white person was ever commanded by a black person. That was unthinkable, that a black person could tell a white person what to do. Truman finally said, "That's enough. We're done with this. Black people can command units if they're qualified, and those units can contain white people, and those white people damn soon better do what they're told to do," and so forth. So, it was a significant step, the Freeman Field Mutiny, with the Tuskegee Airmen, was a significant step in the final desegregation of our military services.

Christiane: Wow, so it sounds like this story has a good ending?

Sandra: Yeah, I mean, desegregating the entire military is not bad, it's not bad.

Christiane: Yeah, pretty good.

Sandra: But Bill Terry is definitely a casualty of this story. After being dishonorably discharged from the military, he becomes a lawyer, but he can never practice law because of the charges from the military.

Christiane: So, so that charge against him of jostling, that kept him from doing his life's work basically.

Sandra: Yeah--

Christiane: Jeez.

Sandra: And what bothers me the most about Bill Terry's situation and all the rest of the officers who protested... is that in my view every way that they protested was the "right" way but they were still criticized for everything that they did.

Christiane: Yeah it sounds like, from all of the things you told me, they were polite, they didn't break any rules, they were following the law, you know it seems nonviolent in every way.

Sandra: But even while all of that is true, white newspapers still called them violent troublemakers. And actually so did their commanding officers.

Christiane: What were the newspapers saying?

Sandra: Well, one newspaper called the Columbus Citizen, called what happened at Freeman Field a riot.

Christiane: A riot?

Sandra: A riot. And there's evidence that towns that had air bases were afraid the 477th would be transferred to their airbase. And they didn't want them to come because supposedly they were violent, or on some kind of civil rights crusade.

Christiane: And so, and what were the commanding officers saying?

Sandra: Well, okay, so Selway was constantly criticizing the protester's methods by saying that they should have done it in a different way. And he actually said one time, that even if his order was illegal, they should have just followed it. And like disagreed with it in some other way after they followed it. Like really, just nitpicking on every detail he could find. And he also says constantly, that he's afraid the 477th will erupt in violence. Even though he acknowledges himself that they've never been violent and at one point, he even says that they're extremely polite.

Christiane: So if the protesters were doing everything right, but they're still criticized for the methods -- where are we supposed to go from here?

Sandra: Yeah, that's what I'm wondering too. And what makes it even more frustrating is that, the answer isn't just stop protesting, because according to Moye, protests are essential for gaining equality.

Moye: Schools didn't desegregate themselves, public accommodations didn't desegregate themselves, Officer's Clubs didn't desegregate themselves. African-Americans had to stand up and do it themselves and force it and then force, through whatever political process, force the government to come in and say, "No, you have to desegregate."

Christiane: It's just so unfair that the responsibility for fixing problems is always/usually on the shoulders of people who are discriminated against.

Sandra: Yeah, it is so unfair! And even more awful is that no matter how you try to right that discrimination, even if you follow all the rules, you will still be criticized. [music begins] So this is what I need to talk to you and Andy about. Some protesters who do everything "right," like, legally and non violently are still criticized for their methods. But does that mean we should never criticize protesters? That doesn't seem right either. So how should we talk about protests? Should we as a society criticize protesters methods?

[music ends]

Sandra: Okay, so I want to talk a little bit about the specific stuff that I heard about the Inauguration. So. I had a conversation with somebody on Facebook who was like, "Oh, they shouldn't have blocked people from going into the Inauguration." So I asked him, I said, "Okay, but that's a nonviolent protest. I just want to make you aware that you're saying that a nonviolent protest is not okay. What kind of protest would you be okay with then?" Then like I got this weird

list of like, "You're not allowed to disturb people." Like, "You're not allowed to disturb people on their way to work because that can interfere with them making money, and like you're harming somebody that's not directly involved, and so it's unfair." There just seemed to be all of these rules. In my mind, what's happening is people -- we celebrate people like Dr. Martin Luther King, we celebrate him as nonviolent figure and a peaceful figure, but throughout the whitewashing of history, that nonviolence has actually turned into like a non-disturbing. Like people think that nonviolence means -- never having -- like always being comfortable. Like that's a very upsetting shift in what nonviolent means to me. That's my opinion about that.

Andy: Agreed. I mean, the idea that a protest ought not be disturbing, ought not be disruptive, ought not make people uncomfortable in some way ... I mean, there are protests that don't do that, but a vast majority of successful protests do operate in that way. And I think it's largely understood that it's okay for them to operate that way for a lot of people. The idea is, when someone has made a decision to be disruptive, they're basically sending a signal that, while they may be otherwise well meaning and not wanting to get in the way and not want to rock the boat, this is a thing that I care so deeply about that it is actually worth causing some disruption and discomfort. That's the point, the whole point is like this is the thing, I'm staking my flag in the ground, I'm putting my foot down here. To me, that's actually constitutive of peaceful democratic protest. This is the thing that I'm going to have things not operate normally in our society. I'm going to be disruptive enough to get you to pay attention, because it matters that much.

Sandra: Would you say then that outsiders should ... there should be this sort of level of respect for protesters because if you acknowledge that they are doing this, if this is the thing that they have set their mind to and have devoted themselves to then they deserve a level of respect maybe?

Andy: Yeah, this is their cross, right? This is the thing that they're taking on now, this is the thing that they've decided is so important that they're going to put themselves in the awkward and uncomfortable position of making other people feel awkward and uncomfortable, and that's your way of signaling this matters.

Sandra: So maybe don't criticize the way they do that.

Andy: Or at least don't criticize it on the grounds that it's an act of disruption or discomfort, like that's the point.

Sandra: We talked to Education Professor at DePauw University, Derek Ford. We asked him if it’s ever OK to criticize protesters methods and he basically said no. Mostly because protesters should be deciding their own message on a case by case basis.

Derek Ford: No, I think that absolutely without question ideology and vision has to come first and then tactics and strategy is decided on the basis of that, and how best to reach that vision in the sort of current social and political and economic coordinates. So, I think that to sort of

valorize one tactic at the expense of ideology, I have no interest in defending white supremacist who protest nonviolently, right? I think that they should be shut down. I think that they should lose. I don't really care what tactics they deploy. Whereas opposed if someone's fighting for a just cause, then I'm going to support them especially if it's a ... I'm not going to dictate to different sort of social groupings the methods by which they should resist which happens a lot of because most of the people denouncing violence are white people who are well off like petty bourgeois or really well paid workers in the United States who are then dictating the terms of struggle to oppress people who don't have that sort of luxury to sit around and ask questions about philosophy and violence and nonviolence.

Christiane: Yeah, and I think his idea is that, "Yeah, there should be rules for protest, but the rules are collectively determined by the protesters themselves, not determined by, you know, outsiders -- outside observers."

Andy: Surely the methods of protesters matter to some degree. The inaugural protesters and the Freeman protesters weren't like this, but take like Antifa protesters, right, where they're actually involved in violence, or they're actually doing things that seriously endanger the lives of people. Surely we'd be able to focus on that, right? So it kind of depends on what methods are being deployed and what methods are being used. If they are methods that are really particularly violent or very, very dangerous and actually endanger the lives and safety of people, then it seems perfectly appropriate to say, "How dare they?" So there are certain kinds of protest that seem perfectly appropriate to question the methods of the protesters, particularly like if it's violent protest, if it's endangering the lives or safety of people, seems to be absolutely nothing wrong with saying, "Hey, we should stop and think about what we're doing here, and we should think about what they're doing." There are probably, in a lot of those cases, appropriate subjects of criticism and blame.

Christiane: Well, define violence.

Andy: Punching people in the face?

Christiane: Is that it? Punching people in the face? Define violence.

Andy: Causing physical harm to someone.

Christiane: Does it have to be a person? What about property?

Andy: Oh. I don't know if I'd call that violent.

Christiane: This is kind of my problem with when people start saying like, "It's wrong to do it this way." It's always just very vaguely worded, and so I can see saying like, "When you sliced that woman's face open, that was wrong" -- like that specific thing, or when you cause another

person physical harm, but the problem is when people say violence, a lot of times people mean breaking windows, setting garbage cans on fire.

Andy: Depending on the manner of where the fire is, and the window, that might also fall under safety kinds of concerns, but ...

Christiane: So you don't necessarily object to property damage, but you do object definitely to bodily harm to other people?

Andy: Oh, I haven't -- we weren't -- I was just sort of demarcating that there are clear differences between certain kinds of violent protests and the kinds of protests that Sandra was just describing and it would be good to--

Sandra: I think what Christiane is saying is that it's inherently subjective once you start describing what violence is, is like we're automatically talking about our opinions and what we find acceptable, because when you say violence, in our heads, or when we say nonviolent in our heads that we automatically connect that to protest we deem acceptable. So it actually includes, for a lot of people, a lot more than just nonviolent tactics, and violence actually includes a lot more than just violent tactics.

Andy: Right, and to answer the question, "Do I have an objection to the property destruction?" To me, a lot of that's parasitic on what kinds of rights I think are at play. So there are going to be certain cases where I think it's appropriate to criticize someone for having broken a window and they're going to be certain cases where I think, "No, it was fine for them to break that window."

Sandra: What are those differences?

Andy: Well, suppose it's a labor dispute. The protesters are workers, and they have created a product, and they think they are entitled to a certain kind of payment for that product. But the corporation is going back on the agreement. I could see the laborers, as an act of protest, destroying that property. I'd be like, well, they're grievances, we created this, and there's a dispute over who even has a right to the property itself. When it's a dispute about the property right itself, it's less clear to me that the breaking of the property is, or the destruction of the property is bad or wrong. There's at least a case to be made that it was a permissible case of destruction. And then a case where you might think that property destruction is not warranted ... Suppose it's just like bystander property, and you just want to cause a ruckus or something, so you just like break the windows of people's houses in the neighborhood or something. But those persons are in no way causally responsible for the kind of grievance that you have. There the destruction of property seems less connected to the aims and goals of the protest, so you might think in that case maybe property destruction is at least more plausibly a target of criticism.

Christiane: Yeah, I, so...

Andy: The thought that there couldn't be any legitimate ... So let's --- We need some terminology here, right, so we don't get tripped up on ... Can we try and get three categories of protest? The physically assaulting people kind of violence, the gray zone. Then the peaceful ... Can we get a word for the gray zone, of like, do we call it violent protest or not? We're not really sure, that's where our opinions come into play?

Sandra: Let's call it the gray zone.

Andy: All right, the gray zone. Okay.

Sandra: That's easy. [laughter]

Andy: Fair enough. Physical violence protest, gray zone protest, clearly peaceful, clearly not causing damage.

Sandra: Yes.

Andy: But maybe still being disruptive, like in some way.

Sandra: Yes, yeah.

Andy: Loud, distracting, that kind of stuff.

Christiane: Yeah, so I have a view about protests, which like to me, part of what a protest is, and again, this is part, I'm not saying this is all of what a protest is, is that it makes people mad and that it makes people pay attention to the message of the protesters. Sometimes I think...Sometimes I think protesters need to do bad things, like break a window of a Starbucks that, hey that Starbucks manager didn't do anything, but you know, they need to use tactics like that to get the attention of people in power, and to purposely provoke and make people upset and angry.

Andy: I agree. In fact, I think that's one of the main -- You said not all of a protest. I think it's pretty close to a lot of what a protest is for. I think the point of a protest is to make people uncomfortable -- It's to cause that kind of discomfort to get people to listen and pay attention, who might not otherwise do it. One of the things I think is important about protest is it's a way to cause discomfort and get people to pay attention without resulting in war. I mean, I actually think that that's like kind of what's good about it, right? You know, if we didn't have a cultural practice of responding to protest, of listening to protesters, then I think you'd just be much more likely to have violent conflict. And so protest is like a pressure release valve. It's a way for people to get away with making things uncomfortable for people without resorting to war or violence. And so I think it's a kind of replacement for that. Just like democracy is a replacement for violent transfers of power, right?

Sandra: But then why is okay to criticize them?

Christiane: Yeah, I don’t --

Andy: Think about warfare. We agree that the point of warfare is to engage in violence to achieve a certain kind of end. We wouldn't say, "Why is it sometimes okay to criticize soldiers for the way in which they've killed?" You might think there are still rules to protest, that there are limits on the discomfort you're allowed to cause, just like you think there are limits on the amount of discomfort you're allowed to cause in wartime. I think there's got to some kind of ground rules about what's okay, but, you know, how we flesh those out, what those rules are, I don't have really clear, firm views. But I have an intuitive sense that some things cross lines and some things don't, but I don't have good, well worked out theories as to what that is.

Christiane: I think the issue is that nobody ever talks-- The issue is that everybody always stops at the methods, always. They're always like, "Well, you did it this way; therefore, I don't have to listen to anything you say about your ideas or anything like that." I think it's that the methods, and talking about the methods becomes always such a massive distraction, that the reasons that people are protesting--

Sandra: Are overshadowed.

Christiane: ... are overshadowed. That's a good way of saying it, yeah.

Andy: Okay, so then it seems like the question at hand isn't even necessarily under what conditions, if ever, is it okay to criticize gray zone methods. It has something to do with: There's this systemic issue of when criticism happens. It tends to just go straight to the methods, and then we stop thinking about the issues. We don't engage on what the issue is.

Sandra: Basically, this is where I've arrived to. We talk about implicit bias all the time, it's the only thing we talk about, practically.

Christiane: Have we ever done a show without talking about implicit bias?

Sandra: I don’t think so. But. Is this a bias? If we recognize in ourselves that we are more likely to criticize methods of a protest if we're uncomfortable, if we're unwilling to address the message of the protest, should we then do our best to refrain from criticizing the methods of a protest? Just as you would with an implicit bias, just be extremely aware of your biases to do so, so that you can stop.

Christiane: Honestly, once I became aware that that was a problem in my own life, it opened me up politically so much more than I ever had been before.

Sandra: Examples, go.

Christiane: Well, you know...I remember being in high school and learning about the Black Panthers and seeing a picture of the Black Panthers armed with guns, and I though, "Oh, well isn't that terrible and they're violent, and, you know, all that stuff." The more I questioned that line of thinking, the more I questioned, you know, being mad at an African American man for arming himself in the '60s, the more I realized like, "Oh, there was something else going on there. I am just scared, I was just scared of radicalism, I was just scared of radicalism of people of color because I had my own race issues that I was still working out." I think it also highlights to me, like, if I see myself questioning somebody's methods, and I really look at -- I really interrogate that questioning of somebody's methods oftentimes it points to me like, "You're being a little transphobic, you're being a little racist, Christiane." It kind of highlights some of my other biases that might be coming into play.

Sandra: It's like, maybe if we caught ourselves at the point of questioning methods, it's like a little red light, it's like, "Are you being crazy right now? Are you being like... Are you doing an ism?" That allows us like, it doesn't mean that we're saying that all methods are morally acceptable. It's saying the way we talk about those methods, we're trying to make sure that our own biases aren't leaking into that.

Christiane: I guess that brings us, maybe to, on what grounds can we criticize people?

Andy: My sense is there have to be some sort of ground rules for protest, even in the gray zone. It's not like morality is just out the door, just because you're in the gray zone. It seems like there's probably going to be some things that are wrong to do in the gray zone.

Sandra: So it's interesting, that's what I think. That was my whole point when I was trying to engage with this dude online, I was trying to come up with our common ground. I was trying to say let's agree on what protests are so that you can stop criticizing these people who are not doing anything wrong. But, when I asked Derek Ford about that, like, should that be the goal, is for us to have this common understanding about what protesting, that protesting is good, if it looks like this? And he was like, "Nah."

Derek Ford: Yeah, but I think that those who will oppose ... I think it's really still a question of like what the end is and what you're challenging. It doesn't really matter how ... Like the Black Lives Matter Movement and people will say, "Well, they shouldn't disrupt traffic," and then Colin Kaepernick will take a knee for the national anthem and they'll say, "Well, that's being disruptive too." At some point it's like well literally what isn't being disruptive, right? There's literally no way. When you're challenging white supremacy, there's nothing that the white supremacist are going to say, "Yes, you can challenge us in this way," right?

Sandra: I know Derek Ford disagrees with me. He doesn't think that coming to these kinds of ground rules is helpful, but I think I really do. I think, being clear, nonviolent doesn't mean that

there is someone is doing something in a way that is acceptable to you. Nonviolent means that they are not harming people. You can be disruptive, it can cost you money, it can cost you your job, it can cost you your time, and all of that is still nonviolent protest and is legitimate. Personally, I think it's important that we accept those things regardless of your political beliefs so we can have this foundation.
Christiane: And just to be clear, you mean ground rules that, like society agrees on, right? Because I think he would say that the protesters can definitely have ground rules for themselves, the collective can have ground rules for themselves, but you mean like everybody, the collective. Everybody else.

Sandra: Basically I want the person who I was talking to about the Inauguration, I want him to be able to acknowledge that that was a nonviolent protest.

Christiane: Well, I think we can agree that it's nonviolent, but I think I'm perceiving, and maybe I'm wrong, like a, a moral tinge to the nonviolent thing,

Sandra: No, you are. I'm saying there already is a moral tinge on nonviolent. So, I'm not putting it there, it is there. Therefore, I'm not saying your protest is OK because, again what your goals are, that's a separate thing that needs to be morally evaluated, but your methods cannot be called into question if you are protesting nonviolently.

Christiane: Um, but like -- I guess why do you need that guy on Facebook to agree that the protests were nonviolent?

Sandra: Because I feel like he won't listen to the actual grievances of people as long as he is blinded by his misunderstanding of what nonviolence means and what peaceful protests look like.

Christiane: But I have a sense that that guy is going to be blinded by ... I mean, if he agrees then that it's nonviolent, there's going to be something else that, you know what I mean?

Sandra: I hear you, and I understand---

Christiane: Yeah--

Sandra: Yeah, sorry. You and Derek totally disagree with me on this, and I am super understanding of that as I make this statement.

Christiane: It's a ...

Sandra: It's a difference in the way we view people. Like, I hold in my heart the belief that if everyone adhered to certain ground rules then we would have a greater understanding of one another.

Christiane: I just think people in power are in power for a reason, and they're not going to let go of that power. They're not going to let go of it because you're logical, they're not going to let go of it because you're being morally reasonable or that you're morally superior. They're not going to let go of it, they're just not going to let go of it. I mean until you do something radical. That's Christiane Wisehart's opinion.

Sandra: I hear you, I do hear you on that. Of course, things are open to criticism. I mean, if you kill people you should be open to criticism. In real life when we're looking at protests, when we see them on TV, before we have a gut reaction and we criticize based on whatever we see, I think we should think about what are our reasons for that. [snaps]

Andy: I do want to qualify it though. If you've decided that something is bad enough that it's worth disruption, or making people uncomfortable, don't you want to prioritize targeting first groups or organizations that are the source of that bad thing?

[music]

Sandra: That's a really good question that we don't have time for today. But don't worry -- we are continuing our ethics of protest discussion at the end of May!

[music ends]

Christiane: Man, I am amped. I am fired up.

Sandra: I still don't know how I feel. But, tell me about you being amped.

Christiane: I just really appreciated hearing the stories of the men of the Freeman Field Mutiny and then hearing all the historians and scholars talk about protests because it just reminds me that I need to give myself permission to break rules. Because I am a very buttoned up person, I like to follow rules, I'm very uncomfortable with confrontation and breaking any kind of rules. And so hearing about things like this and talking about things like this just gives me more conviction to fight for the things I believe in, even if and kind of especially if it means breaking the rules and causing a disruption.

Sandra: I wish I was as positive as you right now, honestly, because my mind is still in the gutter of respectability politics. Because a part of me really believes that the men of the Freeman Field Mutiny were noble in the way that they handled that protest because it was so controlled, it was so nonviolent, and it was so, like, perfect in that way? But I also don't want to shame people for showing anger in protests and being more, like, expressive about anger at protests. So like, I don't know. You know? I'm kind of caught between those two, and then I wonder if it's even -- like a lot of people say, "Respectability politics, they're ruining everything!" But in a lot of ways, I

think it's human nature to want to follow respectable leaders and noble leaders who do things that show an extraordinary amount of restraint or... respectability. You know?

Christiane: Yeah. Yeah, and as you say that I'm realizing that that just highlights my own white privilege, right, because I am in some ways allowed to be angrier and and I am allowed to be more expressive of my anger because I'm a white lady. Yeah. That's a good point.

Sandra: Yeah, so I don't know how to reconcile... I'm upset by respectability politics and how they dictate the protesting methods today, but I also totally get why they exist. [laughter]

Christiane: Yeah, I think it's still -- I'm seeing where you're coming from now, but I still think it's important to remember that at some point no matter how respectably you act and no matter how nobly you act, the powers that be are going to shift the rules again. Right? I think -- I agree with you, but I disagree on the part where you say-- like the common ground part, because I don't think that's ever going to happen unfortunately.

Sandra: The common ground part? Like, that I wish everyone had a common ground that we operated from?

Christiane: Of like, rules of how to protest. I think those rules -- I think people in power, they're going to shift those rules, again and again and again.

Sandra: Yeah, I guess there's really no way to fix that problem. But, I mean, one thing that I'm going to try to do from now on is to really challenge people, when I hear somebody criticizing a protester's methods, I'm going to challenge them to at least talk to me about the protester's message. Sort of like what Derek Ford was bringing up. So at least to remove the facade that people hide behind when they're trying to criticize a protester's beliefs but instead of engaging with that, they criticize the protester's methods. So at least we can remove that and start speaking more openly about what we disagree on with regards to protest.

Christiane: Right, yeah. I agree.

Sandra: So that's what I'm going to do.

Christiane: Me too!

Sandra: Cool. So. Christiane. I'm still lost, definitely. But those are the conclusions I do have.

Christiane: Yeah, I pretty much have everything figured out. I'm right, everyone else is wrong. No. This was great -- thank you for helping me constantly question my pretty strong beliefs.

Sandra: Me too, thank you.

Christiane: Thank you!
[music]
Sandra: Guys, we just got a breathtakingly beautiful review on iTunes. I want to tell you what happens when we got a review on iTunes. We have this messaging service, Slack. And Christiane, Andy and I, as soon as we notice one has come in, we literally-

Christiane: [laughter] Champagne emojis, party emojis, pizza emojis.

Sandra: One hundred emoji. Like every celebratory emoji is used, we use GIPHY to signify celebration, we all gather in the same room. We literally stop the work that we're doing to read it out loud to each other and celebrate.

Christiane: Yeah. In other words, we're very happy when you leave a nice review for us on iTunes.

Sandra: I weep a little bit.[laughter] Okay. If you want to make us three the happiest people in the entire world, please go leave us an iTunes review. That's the surefire way to our hearts, or if you have some kind of moral objection to iTunes, I'm sure somebody does ...

Christiane: Totally understandable.

Sandra: ... you can just tell a few friends about us and that'd be pretty rad too.

Christiane: Yeah, yeah. You can reach out to us on Twitter where you can find us @ExaminingEthics. We're also on Facebook...

Sandra: And we're also on Instagram now.

Christiane: Oh yeah, we're on Instagram now. Lots of fun pictures now.

Sandra: Yeah, we're trying out the ... What's it called where you move?

Christiane: Boomerang.

Sandra: Boomerang! We're trying some Boomerangs with our very exciting line of work. If you have a comment in general about the show or anything you'd like to say about protest itself, email us a voice memo. And you can send that to examiningethics@gmail.com.

Christiane: The reason we asked you to comment on protest is because we're actually doing a part two about the ethics of protest at the end of May.

Sandra: Yeah, so watch out for that, and until next time, guys.

Christiane: Goodbye.

Sandra: Bye.

[music]

Christiane: [water sounds] Hi, this is Christiane and I'm playing the dangerous game of recording the credits near some water. Examining Ethics with Andy Cullison is hosted by the Janet Prindle Institute for Ethics at DePauw University. Sandra Bertin and Christiane Wisehart produced the show. Our logo was created by Evie Brosius. Our music is by Cory Gray, Podington Bear, and Blue Dot Sessions and Dixie, and can be found online at freemusicarchive.ORG. Examining Ethics is made possible by the generous support of DePauw Alumni, friends of the Prindle Institute, and you the listeners. Special thanks to the Veteran Voices of Pittsburgh project for allowing us to use their interview of Wendell Freeland. You can hear his entire interview and find out more about them by visiting them on the web at veteranvoicesofpittsburgh.com.

Bonus Easter Egg:
Sandra: ...to tell what happened in his own words.
Christiane: Try that again, some of your sentence got clipped.
Sandra: You're a clip. [laughter] You're a hairclip! A chip clip! [laughter]
Christiane: That sounds like such a middle school burn. Like a sick burn that a middle school girl would make up. And it would hurt so bad even though you don't what it means.
Sandra: It would hurt. [fake sad] I'm not a clip!
Christiane: [fake crying] I'm not a clip, Jessica!