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ROBIN CELIKATES & RENÉ GABRIËLS

CIVIL DISOBEDIENCE
DILEMMAS OF POLITICAL RESISTANCE AND PROTEST

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Most political theorists seem to agree that civil disobedience consists in intentionally unlawful and principled collective acts of protest that have the political aim of changing specific laws, policies or institutions. Civil disobedience is therefore to be distinguished from both legal protest and »ordinary« criminal offenses or »unmotivated« rioting, but also from conscientious objection and full-scale revolution. In practice, however, these boundaries are politically contested and probably cannot be drawn as easily as theory suggests. Furthermore, it is equally contested whether civil disobedience always has to be public, nonviolent, exclusively directed at state institutions, limited in its goals, and restricted to transforming the system within its existing limits.

Two of the most prominent theories of civil disobedience, those of Rawls and Habermas, highlight its primarily, or even exclusively, symbolic character. This, however, seems to reduce civil disobedience to a purely moral appeal, which sets all hopes on a responsive public. On a theoretical as well as on a practical level we are today faced with the question of whether civil disobedience requires a moment of real confrontation for it to be politically effective. It seems that civil disobedience does in fact have an irreducible symbolic dimension, but that it cannot be reduced to this dimension, because without moments of real confrontation it would also

lose its symbolic power and turn into a mere appeal to the conscience of the powers that be and their respective majorities. The necessity of going beyond the purely symbolic therefore seems to be substantiated by the symbolic function of civil disobedience itself, or a condition of its effectiveness: civil disobedience is a form of political practice that is essentially relying on stagings and (re-)presentations.

The articles in this special section highlight various challenges and possibilities the theory and practice of civil disobedience is confronted with today. *Alejandra Mancilla* argues that we should reintroduce the idea of a right of necessity for those in severe need. She uses the case of famine-affected Paraguayan campesinos to argue that under certain circumstances this right entitles agents to noncivil disobedience. In a similar vein, *Jacquelien Rothfusz* suggests that the boundary between civil disobedience and criminal, or simply annoying, behaviour is much less obvious than usually assumed. With reference to the case of marginalised migrants in the Netherlands she argues that we should acknowledge the political aspects of certain forms of criminal behaviour. *Martin Blaakman* investigates how civil disobedience can be effective in a public sphere that suffers from various distortions and asymmetries. He argues that the Rawlsian notion of civil disobedience has to be supplemented by a Bourdieusian perspective in order to account for the effects of 'hermeneutic invisibility'. According to *Tom Grimwood* and *Martin Lang* we have to pay more attention to the aesthetics of civil disobedience. They use the example of the Militant Training Camp and Peter Sloterdijk's theory of rage to highlight how the rise of 'art activism' complicates the relation between the social and the artistic. Finally, *Tina Managhan* looks at how changing police tactics are (re)staging the scene from one of political protest to one of violence and disorder. She pays particular attention to the situated-ness of bodies and how the latter become de-politicized in the practice of kettling.

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