



Imagem gerada por IA (Midjourney) a partir dos termos: i wanna be anarchy

ON RADICAL GENEALOGIES OF CIVIL DISOBEDIENCE: REMARKS ON BÁRBARA NASCIMENTO DE LIMA'S "CIVIL DISOBEDIENCE: A DISPUTE OF CONCEPTS"

SOBRE GENEALOGIAS RADICAIS
DA DESOBEDIÊNCIA CIVIL: COMENTÁRIOS SOBRE A "DESOBEDIÊNCIA
CIVIL: UMA DISPUTA DE CONCEITOS" DE BÁRBARA NASCIMENTO DE LIMA

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Toward a radical theory of civil disobedience

In "Civil Disobedience: A Dispute of Concepts" (2023), Bárbara Nascimento de Lima makes a compelling contribution to the radical democratic approach to civil disobedience by mapping "selective appropriations" of the concept.¹ Telling a genealogical story of these appropriations that spans the supposed origin of civil disobedience in the work of Henry David Thoreau to its embrace by American philosophers in the 1960s and 1970s, Nascimento de Lima highlights the reoccurring domestication of the concept and seeks to reclaim a more radical understanding of it, one capable of making sense of contemporary forms of radical politics.

While debates in political theory can be marked by acrimony, my reply to Nascimento de Lima is not intended in that vein. Rather, my aim is to contribute to the ongoing debate around radical civil disobedience. Through critical engagement with Nascimento de Lima's paper, I show that radical attempts to overturn the genealogical narrative of civil disobedience offered by liberal theorists continue to adopt reductive tendencies that erase the complex political resources within the tradition of civil disobedience. Doing so, such radical readings of civil disobedience unquestioningly accept the tendency within the romanticized liberal narrative of civil disobedience of thinking about its theorists as either radical or non-radical instead of opposing not only its conclusions but also the reductive way it distorts the complex history of such figures and their theorizing.

Thoreau and the genealogies of civil disobedience

As Nascimento de Lima notes, the concept of civil disobedience has been retrospectively attributed to Thoreau, though he never used it in his writings. In fact, the very essay we know today as "Civil Disobedience" was originally named "Resistance to Civil Government," a name that was historically seen as too radical. Placing Thoreau at the beginning of the history of the concept of civil disobedience is therefore a historiographical and methodological choice – one that Nascimento de Lima adopts despite her critical view of the editorial process by which the title of the essay was posthumously modified and new material was added to it (39). But if Thoreau did not coin the concept of civil disobedience, why does Nascimento de Lima start here, especially when she writes that, "It is well known that, despite the fact that the idea behind the expression 'civil disobedience' was created by Thoreau, its theoretical approach was defined and established by John Rawls in 1971" (44)?

I claim it is necessary to complicate the idea that Thoreau is *the* creator of the idea of civil disobedience.² If we take Nascimento de Lima's genealogical approach seriously,

¹ Robin Celikates is today the main representative of this approach. See CELIKATES, *Radical Democratic Disobedience*.

² Concerning the same passage, one might ask whether it is historically accurate to characterize John Rawls and *A Theory of Justice* (1971) as offering the first theoretical account of civil disobedience. Multiple activists and theorists, from Bertrand Russell to Gene Sharp and Hugo Bedau, advanced theories of civil disobedience between 1866 and 1971 that were, in their historical contexts, at least as influential as Rawls's.

it is only from an anachronist point of view that we can argue that the “idea of civil disobedience gained relevance in 1849 when Henry David Thoreau, criticizing the war against Mexico and demonstrating his anti-slavery sentiment, wrote his famous essay, commonly known as *Civil Disobedience*” (39). Thoreau did not use the concept in 1849, and the concept was seemingly not in use then. Thus, the idea that from “a theoretical point of view, civil disobedience is defined as such based on the figure of Thoreau” (39) is also, genealogically speaking, an idea to be problematized, especially when we take into consideration the long history of debates, from Gandhi³ to Hannah Arendt⁴ and John Rawls,⁵ about whether Thoreau was truly a civil disobedient, as well as alternative genealogies of civil disobedience that choose to include earlier historical figures such as Socrates.⁶ As Nascimento de Lima rightly argues in this regard, “the concept of civil disobedience has been and still is in constant dispute” (43). But this dispute is not only about the meaning of civil disobedience. It is also about its chronology. To question the revision of Thoreau’s conceptualization of civil disobedience by later theorists, as Nascimento de Lima does, brings one aspect of these contestations to light while leaving the multiple rewritings of the chronology of the concept genealogically unquestioned.

Another radicalism

A considerable part of Nascimento de Lima’s argument relies in this regard on Russell L. Hanson’s interpretation of the reception of Thoreau’s essay.⁷ For both Hanson and Nascimento de Lima, selective appropriations have served “the purpose of diminishing the radicalism present in the original text written by Thoreau, especially concerning the matter of violence” (38). In this regard, Nascimento de Lima seems to find in Gandhi’s selective appropriation of Thoreau’s essay a fundamentally less radical conception of civil disobedience because of Gandhi’s emphasis on nonviolence and peaceful resistance.⁸ In doing so, Nascimento de Lima not only seems to assume that nonviolence is not or cannot be radical. She also fails to acknowledge the more radical aspects of Gandhi’s interpretation of Thoreau’s essay.

During the 1930s, Gandhi identified in Thoreau’s work a plea for a stateless, anarchist society. As he wrote in a 1931 article,

To me political power is not an end but one of the means of enabling people to better their condition in every department of life. Political power means capacity to regulate national life through national representatives. If national life becomes so perfect as to become self-regulated, no representation is necessary. There is then a state of enlightened anarchy. In such a state everyone is his own ruler. He rules himself in such a manner that he is never a hindrance to his neighbour. In the ideal state therefore there is no political power because there is no State. But the ideal is never

³ See the Section “Another Radicalism” of this reply.

⁴ See ARENDT, *On Civil Disobedience*.

⁵ See RAWLS, *A Theory of Justice*.

⁶ See LIVINGSTON, *Fidelity to Truth*.

⁷ HANSON, *The Domestication of Henry David Thoreau*.

⁸ In Nascimento de Lima’s approach, peaceful and nonviolent behavior are not *sine qua non* conditions to characterize an act as an act of civil disobedience. Her radical approach opens the door for more “aggressive tactics” (44).

fully realized in life. Hence the classical statement of Thoreau that Government is best which governs the least.⁹

The concept of an "enlightened anarchy" served in this context as a regulative idea in Gandhi's political project for postcolonial India. As he stated in a 1934 interview with Nirmal Kumar Bose, "[t]he state represents violence in concentrated and organized form" and could "never be weaned from violence to which it owes its very existence."¹⁰ His thoughts on a post-imperial India had as an ideal a federal polity whose fundamental principle of governance would be the "self-organizing capacity of the Indian village"¹¹ and whose main social unit would be the individual: a "decentralized peasant democracy," in the words of Karuna Mantena.¹² *Swaraj* – independence as self-rule – was, for Gandhi, inseparable from the collective construction of a nonviolent polity whose organization sought to avoid the reproduction of statist, imperial violence.

Gandhi's critique of the state – arguably more radical than Thoreau's critique of government¹³ – was therefore fundamental to his doctrine of nonviolence, not simply complementary to it.¹⁴ Gandhi's political theory cannot be separated in this regard from his critique of the liberal conception of politics, which relies on the state monopoly of violence and the reproduction of fear.¹⁵ His understanding of civil disobedience is therefore ultimately resistant to, and even in contradiction with, the effort of retranslating it as a duty to improve the state.¹⁶ After all, according to Gandhi one cannot live nonviolently in a state, so civil disobedience must require its abolition. Such a position seems far from a domestication of civil disobedience and should lead us to question any exclusion of Gandhi from radical understandings of civil disobedience.

King's liberalism

"This paper aims to demonstrate that the concept of civil disobedience has been and still is in constant dispute," writes Nascimento de Lima (43), yet she not only sheds light on such historical dispute but also suggests there is something inherently problematic about historical efforts to deradicalize civil disobedience. To advance her radical position, Nascimento de Lima relies on a genealogy of civil disobedience that turns out to be very similar to those orienting most liberal accounts of social protest. For Nascimento de Lima, the civil rights movement was a fundamentally reformist movement that "aimed to change the law hoping that such transformation would substantially diminish the effects of discrimination and end segregation," whereas the Movement for Black Lives in our contemporary moment "aims to eradicate racism and discrimination beyond the juridical realm, recognizing that both law and state are embedded in structural

⁹ GANDHI, *Power Not an End (Young India, 2-7-1931)*, p. 4.

¹⁰ GANDHI, *Interview to Nirmal Kumar Bose (9/10-11-1934)*, p. 318.

¹¹ MANTENA, *On Gandhi's Critique of the State*, pp. 536, 537.

¹² MANTENA, *On Gandhi's Critique of the State*, pp. 535-36.

¹³ Nascimento de Lima does not clarify throughout the essay what is *radical* about radical civil disobedience, although as I previously noted, radicality and violence seem to be conceptualized in tandem in her approach.

¹⁴ MANTENA, *On Gandhi's Critique of the State*, pp. 560-61.

¹⁵ See MEHTA, *Gandhi on Democracy, Politics, and the Ethics of Everyday Life*.

¹⁶ See LIVINGSTON, *Fidelity to Truth*.

racism" (44). However, recent historical accounts of the civil rights movement¹⁷ tell a more radical story, one that complicates Nascimento de Lima's seemingly clear-cut distinction between legal reformism and a radical struggle against structural racism. After all, isn't this distinction itself a feature of the "romantic historical narrative of the civil rights movement" (45) Nascimento de Lima rejects?¹⁸

Maintaining the distinction between radical and domesticated conceptions of civil disobedience not only leads Nascimento de Lima to overlook the more radical elements of Gandhi's thinking. It also risks losing sight of the radicality of King. That is, despite recent radical readings of King, which share in emphasizing the distortions caused by liberal appropriations of his political thought and activism,¹⁹ King is made into a liberal in Nascimento de Lima's account when she writes that it is "mainly in the theoretical and practical achievements of Martin Luther King Jr." that we can find the "roots" of the liberal model of civil disobedience (45). Here we again see that Nascimento de Lima's work reproduces a familiar tendency in critics of liberal civil disobedience who uncritically adopt liberal genealogies of the civil rights movement to point toward more radical forms of social protest.²⁰ But King is a more complicated and compelling figure. He cannot be reduced to the romantic narrative of the civil rights movement Nascimento de Lima recapitulates, one that claims that "the civil rights movement hoped to change the law and to convince others (particularly moderate whites and figures of authority) of the injustices of racism presented in *some* laws, policies, and decisions" where this is simply "a pertinent set of liberal goals in an allegedly 'nearly just society' that only needs punctual correctives" (53).²¹ For the problem with such a reading is that it participates in the liberal desire to forget King's critiques of capitalism, imperialism, and militarism, and deafens us to what Cornell West has called "the radical King."²²

In Nascimento de Lima's account, civil disobedience from Thoreau onward has been a history of constant deradicalization to which radical democrats must offer a more contemporary antidote. But this participates in the very distortions of the activism of the past Nascimento de Lima wishes to criticize and impedes our ability to consider the more complicated ways such activism has influenced and may continue to influence radical forms of activism in the present. According to Nascimento de Lima's genealogy, Gandhi, King, and American liberal philosophers all defend a fundamentally nonradical conception of civil disobedience. But if this is true, then it oddly seems that each of these figures is engaged in a process she refers to as "colonization" (38, 56, and 58). This curious attribution of colonization to such figures as Gandhi and King is partially the result of Nascimento de Lima's selective reading of them and partly the result of her imprecise use of the term "colonization." Here greater clarification of the use of term to describe the

¹⁷ See THEOHARIS, *A More Beautiful and Terrible History*; PINEDA, *Seeing Like an Activist*.

¹⁸ About the idea of romanticized histories and historiographies of the civil rights movement, see TERRY, *Rawls, Race, and Romance*.

¹⁹ See PINEDA, *Martin Luther King, Jr. and the Politics of Disobedient Civility* and *Seeing Like an Activist*; LIVINGSTON, *Power for the Powerless*.

²⁰ See, for example, HARCOURT, *Political Disobedience*.

²¹ Nascimento de Lima fundamentally departs in this regard from Pineda (*Seeing Like an Activist*), whose historical and theoretical work she nevertheless acknowledges (44) and mobilizes (52-53) in the article. There is, moreover, a tendency in the article to identify King's conception of civil disobedience with the predominant one in the civil rights movement, which, as the work of Pineda (*Seeing Like an Activist*) shows, was not, or not always, the case.

²² KING JR.; WEST, *The Radical King*.

liberal domestication of civil disobedience might have been offered. What is *colonial* or *colonizing* about Rawls's, Hugo Bedau's, or Michael Walzer's theories of civil disobedience? If we strictly follow the radical genealogy proposed in the article, both Gandhi and King also seem to offer *colonial* accounts of civil disobedience. Are all these figures really engaging in a similar process we might name "colonization," however? Or does grouping them together continue to distort the more complicated stories of Gandhi and King, two figures for whom civil disobedience was a radical form of *decolonizing praxis*, one born in anti-colonial movements in Africa and Asia?²³

What is radical about civil disobedience?

The genealogical approach I delineated in the previous three sections points toward a more radical history of civil disobedience. To be sure, radical democrats may have good reasons to move beyond Gandhi, King, and the so-called liberal tradition. But many radical approaches today continue to problematically theorize a radical way forward while uncritically accepting distortions within liberal genealogies of civil disobedience. As Livingston argues, since Gandhi genealogy-making has been a key feature of the civil disobedience tradition.²⁴ Having in view the persistence of liberal attempts to domesticate civil disobedience and our political imagination, we must remain vigilant and avoid continuing to imagine like liberals when we aim to think like radicals.

²³ PINEDA, *Beyond (and Before) the Transnational Turn and Seeing Like an Activist*.

²⁴ LIVINGSTON, *Fidelity to Truth*.

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