

Rule and Resistance Beyond the Nation State

Resistance Studies: Critical Engagements with Power and Social Change

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**Mikael Baaz, Mona Lilja, Sara Motta,
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Resistance appears in many different shapes and forms. It is about forming assemblies, engaging in collective and/or individual protests, involves delay tactics or direct oppositions, refusals to collaborate or the creation of alternatives—and much more. It involves power relations, violence and reshaping our political, physical and social environments. Practices of resistance might be played out by individuals or groups in local, national or international spaces and embrace activities, which are to be seen as constructive, productive, emotional, invisible, grand, hindering or up-scaled. It might challenge, redirect, subvert, mitigate or evade mechanisms and manifestations of power; it might even produce new forms of power. It permeates all that we recognise as culture, material settings and the very conditions of human existence, such as, life and death. And, it seems to be one of the most important engines of social change. To cover all these aspects of resistance, the Resistance studies series publishes original research on a wide range of issues, such as, subversive emotions, revolutionary struggles, political subjectivities, precarious resistance, the dynamics of dissident communities or belongings, and covering a wide range of productive resistance practices.

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*Researching Resistance and Social Change: A Critical Approach
to Theory and Practice*

Mikael Baaz, Mona Lilja, and Stellan Vinthagen

*Rule and Resistance Beyond the Nation State: Contestation,
Escalation, Exit*

Edited by Felix Anderl, Christopher Daase, Nicole Deitelhoff,
Victor Kempf, Jannik Pfister and Philip Wallmeier

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NORMATIVE ORDERS

Exzellenzcluster an der Goethe-Universität Frankfurt am Main

ROWMAN &
LITTLEFIELD
INTERNATIONAL

London • New York

Published by Rowman & Littlefield International Ltd
6 Tinworth Street, London, SE11 5AL, UK
www.rowmaninternational.com

Rowman & Littlefield International Ltd. is an affiliate of Rowman & Littlefield
4501 Forbes Boulevard, Suite 200, Lanham, Maryland 20706, USA
With additional offices in Boulder, New York, Toronto (Canada), and Plymouth (UK)
www.rowman.com

Selection and editorial matter © Felix Anderl, Christopher Daase, Nicole Deitelhoff,
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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN: HB 978-1-78661-265-6
PB 978-1-78661-266-3

Library of Congress Cataloging-in-Publication Data Available

ISBN 978-1-78661-265-6 (cloth : alk. paper)
ISBN 978-1-78661-266-3 (pbk. : alk. paper)
ISBN 978-1-78661-267-0 (electronic)

 The paper used in this publication meets the minimum requirements of
American National Standard for Information Sciences—Permanence of Paper
for Printed Library Materials, ANSI/NISO Z39.48–1992.

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Acknowledgements

This volume is the product of a number of research projects and gatherings convened by the ‘International Dissidence’ research group at the Goethe University Frankfurt’s Cluster of Excellence ‘The Formation of Normative Orders’.

In 2017, 60 international scholars travelled to Frankfurt for the conference ‘International Dissidence: Rule and Resistance in a Globalized World’. Building on this conference, we developed the typology of contestation, escalation and exit, and selected the contributions that were most promising in order to introduce this framework into the scholarly discourse. In June 2018, the authors of this volume convened yet again in Frankfurt for the workshop ‘The Transnationalization of Rule and Resistance’. We wish to thank all participants of these conferences for their stimulating contributions to the discussions around rule and resistance beyond the nation state. Both the conference and the workshop were funded by the Cluster of Excellence ‘The Formation of Normative Orders’. Furthermore, the open-access option is also sponsored by the Cluster. We are grateful for this funding and the help provided by our colleagues in Max-Horkheimer Straße. Without their extraordinary institutional support, this book could not have been written.

In addition, we are grateful to all those without whose help these events, and this book as a result, would not have been possible:

At Rowman & Littlefield International, we want to thank Dhara Snowden and Rebecca Anastasi for steering this book project through its development. Three anonymous reviewers gave constructive criticism, and the series editors of the Resistance Studies Series supported this volume throughout the process. In Frankfurt, we owe great thanks to Janusz Biene, Priska Daphi, Maik Fielitz, Regina Hack, Daniel Kaiser, Holger Mareks, Martin Schmetz, Christina Walz and Antonia Witt for their intellectual and logistic efforts in

organising the conference and beyond. Particularly, we want to thank Freya Steinbeck for her great work as conference assistant as well as Beate Stein and Viola Niemack for their untiring support in organisational matters. Ben Kamis was the one who made the book readable with his language editing. Finally, we are very grateful to Camilla Torresan, Ben Christian and Lisa Riegert, who provided invaluable editorial assistance and were able to bring order into the (sometimes contradictory) ideas and suggestions by six editors.

Frankfurt, 19 December 2018

Felix Anderl, Nicole Deitelhoff, Christopher Daase,
Victor Kempf, Jannik Pfister, Philip Wallmeier

Chapter 1

Introduction: Rule and Resistance Within and Beyond the Nation State

International politics is characterised by hierarchies and conflict. As international relations become increasingly institutionalised, their underlying asymmetries are manifested in relations of super- and subordination—structures of rule (Daase and Deitelhoff 2018, 2).¹ This process conjures resistance in many shapes and forms. Examples range from the movement against corporate globalisation and its mass street protests to violent projects for religious statehood and alternative communes trying to escape (inter)national rules. This shift of instances of rule and resistance to the international level can be described as the transnationalisation of politics.

While transnationalism is not a new phenomenon (Pries 2001; Saunier 2013, 5ff.; Keck and Sikkink 1998, 39ff.; Kaiser 2017), the current political situation is marked by the increasing relevance of and attention to both transnational assemblages of rule and transnational resistance (Keohane and Nye 1972; Risse-Kappen 1995; Tarrow 2005; Djelic and Sahlin-Andersson 2006; Teune 2010; Guzzini and Neumann 2012; Volk and Kuntz 2014). In consequence, the discipline of International Relations (IR) and the field of Social Movement Studies have started adapting to new realities, although often with confused conceptions of the transnational (Pfister 2016; Kamis, Pfister, and Wallmeier 2015). In IR, scholars have started moving away from the traditional assumption of anarchy beyond the nation state, introducing notions of hierarchy (Lake 2009; Zarakol 2017; Mattern and Zarakol 2016), authority (Sending 2015; Zürn et al. 2012), and empire (Barder 2015). Approaching these changes from the opposite angle, Social Movement Studies have increasingly focused on resistance to international rule(s), producing a rich literature on the evolution of transnational social movements (Tarrow 2005; Tilly 2004; Daphi 2017), their tactics (Bandy and Smith 2005; Della Porta

and Tarrow 2005; Tarrow 2011), and consequences (Giugni 1998; Bosi and Uba 2009; Bosi et al. 2016).

Despite these advances, IR and Social Movement Studies still share two analytical defects. First, both IR and Social Movement Studies lack a convincing conceptualisation of rule beyond the nation state. While it is clear that statist conceptions of politics grasp rule only incompletely, scholars in IR and Social Movement Studies have struggled to adapt their theories to this diffusion of power (but see Gill 2003). Social Movement Studies focus on resistance and have difficulty identifying the object of these protests. IR, in contrast, sees many different institutions and organisations at the international level, but it cannot describe adequately how these institutions exercise rule. Second, although their analyses of institutions and resistance gain ever more detail, both literatures lack the analytical vocabulary to reconstruct the *interaction* of rule and resistance. Scholars in IR have focused almost exclusively on the structure of the international system and its formal actors. As a result, ‘external shocks’ such as mass demonstrations at international summits come as a surprise. Social Movement Studies, on the other hand, have almost by definition focused on protest movements in isolation, are thus relegating political institutions to the status of external context or opportunity structure. This, however, often inhibits understanding of why the protests emerged in the first place. To overcome both myopic visions of transnational politics, this volume brings Social Movement Studies into dialogue with IR. We hope that together they can understand rule, resistance, and their interaction more clearly. This is a necessary step on the road to an empirically grounded theory of society beyond the nation state (Deitelhoff and Daase 2015).

These two analytical problems demonstrate the particular difficulties of studying rule, resistance, and their interaction at the transnational level, but they are nonetheless related and should be addressed together. Since resistance against rule is visible (in contrast to the obscurity of transnational rule itself), we propose to begin the investigation *by reconstructing rule through its interaction with resistance*. Such an approach must acknowledge the perspectives of resistant actors if they are to serve as the key to reconstructing structures of rule (Daase and Deitelhoff 2018). Therefore, the contributions to this volume start their analyses from one side of the conflict—resistant practices—in order to learn about the structures of rule against which that resistance is directed.²

In this introductory chapter, we first explain why IR and Social Movement Studies have both failed to develop an adequate notion of rule and the resistance it elicits. Second, we outline a new approach for studying the interaction between rule and resistance, starting from the perspective of resistant actors. We then provide a typology of interaction patterns between rule and

resistance to systematise the study of empirical examples, before surveying the volume and central aspects of the case studies.

THE COMPLEMENTARY DEFICITS OF INTERNATIONAL RELATIONS AND SOCIAL MOVEMENT STUDIES

Since the end of the Cold War and the advent of a new chapter of world politics in the 1990s, analyses of international politics have taken stability as the default condition. A putative peace suffuses analyses of the international system, often attributed to purported consensus. Yet, conflict has increasingly afflicted international politics. In the past two decades, many forms of discontent have appeared, with the 9/11 attacks and the ‘Battle of Seattle’ being perhaps the most visible. Although such discontent had existed before, it has become impossible to ignore. From resistance against international trade regimes in the global South (Esparza 2009), to indigenous peoples’ resistance, to religious fundamentalist resistance against Western modernity, protest seems to be everywhere (Daase et al. 2017). These acts of resistance cannot be spatially confined. They occur transnationally, their origins and goals are sometimes hard to pinpoint, and analysing them is difficult. At the protests of international summits like the 2017 G20 meeting in Hamburg, for instance, some parts of the resistance demonstrated and interfered with the summit in order to convey their message and change international politics; some denied the summit’s legitimacy and wrought violence in the streets; others shunned the entire spectacle and stayed away. In addition to the analytical complications caused by this internal division, these actors might not even have been protesting against the G20 as a specific institution. Rather, their resistance perhaps expressed a general discontent with something else.

This something else has so far eluded theorisation in IR and social movement studies. Although the former has become increasingly attentive to resistance (Zürn et al. 2012; Morse and Keohane 2014; Gertheiss et al. 2017), and it gives the latter its *raison d’être*, both fail to theorise the object of resistance. Before laying out our proposal for studying rule and resistance beyond the nation state, we sketch the analytical obstacles in both scholarly discourses.

IR’s Blindness to Rule and the Study of Resistance

Phenomena of hierarchy and rule are increasingly gaining attention in IR (Onuf and Klink 1989; Hurd 2007; Lake 2009; Zarakol 2017; Zürn, Binder, and Ecker-Ehrhardt 2012; Daase, Deitelhoff, and Witt 2019). Yet, in dominant accounts of global governance, a bias for legitimate authority in thinking about supranational institutions persists (see Zürn et al. 2012). By assuming

voluntary subordination to these authorities, power and violence are largely ignored.

Such a harmonious understanding of international politics is only possible because IR as a discipline has paid too little attention to protest and discontent. Only by analysing resistance to transnational institutionalisations of super- and subordination can IR grasp rule adequately. Despite waves of transnational protest in recent years criticising international institutions as nodes of rule in global politics, IR has not really addressed the question of rule beyond the nation state (Daase et al. 2017). Since the 1980s, there have been some isolated attempts to tackle institutionalised power asymmetries beyond the nation state, but IR has generally assumed that only a permanent monopolisation of force beyond the nation state—a world state—could fundamentally transform anarchic relations into rule (Waltz 1979).

With regime theory (Hasenclever et al. 1997; Krasner 1983), power asymmetries came into focus, but the anarchy assumption persisted. In constructivist norm research, the unequal diffusion, power-ridden contestation, and localisation of norms became central (Engelkamp et al. 2014; Epstein 2012; Deitelhoff and Zimmermann 2014), but institutions of rule beyond the nation state have little place. Research on international and supranational organisations has paid increasing attention to new authorities beyond the nation state (Barnett and Finnemore 2004; Hanrieder and Kreuder-Sonnen 2013; Kreuder-Sonnen and Zangl 2015), but research on how these authorities are ‘politicised’ (Ecker-Ehrhardt and Zürn 2013; Zürn 2015) largely ignores how power asymmetries congeal in institutions and what this says about the constitution of rule beyond the state.

Hence, despite long-standing consideration of rule in neighbouring disciplines, such as Sociology, Anthropology, International Political Economy, Political Geography, and Postcolonial Studies, IR has failed to tackle transnational rule. The absence of an appropriate conception of transnational rule in mainstream IR is mirrored by the paltry attention IR pays to phenomena of resistance. The result is an insufficient grasp of the rise of globalised resistance and the object it is directed against. Of course, IR notices protests as well as their intention to attack what their protagonists imagine to be transnational in character, constituted beyond the confines of national, and the conventional relations of international, politics. However, IR still struggles to make sense of the phenomenon, to recognise it as something that can reasonably be perceived as an object of resistance—a structure of rule. We argue that, by focusing on instances of resistance directed against political institutions beyond the nation state, opaque structures of rule can be rendered visible, ‘the examination of resistance practices enables us to identify structures of rule that are often overlooked by traditional approaches that are modelled too heavily according to state analogies, or that assume only anarchy

and utility-maximising cooperation to exist in the international sphere (Daase and Deitelhoff 2018, 14).

Where IR focuses too little on resistance to detect structures of rule, making an adequate concept of transnational rule unattainable, Social Movement Studies certainly focus on resistance. However, a complementary deficit prevails there: Social Movement scholarship does not focus enough on ruling institutions or how they interact with resistant actors.

The Meanings of Resistance: Social Movement Studies and Their Limits

Social Movement Studies have been studying various forms of resistance for decades, illuminating the generation, culture, and effects of resistance movements. Many IR scholars have incorporated its instruments and findings into their own studies (Sikkink 2004; Tallberg 2013; Gertheiss et al. 2017). Yet, as we briefly outline, this approach has limitations. Social Movement Studies have developed an impressive analytical toolkit over the past decades, but an overly static focus on ‘opportunity structures’ through much of its history and an overly behavioural focus on action in the study of protest repertoires have prevented the project from systemically analysing more than tactics and cultures in and of ‘the movement’.

Opportunity structures are the external context of social movements. They are political (can claims be fed into a particular political system?) and discursive (does a certain message resonate with a specific audience?). Degrees of mobilisation and their effects have been explained with reference to specific external contexts, most notably in the classic opportunity structure approach (Kriesi et al. 1992; Tilly 1978) and in theories of movement outcomes (Giugni 1998; Kolb 2007; Bosi et al. 2016). Movement scholars often draw on this paradigmatic view and interpret the access of social movements to institutions as a process of ‘institutionalization by which both the form and content of protest undergo a shift from confrontation to negotiation and cooperation, which can occur in a linear fashion’ (Morgan 2007, 247). This model of a quasi-mechanistic, evolutionary relationship between protest and opportunities implies a false and one-sided determination (see also Goodwin and Jasper 2004, 14; Jasper 2012; Della Porta and Tarrow 2012). In recent literature, the opportunity structure approach has, therefore, attracted criticism. Some argue that opportunity structures are not just ‘out there’, but are constantly co-constituted by the actors, since they also depend on subjective views and interactions. Concerning the subjective element, scholars have noted that the perception of opportunities (rather than ‘objective’ opportunities) mainly shapes repertoires of protest (Deitelhoff, Daphi, and Anderl 2017; see also Elster 1989, 20; Banaszak 1996), and these perceptions are affected by the

identities and narratives that compose social movements (Daphi 2017). Alimi et al. (2012, 8) highlight that it is insufficient to conceptualise changes of protest tactics as effects of changing opportunities. They suggest examining the *interplay* of various relational mechanisms instead. Consequently, the classical opportunity structure approach has to be coupled with interactional mechanisms: movements interact with structures, influence structures, and are influenced by structures (Meyer and Lupo 2010, 150; Weldon 2002, 178). When considering, for example, the shifting opportunity structures beyond the nation state in relation to the selective opening up of international organisations towards protest (Anderl 2017; Hack 2017), interaction should guide the analysis.

Of course, interaction is a long-valued concept in the study of contentious politics. Sidney Tarrow, for example, defines social movements as ‘collective challenges, based on common purposes and social solidarities, in *sustained interaction* with elites, opponents, and authorities’ (Tarrow 2011, 9, emphasis added). But in social movement outcome studies, the outcome of movements is usually conceived as demands translated into institutional change in targeted organisations (Amenta et al. 2010). Thus, while interaction is already a central theme in Social Movement Studies, it is used predominantly to explain social movement behaviour by means of changing political opportunity structures. While opportunity structures are important to understanding the development of political conflicts over time, the interaction of rule and resistance is too often explained unidirectionally, with a focus on the effects of changing institutional designs on resistant behaviour. Moreover, the dominant discourse about interaction in Social Movement Studies still treats ‘the movement’ and opponents as distinct and pre-existing actors playing against each other, like in a chess game. But where do the rules of the game come from and how are these actors constituted in the first place?³

Although the mechanical picture we draw here has already been challenged by the approaches in Social Movement Studies mentioned earlier, the tenor of the discourse remains a technical approach to understanding social protest. This is also apparent in the concept of ‘protest repertoire’, which has been defined as a distinctive constellation of tactics and strategies developed over time and used by protest groups to act collectively in order to make claims on individuals and groups (Daphi and Anderl 2016; Tilly 1995; Tarrow 1998; Taylor and Van Dyke 2008, 265). The theatrical metaphor highlights the aspect of ‘established ways in which pairs of actors make and receive claims bearing on each other’s interests’ (Tilly 1995, 43). Repertoires refer to a recurrent and predictable toolkit of specific protest tactics. Again, as with the concept of opportunity structures, Social Movement Studies have devoted considerable effort to describing and explaining the composition and effects of repertoires. The studies in this volume draw on this expertise, but

with a focus on how these repertoires relate to a perceived ruling order and how they are justified from the viewpoint of resistant subjects. Opportunities are theorised as part of a governing constellation in need of justification. Likewise, repertoires are directed at and justified to this order. Therefore, we examine the justification and political significance of protest in relation to the formation of rule rather than the protest repertoire itself. To that purpose, we elaborate a methodological approach that is sensitive to the subjective views and reasoning of resistant actors. These views—the reasons these actors give for their resistance—is an epistemological resource that can critically reveal instances of rule within and beyond the nation state.

A NEW AGENDA: STUDYING THE INTERACTION BETWEEN RULE AND RESISTANCE

Before we can propose an alternative framework able to capture the interaction between rule and resistance beyond the nation state, we must adapt the notions of rule and resistance prevalent in IR and Social Movement Studies to make both discourses amenable to an examination of rule, resistance, and their interaction.

Taking Rule, Resistance, and Their Interaction Seriously

The difficulty of IR and of Social Movement studies in dealing with rule and resistance can be overcome by bringing the two discourses into dialogue with each other. For such an endeavour, it is necessary to create a conceptual world in which both find entry points. One part of such a conceptual world is a notion of rule that goes beyond the insufficient ideas of authority common in IR. We understand rule to mean ‘institutionalized relations of super- and subordination’ (Daase and Deitelhoff 2018, 8). This neither assumes legitimacy by default, nor does it prejudge rule as illegitimate domination (Daase et al. 2017, 9–11). Rule is more than just governance, and it can be realised in a wide range of institutionalisations and spatialisations, ranging from formal institutions that rule through binding decisions to informal institutions, like issue-specific governing networks, and discourses (Kamis, Pfister, and Wallmeier 2015).

Common among these forms of rule is the fact that they provoke resistance: protest and civil disobedience directed against specific policies or entire political orders; non-violent blockades; militant direct action; terrorist and paramilitary violence; as well as refusal and withdrawal, which tend to be overshadowed by more spectacular forms of political confrontation.

While in some instances rule may be almost total, or at least very effective in disguising itself (Horkheimer and Adorno 2002, 94–136; Boltanski

2011, 2), a sensitive analysis of resistance can also capture tacit forms of rule that have grown organically from obscure origins and may therefore seem like ‘natural’ orders or merit-based authority (Lake 2009; Zürn 2015; but see Daase and Deitelhoff 2015). Where such ruling orders are normalised to the extent that they can hardly be decoded, the constellations of super- and subordination they institutionalise often only become visible in their rupture. Resistance marks the rupture, making subtly institutionalised rule visible within—and increasingly beyond—the nation state. Therefore, resistance is our epistemological point of access.

By viewing resistance as a necessary effect of rule that discloses it in the first place, our definition not only sharpens common understandings of rule; it also allows the study of rule to connect with the study of resistance. In order to study rule through resistance, however, we must also transcend the typical equation of resistance with radical outlooks, militant means, and marginalised positions—an equation that afflicts Social Movement Studies. Therefore, resistance, as we understand it, covers all attempts to change policies, decision-making structures, institutions, and political orders in their entirety (Daase and Deitelhoff 2018, 8–9). Resistance always rejects the current state of affairs and seeks political alternatives to the existing order. Building on this conceptual groundwork, IR and Social Movements Studies can at last converse.

This framework is the first and decisive component of our critical research agenda. To call something ‘rule’ always already problematises its legitimacy. By turning our gaze to rule, by analysing power asymmetries and their institutionalisation, we suggest that these are always in need of justification both empirically (Boltanski and Thévenot 2006, 23ff.; Celikates 2018, 98–102; Forst 2013) and normatively (Forst 2017; cf. Daase et al. 2017, 11–12). In pursuing this research agenda, for which this book delivers an initial typology, we do not assume that there is a single critical theory of society that can serve as the ultimate basis for normative and analytical reflection. Nor do we take an external critical position or qualify any particular order as ‘good’. Since our approach is not based on a specific set of norms, it does not admit critique in a strong, philosophically justified sense (Habermas 1987; Honneth 2014). We cannot immediately distinguish ‘emancipatory’ from ‘reactionary’ orders, justified from unjustified forms of resistance. However, by analysing resistant perspectives, we can acknowledge critical voices in the academic discussion and reveal how political orders are ruled.

Our approach admits all cases of resistance, irrespective of their normative orientations and historical trajectories. However, this makes the need for *ex post* evaluative judgement even more acute. For instance, the conspiracy theories of right-wing resistance to liberal democracy cannot be simply accepted as critical, reflective insights into hitherto invisible forms of rule; rather, they must be deconstructed and contextualised with critical theorising

(cf. Celikates 2018). But right-wing resistance is only an extreme, albeit very contemporary, example. All critical views demand the scrutiny of dispassionate study and normative reflection after being reconstructed from within. The collection of views in this volume can advance the debate in this direction, since each reconstructs resistant practices, demonstrating an empirically driven approach to these questions.

Studying Rule from the Perspective of Resistance

Our general hypothesis is that taking the perspective of resistance to rule can contribute to a more empirically rich and theoretically sound notion of the latter. In the following, we explain how to reconstruct rule from resistance in practice. Luc Boltanski, Laurent Thévenot, and Ève Chiapello (Boltanski and Thévenot 2006; Boltanski and Chiapello 2005; Boltanski 2011) provide a promising methodological starting point based on the concept of ‘orders of justification’ (Boltanski and Chiapello 2005, 519), which is able to grasp the worldviews and normative grammars of resistant practices in their interactions with rule, thus also illuminating rule ‘from below’.

This approach is characterised by a strong emphasis on the actors’ critical capacities and their intersubjective perspectives. Unlike strands of critical sociology that claim to reveal structures of rule while denying such perception to ordinary actors (cf. Bourdieu 1990), the Sociology of Critique does not presume to have a privileged perspective. It starts from the assumption that ordinary actors have critical capacities; their internal perspectives can, therefore, be access points for theorising rule (Boltanski 2011, 18–49; Boltanski and Thévenot 1999). It is theoretically open to all instances, sites, and degrees of resistant practice without encumbering the analysis with presumptions about what forms of resistance are emancipatory. Its focus is to enquire into the critical worldview of resistant actors, which is composed of the same values and normative parameters that also structure the discursive framework of their criticism.

The worldviews of resistant actors are structured by various orders of justification, a concept that captures the normative and symbolic contexts where critical perceptions emerge and give rise to different kinds of resistant practices, ranging from participation in public and political discourses to more radical, sometimes violent, forms of protest and refusal. Crucially, this approach emphasises the reasons and argumentative structures of resistance (Boltanski and Thévenot 2006, 74–82; Boltanski and Thévenot 1999, 361–63; Boltanski and Chiapello 2005, 22–27, 519). Resistance is no longer just a technical process out there in the world. Instead of analysing merely behaviour to the neglect of political meaning, the Sociology of Critique interprets the intellectual and political constitution of resistant practices systematically.

Resistance and rule are related interactively in the Sociology of Critique from the start. Just like resistance, rule is a highly normative state of political

order that depends on social commitment, making it depend on orders of justification for its legitimation (cf. *ibid.*). This is where rule intersects with resistance. Resistant actors can adopt established orders of justification and struggle to fulfil their inherent telos, or they can challenge those orders by denying their adequacy for certain practices and by arguing for the appropriateness of a different normative order. Arguing for an alternative order entails highlighting its superiority in terms of fairness and justice, thus initiating ‘competition’ between contradicting normative orders (cf. Boltanski and Thévenot 1999, 373–75). Once challenged, rule must justify its classifications and operations that lead to inequality. Thus, the Sociology of Critique directly taps into different modes of self-legitimation as well as the reciprocal relationship between rule and resistance. Analysing the interaction between resistance and rule, therefore, simultaneously analyses the contest between different orders of justification. Reconstructing the voices of resistant actors is the first step towards a critical view of structures of rule, because it reveals the conflict that underlies apparent political harmony.

RULE AND RESISTANCE: A TYPOLOGY

Using an interpretative methodology that focuses on resistant actors and their interactions with rule, we improve the understanding of rule, the forms of discontent it evokes, and the interplay between them. Here we offer a typology that grasps resistant practices by distinguishing between different modes of interacting with rule. As ideal types in the Weberian sense, these three types of interaction are abstractions. They permit categorisation of empirical cases, but some cases may exhibit traits of multiple types. This typology helps to order the empirical field and informs the interpretation of particular findings. In turn, the case studies of this volume enrich our typology empirically and stimulate further theorising to better grasp complex and atypical cases of resistance.

The starting point in our typology is a continuum between opposition and dissidence (cf. Daase and Deitelhoff 2018). This classification structures interpretations of the interaction between resistance and rule across cases. Oppositional forms of resistance adhere to the terms set by the ruling order. In such cases, resistant actors may demand better or purer implementation of established political norms, thereby implicitly accepting their very validity and the hegemonic interpretation. More dissident forms of resistance transgress the structures of rule and their orders of justification. They interact more antagonistically with rule by confronting it with alternative orders of justification. The distinction between dissidence and opposition thus helps to situate resistance in relation to the ruling order of justification.

Opposition can be radical, but it always relates to the same order of justification as the ruling institutions. *Contestation* is the practice that goes along with opposition, and it unfolds as a discursive argument about the foundation of political legitimacy that may (or may not) result in an innovative and reconciliatory reconfiguration of the established orders of justification. Dissidence, by contrast, breaks with the fundamental consensus of a given political order of justification. It confronts this order with a fundamental disagreement driven by a spirit of radical antagonism. Reconciliation may be unreachable, and the antagonism between the dissident party and the established order of justification can escalate into a violent dynamic of militant activism and repressive counteraction, exceeding discursive competition between different worldviews. We will call this *escalation*. However, the confrontational interaction between established orders of justification and radical alternatives can take a variety of forms empirically. Violent radicality⁴ is only one form of dissidence, not its paradigm. Besides contesting or violently negating orders of rule, dissidence can also refrain from interacting with them, instead practicing experimental, new forms of life beyond established structures (Wallmeier 2015; cf. Kempf 2018). We call such non-antagonistic resistance *exit* (Wallmeier 2017). As with escalation, any kind of reconciliation with the structures of rule is foregone or refused. But in contrast to escalatory forms of resistance, the irreconcilability in cases of exit is instantiated in separation and co-presence. In the following, we briefly describe these three types of interaction between rule and resistance to clarify the kinds of practices they each cover.

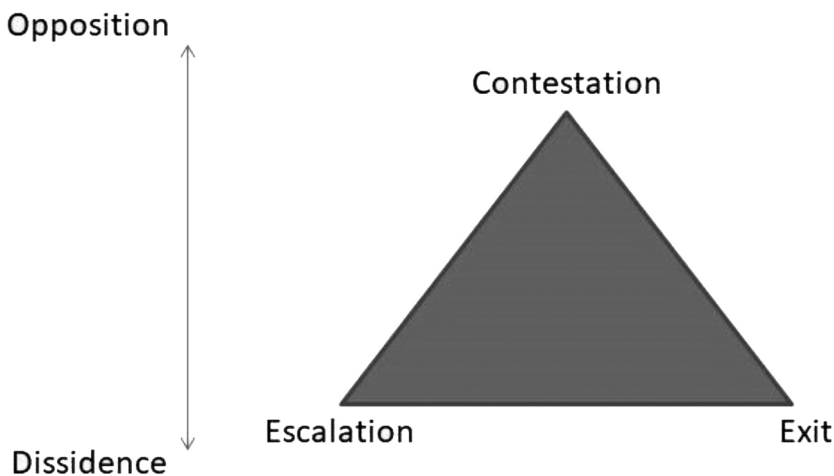


Figure 1.1. Three Types of Interaction Between Rule and Resistance

Contestation

Contestational forms of resistance confront ruling orders with alternatives and criticise (parts of the) orders and their unfulfilled promises, but they remain within or actively reference the ruling order of justification. Contestation engages with ruling orders discursively, disputing with them over questions of legitimacy and the normative foundation of social practices. Even if contestational forms of resistance seem to have an external view of hegemonic orders and their justifications, they nevertheless share certain normative ideals and commitments with them, like the commitment to the values of liberal democracy and its procedural norms, for example. Contestation consists of discursive struggles for the appropriate interpretation and implementation of ruling norms. Contestational forms of resistance are oppositional practices because they follow the ‘rules of the game’, even if their claims are radical. Even when challenging institutionalised orders of rule and their justifications fundamentally, contestation adheres to a shared normative basis.

Contestation has been covered extensively in political science and IR. It is associated with non-state actors and the challenge they pose to institutions and states (Risse 1995; Tallberg et al. 2013), as in transnational advocacy coalitions (Keck and Sikkink 1998; Park 2010) and the politicisation of institutions (Zürn et al. 2012). Using the example of NGOs, Uhlin and Kalm (2015) have introduced this relationship—by way of analogy to the national—as an ‘opposition to global governance’. O’Brien et al. (2000) have also approached this interaction between rule and resistance in the international as a ‘contestation of global governance’.

Escalation

Escalatory forms of resistance, by contrast, have cut their ties with ruling normative orders, confronting them with alternative projects through more radical, non-discursive means, such as sabotage, blockades, violence, terrorism, and so on. But this does not imply that escalatory resistance lacks reasons and argumentative structures amenable to reconstruction. They, too, are structured by arguments, though their arguments address audiences beyond the ruling order. In comparison to contestation, which adheres to the ‘rules of the game’, escalation is dissident in that it practises resistance with proscribed means. It is escalatory in that it increases tensions, politicises issues antagonistically, and seeks more direct, unmediated conflict.

Militant action and violent political riots are prominent examples of escalation (Seferiades and Johnston 2012; Scholl 2013; Pritchard and Pakes 2014), but at least two other phenomena also count as escalation in political conflicts: terrorism and organised militant action ranging from armed insurgency to

war. The latter forms were very prominent in the anti-colonial liberation wars of the 1960s and 1970s. Since then, terrorist activities of different political stripes have preoccupied political and scholarly interest, though prolonged civil wars are by no means empirically extinct.

Exit

As resistance, refusal engages neither in deliberation nor in violent confrontation with hegemonic orders of justification. Instead, it departs from such a (dialectical) logic of confrontation in order to invent new forms of life beyond established structures. Despite denying an interactive relationship with rule, refusal still interacts dynamically and is reciprocally entangled with it. These entanglements and their historical boundaries have to be studied carefully in order to establish a sophisticated understanding of the impulse, direction, and also the kind of radicality within such forms of resistance (cf. Wallmeier 2015, 2017).

Forms of life beyond established orders of rule, such as communal cultures, mutual aid beyond the market and the state, ecovillages, for instance, are driven by an anti-capitalist perspective that tries to find new ways of emancipation in the face of the collapse and moral bankruptcy of traditional reformist and revolutionary politics (Hardt and Negri 1994; Negri 2005; Kempf 2018).⁵ Instead of discursively engaging with or struggling directly against existing institutions of postmodern capitalism, exit denies any form of interaction with those institutions, deserts them in order to establish new micro-level practices in the fissures and disjunctures of established structures (Hardt and Negri 2004, 2009; Grubacic and Graeber 2004).

STRUCTURE AND APPROACH OF THE VOLUME

The empirical and methodological approaches of the volume's contributions are diverse, so the sociology of critique also recommends itself methodologically in that it is an interpretative approach that does not prescribe a single framework of analysis or a straightforward recipe for enquiry. It is methodologically sensitive to the particularities of each case, but it nevertheless allows for conceptual abstractions guided by theoretical reflection and comparisons between cases. Studies in this vein share a set of basic questions that all help to reconstruct critical practices, the intersubjective constitution of resistant actors, their worldviews, and their modes of expression and justification. It pays special attention to the interrelation between articulations of resistance and ruling orders of justification. Each chapter engages with the following aspects of resistance.

Resistant Practices

Actors' practices are the empirical starting point of this volume, and each chapter focuses its analysis on them. The studies consider the mode of resistance, the ruling order targeted, the target audience, the means and goals expressed, and how resistance changes over time. Do resisters contest the given order, escalate their interaction with it or leave the order through a conscious act of exit? Whom or what are they directed against? What kind of audience is addressed, what are the means and goals and how does resistance change over time?

The Justification of Resistant Practices

All resistant practices—even individual, private acts of withdrawal (Wallmeier 2017)—are accompanied by a critique of political, economic, cultural, and/or social structures of rule. This critique expresses discontent of a principally discursive and argumentative structure. There is no resistance without at least rudimentary justification, however implicit, intellectually flawed, and normatively unconvincing it may be. Therefore, we disclose views of resistant actors and their public and internal discourses of justification. Actors' views are an epistemological resource expressed in communication ranging from documents to statements and visual elements (cf. Bogerts 2016). The perspectives of resistant actors yield a critical view of rule and reveal the 'dark side' that ruling orders often deny. In some cases, the existence of rule is denied, ignored, or simply unrecognised in official political discourses, but resistant actors and their critical perspectives can reveal its existence.

The Interaction of Resistant Practices with Ruling Orders of Justification

After establishing the practices of resistance and their justifications, each chapter relates these practices to the ruling order. Do resistant actors and their opponents refer to the same order of justification? How do ruling institutions react, if at all? That is, the next question to address relates to the (direct or indirect) interaction between rule and resistance. Besides contributions that pose these questions empirically, our volume also includes reflections on how to theorise the interaction between rule and resistance properly and how to evaluate particular forms of resistance.

The volume is divided into three sections according to the type of resistance expressed in the empirical cases: contestation, escalation, and exit. All sections will be introduced with brief summaries of the respective contributions and a discussion of what we can learn from them about the respective types of resistance in their interaction with rule.

NOTES

1. Following conventional use, the term ‘International Relations/IR’, capitalised, refers to the academic discipline and ‘international relations’ refers to that discipline’s object of study.

2. While the goal of this volume is to improve our understanding of the interaction between transnational rule and resistance, we do not neglect the national level. In order to establish our conceptual framework, it is worthwhile to analyse the interaction between rule and resistance more generally, including more well-known instances of rule and resistance. This allows us to test and sharpen our analytical lenses and to devise an abstract frame of enquiry that captures the interaction of rule and resistance at all levels, including the transnational.

3. Similarly, criminological and sociopsychological (i.e., deviance) perspectives prevail in the literature on terrorism and organised militant resistance, which obscures the political nature of such resistance and the similarities—and sometimes fluid boundaries—they share with other forms of contestational politics (Della Porta 1995, 2013; Bosi, Demetriou, and Malthaner 2014).

4. That is, acting radically, as opposed to being radical, which is all too often essentialised in the word ‘radicalism’ and, at best, describes a general mindset or, at worst, denounces an entire way of thinking as exaggerated and dogmatic.

5. To be sure, refusal-as-resistance is not exclusively leftist in character. It can be motivated by various political and ethical reasons. Therefore, the category of exit also captures ‘nationalist villages’, esoteric, spiritual, and religious counter-cultures, etc.

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Part I

CONTESTATION

Introduction to the Section by Felix Anderl,
Nicole Deitelhoff, and Regina Hack

In the study of international relations, contestation has received enormous attention during the last years (Deitelhoff and Zimmermann 2014; Niemann and Schillinger 2016; Wiener 2004, 2014). This is a welcome development. It puts into spotlight the contingencies and, particularly, the controversy surrounding the changing norms and practices underlying globalised politics—rather than assuming smooth processes of norm diffusion or functionalist processes of governance. However welcome this shift in perspective may be, contestation remains an underdetermined and sometimes elusive concept. It is often equated with resistance to political processes, lumping together different forms of discontent with or disruption of political phenomena. In contrast, this volume considers contestation as a specific kind of resistance. This is important because different kinds of resistance are likely to be performed by different actors and will have different reasons and effects. Therefore, it is necessary to examine these different forms of resistance in analytically specific ways. When we do so, it becomes apparent that ‘contestation’ as referred to in IR is, in fact, a very distinct mode of resistance. It is mostly moderate, institutionalised, and issued verbally. In other words, these instances of resistance are oppositional in character, in contrast to escalation and exit which are dissident. Such a typology (see introduction to this volume) does not only sharpen our analyses, it also illuminates that IR has tended to look at one particular kind of discontent and has hence been rather limited in its understanding of resistance.

In this volume, in contrast, we define contestation as a particular practice: Contestation challenges a powerholder and demands change, yet it does so within the abstract ‘rules of the game’. The action takes place within the general order of civil society and public deliberation that is often also affirmed by powerholders. Contestation thus has a reform-oriented character. It can be

observed in such different forms as deliberation, demonstrations, petitions, vigils, lobbying, and advocacy. While the actors who engage in contestation may have transformative agendas, they instantiate their claims 'within the system'. They oppose rule, more or less directly, and have an intimate relationship with it, sometimes even in the form of financial dependency. One of the major features of contestation, in comparison to escalation and exit, is that, by definition, it has to justify itself vis-à-vis the object that it contests. Oftentimes, the act of justification is at the same time the act of resistance, for instance in cases of arguing or bargaining. But contestation can also go beyond these practices by spoiling meetings, urging, shouting, or collaborating. Another characteristic trait of contestation is to deny a specific property of rule without necessarily fighting the whole ruling order and its general framework of legitimacy. Since this particular order is, in principle, acknowledged, giving reasons towards the powerholders is of prime importance. All this shows: Although contestation can be radical in its aims and means, in comparison to escalation and exit, at least a minimum of constructive critique is involved. The contributions of this section exemplify this definition but also challenge it from a number of different perspectives, developing types of contestation in unforeseen and challenging ways.

Susan Park opens the section by illustrating a 'successful case of contestation'. She reconstructs how, in the case of the World Bank, contestation of international development financing challenged the rule of development institutions by pushing for environmental and social policies to protect ecosystems and communities. Transnational advocacy networks produced environmental and social gains and later demanded transparency and accountability from the World Bank. She argues that it was a particular tactic of advocacy groups to focus their resistance on powerful shareholder states, particularly the United States, which, in turn, pressured the World Bank to adopt accountability mechanisms. The chapter therefore demonstrates how the mode of contestation modified transnationalised rule: While allied to the United States, the activists used ideational and material tactics to establish liberal rules for global governance. Presumably, the advocacy network would not have been as effective, had it chosen dissident modes of resistance to transnationalised rule.

In our own contribution, we investigate another instance of resistance against international institutions, comparing the reaction of the WTO to contestation and escalation. We show that institutions directly react to resistance, in this case through an 'opening up' of their procedures and amplified communication with resisters. Yet, unlike in Susan Park's chapter, we do not determine a 'success' of the resistance. Rather, we show how the WTO has adapted their repertoire of reaction to the type of resistance they encounter: We point out that oppositional critique provokes a different response than

critique which questions the very existence of the institution. The WTO did indeed 'open up' in the face of resistance, but in a very audience-specific way: It assigns highly unequal statuses and privileges to different kinds of civil-society critics. It divides these potential adversaries to prevent the emergence of a strong opponent that could threaten its authority. Drawing on the image of 'divide and rule', we explain this case with a mixture of organisational sociology (organisational rationality) and critical approaches to the institutionalisation of super- and subordination by way of sowing division.

After these clear-cut cases, **Ben Kamis and Martin Schmetz** introduce a form of resistance that puts our typology to the test. In their contribution on Ecuador's and Russia's harbouring of whistle-blowers, they analyse a case of international civil disobedience. Civil disobedience sits uneasily at the border of contestation and escalation. It designates highly symbolic but also confrontational disobedient political actions that are perceived as illegal and threatening by rulers, but that are not necessarily militant or violent. However, they push the boundaries of the accepted, thereby provoking a reaction which can lead into a spiral of escalation. But civil disobedience can be ritualised and accepted so much in social practices that it often is hardly seen as escalatory behaviour. The very struggle around what civil disobedience is can thus be very illuminating for how contestation and escalation can be differentiated in social practice or how one may lead to the other depending on the context. For this volume, the chapter rather fits into contestation because both cases indicate public, conscientious, and reform-oriented efforts to change the conditions of rule in international society by symbolically harbouring fugitive whistle-blowers. Both Russia and Ecuador see themselves confronted with a system of rules and norms that has been unduly manipulated to favour the West. To both, however, it is not the system of rules and norms itself that justifies dissent, but its distortion by what they perceive as the unjust manipulation of certain states. They hence justify their action according to the current rules of the game.

After this excursus into international civil disobedience, the two further chapters turn their gaze towards social movements and their practices of contestation. **Anna Fünfgeld** applies a Gramscian framework to the struggle of Indonesian social movements and their resistance to coal-based energy production. Due to the severe environmental, health-related, and socio-economic impacts from open-pit coal mining and combustion, criticism has emerged locally. As she shows, Indonesian environmental activists have used a social justice framing to criticise these extractive practices. As a part of their contestation, these movements point out illegal practices connected to coal mining and weak law enforcement. However, the movement's forms of contestation have themselves been contested. This includes the norms and narratives they refer to, their protest repertoire, and the collaborations they

seek. The chapter assesses the varieties of contestation over Indonesian coal politics and elaborates in how far different groups challenge or comply with hegemonic orders of justification. This case study reveals that despite the tangible outcomes of rule-based arguments in the reformist camp, the overall political-economic structures continue to exhibit neo-liberal as well as oligarchic features. Rule is hence conceptualised along these political-economic categories.

In the final contribution to this section, **Lesley Wood** explores how interactions between rule and resistance shape the transnational diffusion of solidarity. Examining the lethal repression of protesters and the resulting patterns of solidarity protest in 2017, she argues that activist brokers facilitate solidarity between the victims of state repression, and others in their networks using human rights and anti-imperialist language, and by activating shared ethnic, political, and religious identities. The chapter provides a better understanding of how the actions and narratives of these brokers are shaped by their interaction with transnationalised rule. Their future contestation is under some circumstances even enabled through a repressive reaction to their protest, as she argues by showing patterns that link lethal repression to transnational solidarity.

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Chapter 2

Changing the International Rule of Development to Include Citizen-Driven Accountability— A Successful Case of Contestation

Susan Park

The embedded liberal international order established in 1945 inaugurated the transnationalisation of rule in international development. International development is comprised of a range of international organisations (IOs), bilateral development agencies, publicly funded agencies that operate in the private sector, and corporate actors. While private sector financing increased from the 1990s as a rival to official development assistance, the Multilateral Development Banks (MDBs) represent the transnationalised rule of international development financing. The MDBs include the most well-known, the International Bank for Reconstruction and Development (World Bank), the World Bank Group comprised of the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), the African Development Bank (AfDB), the Asian Development Bank (ADB), the European Bank for Reconstruction and Development (EBRD), and the Inter-American Development Bank (IDB). They all provide technical assistance, loans, and guarantees to member states and companies in developing countries at or near market interest rates for development programs and projects. Their operations tend to be similar in terms of their program and project lending (Culpeper 1997), and they co-finance with each other and the private sector. They also have similar policies (Humphrey 2016) and act as knowledge brokers for developing member states (Riggirozzi 2006; Stone 2003).

This chapter¹ examines how activists contested the rule of the MDBs in the 1990s by pushing for citizen-driven accountability mechanisms (Lewis 2012). This continued demands from the early 1980s by transnational advocacy networks (Keck and Sikkink 1998) for the MDBs to incorporate environmental and social policies that constrain their negative impacts on ecosystems and communities. Here, key activists chose not to escalate their opposition to the Banks' rule, nor did they seek to exit. Rather, they opposed the given

order by seeking to modify the MDBs' rule by advancing transparency and accountability. This fits within a broader movement seeking to challenge the transnationalised rule of development, including activists who demanded an end to the World Bank. Key activists worked with the MDBs' most powerful member state shareholder, the United States (U.S.) Activists, particularly in the U.S. and Europe, challenged the MDBs' rule to incorporate liberal transparency and accountability procedures. Activists were able to influence the U.S. preference for citizen-driven accountability. The U.S. then used three ideational and material tactics to bring these accountability mechanisms to fruition: its power of the purse, its voice, and vote on the Banks' boards.

RESISTING MDB RULE THROUGH CONTESTATION: FROM ENVIRONMENTAL AND SOCIAL GRIEVANCES TO DEMANDING TRANSPARENCY AND ACCOUNTABILITY

This section outlines how resistance against MDB rule contested international development practices that lead to environmental and social harm (Bowles and Kormos 1999; Fox and Brown 1998; Rich 1994; Wade 1997). This section reconstructs the emergence of opposition before examining how this graduated into demands transparency and accountability in the 1990s, leading to a push for citizen-driven accountability for all of the MDBs. First, transnational advocacy networks coalesced in the early 1980s as the campaigns to stop environmental and social harm, including a range of activists with different interests (Keck and Sikkink 1998). These included the Polonoroeste project in Brazil, the Indonesian Transmigration Plan, and the Narmada Sardar Sarovar Dam in India (Wade 1997; Gutner 2002; Park 2010a). These mega-projects had significant impact on people, moving them away from traditional livelihoods and ancestral lands. The environmental impact was often devastating, irreparably harming sensitive ecological systems. Transnational advocacy networks used boomerang politics (Keck and Sikkink 1998) transmitting information from local sites of Bank-financed environmental and social harm to developed member state governments to pressure the World Bank to force developing member states to change the project or improve the plight of affected communities.

Transnational advocacy networks contested MDB rule through information politics or publicising the negative impacts of World Bank-funded projects to the international media, as a means to lobby donor member states to stop such damaging projects (Park 2010a; Keck and Sikkink 1998). A coalition of environmental NGOs operating in the U.S. particularly in Washington, DC, where the Bank is located, included the following: Natural Resources Defense Council

(NRDC), the Environment Defense Fund (EDF, now Environment Defense), Environment Policy Institute (EPI, now Friends of the Earth—U.S.), National Wildlife Federation (NWF), and the Sierra Club (Gutner 2002, 55). In 1987, they were joined by the Bank Information Center (BIC), which was formed to provide strategic information and assistance to NGOs on the MDBs.² These NGOs connected with southern activists on campaigns like Polonoroeste and Narmada to create transnational advocacy networks.

Persistent mass campaigns challenged the World Bank to listen to marginalised voices. Until this point, the World Bank had an enviable reputation: financially creditworthy and moral; lending to developing member states to further economic growth and alleviate poverty. Activists increasingly challenged the perceived omnipotence of the World Bank in dictating international development and driving globalisation after the end of the Cold War (George and Sabelli 1994; Goldman 2005; Woods 2006). The World Bank initially ignored and then downplayed the impacts of its lending. The debate was for their borrowing member states, and any concerns should be discussed with the Bank's shareholders, not the Bank.

Activists therefore targeted not only the Bank through persuasion and social influence such as shaming but also donor shareholders, through persuasion, backed by shareholders using coercion against the World Bank (Park 2010a). The MDBs are relatively autonomous international organisations. Member states direct the overall direction of the Banks through their representation as Governors of the Banks, where representatives from states' ministries of finance or treasury convene biannually. The Governors delegate oversight of the Banks' everyday practices to a smaller cohort of Executive Directors that sit on the Banks' Board (as determined by voting share, discussed later). Bank management, under the President, direct the Banks' daily activities and staff. Bank management have the power to bring projects, programs and policy change to the Executive Directors for approval. The G7 dominates the shares of the World Bank and the rest of the MDBs (see table 2.1).

Outside public campaigns targeting the World Bank, activists raised the issue in the Japanese, Dutch, Finnish, German and European Parliaments (Clark 2003, 20). Environmental groups also lobbied U.S. Congress to address the negative impact of MDB financing through their role in authorising and appropriating World Bank's International Development Association (IDA) replenishments (discussed later, Park 2010a). Shareholder member states would listen, questioning the impact the World Bank lending had on communities and the environment. Over a decade the World Bank would shift from ignoring, then rejecting, to accepting their role in contributing to environmental and social harm.

The outcome of the struggle was that the World Bank shifted from 'business as usual' to the 'do no harm' principle after environmentalists' documented

Table 2.1. Top Member States Voting Power as a Percentage of Total Votes in the MDBs FY2015¹

<i>Member States Voting Power</i>	<i>World Bank (IBRD)</i>	<i>IDA</i>	<i>IFC</i>	<i>MIGA</i>	<i>EBRD</i>	<i>ADB</i>	<i>AfDB</i>	<i>IDB</i>
United States	16.64	10.36	20.99	15.02	10.11	12.71	6.53	30
Japan	7.19	8.36	6.01	4.22	8.61	12.79	5.46	5
Germany	4.21	5.40	4.77	4.20	8.61	3.76	4.10	1.89
France	3.94	3.78	4.48	4.20	8.61	2.16	3.74	1.89
United Kingdom	3.94	5.99	4.48	4.03	8.61	1.93	1.74	0.96
Australia	1.40	1.23	1.77	1.49	1.01	4.93	0	0
Argentina	0.82	1.32	1.59	1.12	0	0	0.10	11.27
Brazil	1.85	1.56	2.08	1.30	0	0	0.41	11.27
China	4.64	2.10	2.30	2.64	0	5.45	1.14	0.004
Egypt	0.49	0.43	0.52	0.47	0	0	5.41	0
India	3.06	2.93	3.82	2.56	0	5.36	0.25	0
Mexico	0.99	0.56	1.15	0.65	0.15	0	0	7.24
Nigeria	0.58	0.38	1.05	0.78	0	0	8.86	0
Italy	2.53	2.26	3.02	2.38	8.61	1.74	2.42	1.95
Canada	2.56	2.60	3.02	2.50	3.43	4.48	3.80	4
G7 Total	41.01	38.75	46.77	36.55	56.59	39.57	27.79	45.69

1 From Park 2017

large-scale, high-profile, environmentally disastrous Bank projects (Wade 1997). The Bank introduced ten environmental and social policies that would seek to prevent harm resulting from the Bank's operations, called the safeguard policies (Park 2010b). While each policy was heavily debated with external stakeholders including environmental and human rights activists, once approved, the policies became part of MDB rule.

Beginning in July 2012, the World Bank reviewed all of its safeguard policies simultaneously (previously each individual policy had taken five years each, see Park 2010b). Approved in August 2016, the Bank's new Environmental and Social Framework (ESF) came into effect in 2018. The conversion of the safeguards was part of the mass reorganisation of the World Bank under President Jim Kim in response to the changing needs and influence of borrower member states. The revision was highly contested by a wide range of activists with different interests on the basis that this undermined the previous hard-fought for safeguard policies, although some gains such as labour rights were also evident. The Bank argues that the Board pushed for the safeguard conversion in part to 'improve accountability and grievance redress systems and instruments' (World Bank 2016).

The importance of the safeguard system cannot be overestimated for transnationalised rule and its resistance. The safeguards were a win for environmental and social activists that put a break on untrammelled international development financing. While not challenging the international

liberal economic order, they created more detailed specifications on how to do international development financing that took environmental and social limits seriously. The Bank's safeguard policies constituted new categories of actors and action (environmental officers within the Bank that uphold the policies) and regulative in terms of Bank staff having to adhere to them. They established a means to determine whether people were being unduly impacted as a result of international development projects and programs. The safeguards are now socially recognised benchmarks for how to mitigate negative environmental and social impacts in the World Bank, in its borrowers and contractors; in other MDBs; and in some private sector lenders through the Equator Principles and through co-financing (Hunter 2008, 450).

The safeguards also provide the basis for evaluating development project approval and implementation, with subsequent monitoring and evaluation procedures established to investigate project performance and ensure the policies were being met. For the World Bank this included a Quality Assurance Group and a dedicated Quality Assurance Compliance Unit (QACU) (see Park 2010a, 93–104; Sud and Olmstead-Rumsey 2012). Importantly, the rest of the MDBs would follow suit. They would either articulate circumscribed versions of the Banks policies or use the World Bank's safeguards (Humphrey 2016), with additional monitoring processes to ensure their implementation. Activists continued to contest MDB rule to ensure these policies were being upheld through demanding increased transparency and accountability.

Contesting Transnationalised Rule Through Ideational and Material Tactics

Contestation is a strategy of ongoing engagement with and opposition to transnationalised rule. Transnationalised rule is comprised of rules and procedures that have capitalist development as their guiding ideology. Transnationalised rule is comprised of a range of rules and procedures enacted by and through the Multilateral Development Banks, private banks, state, and non-state actors. Contestation was successfully used by activists within a largely non-repressive form of transnationalised rule that we find in global governance. Decades of struggle succeeded in pushing the World Bank, and the other MDBs, to create internal guidelines to limit harm. From the early 1990s, activists focused on pressing for increased transparency and for accountability mechanisms for the MDBs. Both the request for increased transparency and the demand for oversight mechanisms derive from democratic representative systems of accountability. The MDBs are held responsible and answerable for their actions to those whom they represent: member states who, in turn, act on behalf of their citizens.

The case shows how contestation can come from activists resisting transnationalised rule through using the ruling order. It is questionable whether change would have been possible without the U.S. backing activist demands (Park 2017). Although the U.S. was strongly supportive of activists' opposition to the negative impacts of MDB rule, contestation was acceptable because it did not challenge the international order in the way that escalation or exit might. Rather, incorporating transparency and accountability procedures into MDB rule, further enabled international development financing to continue unimpeded in the same way that instituting environmental and social policies did (Goldman 2005). It is possible that demands to limit the MDBs negative environmental and social impacts through safeguard policies and citizen-driven accountability mechanisms were considered more reasonable by member states and the Banks compared with other radical options posited by different activists at the time (Wade 1997). This situates transnational activists using contestation within a broader constellation of resistance to transnationalised rule.

The US used three tactics of resistance to bring citizen-driven accountability to fruition. The tactics are the power of the U.S. purse, its voice, and its vote as a donor shareholder. Activists sought to engage in resistance through influencing donor shareholders, especially the US, to take up their plight. The US has the highest capital subscription in the Banks. Otherwise known as the 'power of the purse', this is a material tactic for change. Donors have the ability to threaten to withdraw their capital. While they have never done this, and the MDBs have independent revenues drawn from international capital markets, interest, and loan repayments, the Banks occasionally need to replenish their capital in order to offset loan increases. These are periodic General Capital Increases (GCI), such as after the 2008 global financial crisis when the Banks engaged in counter-cyclical lending. Negotiations between shareholders and the Banks over increasing GCI have been used by shareholders to demand changes to the Banks' policies and operations (Mistry 1995).

Donors, often driven by non-state actor concerns (Mistry 1995), can also use another form of the power of the purse: by making demands through the soft-loan replenishment process (Babb 2009). All of the Banks except the EBRD have soft-loan facilities which are grant based or minimal interest loans to the poorest of the Banks' borrowers (ADB collapsed its soft-loan fund into its ordinary lending in 2017). These are additional funds proffered by the Banks' donor shareholders and are renegotiated every three to four years (see table 2.2). Since the 1990s, the soft-loan replenishment process has been one of the most powerful tools at donors' disposal to shape the direction of the Banks, even in areas that have nothing to do with the soft-loan facility.

The second resistance tactic is both ideational and material, or the ability of donors to use their voice to influence other shareholders and Bank

Table 2.2. The Multilateral Development Banks and Their Concessional Loan Facilities

<i>Multilateral Development Bank, date founded</i>	<i>Concessional Loan Facilities, date founded</i>
World Bank (IBRD, 1944)	International Development Association (IDA, 1960)
World Bank Group (IFC, 1956 and MIGA, 1988)	None, although as part of the World Bank Group, IFC and MIGA have overlapping shareholders with the IDA
Asian Development Bank (ADB, 1966)	Asian Development Fund (ADF, 1973; wound up in January 2017)
African Development Bank (AfDB, 1964)	African Development Fund (AfDF, 1973)
Inter-American Development Bank (IDB, 1959)	Fund for Special Operations (FSO, 1959)
European Bank for Reconstruction and Development (EBRD, 1991)	None

management to adopt new ideas. Activists worked with the U.S. Congress to demand MDB transparency and to advocate for accountability mechanisms to ensure recourse for people that were being or could be adversely affected by a Bank-financed project. The third tactic, the use of the U.S. voice within the MDBs incorporates formal processes such as U.S. congressional legislation that restricts how the U.S. Executive Director can vote (Sanford 1982, 16). This serves as a means of signalling the importance of the issue at stake to U.S. Congress, indicating an ongoing commitment in ensuring that legally binding principles are applied to how the US votes on the MDB Boards (this is now made public). This third tactic is again both ideational and material: voting to enact change at the Bank' boards. It is ideational because this is where shareholders consolidate new ideas into approved policy. This turns an idea into a norm, because the Banks' boards all operate by consensus rather than voting according to member states shares. In this sense, voting is a procedure that bestows normative legitimacy on the activities of the Banks (Chorev 2012). It is also material because votes are allocated according to the capital shareholders subscribe to the Banks. These are highly unequal in the Banks, meaning that the most powerful donors have greater representation on the Banks, with member states with fewer votes being represented on the Banks' boards in mixed constituencies and sharing an Executive Director (Lombardi 2008; Woods and Lombardi 2006; Kaya 2015). Powerful member states have their own Executive Director representing their sole interests on the Board.

These tactics have been used to great effect together to achieve change within the Banks. First, where there seemed little traction for new ideas such as transparency and accountability donors would invoke their power

of the purse using whichever lever necessary to force a discussion through negotiation. Tying new ideas to financial concessions is a recognised means to induce norm change (Schimmelfennig 2005). In the case of the MDBs, both GCI and soft-loan replenishments were used. Second, the US would use its voice to advocate for such changes by discussing proposals directly with Bank management before they went to the Board for debate and approval. In this way, the US has ‘informal influence’ in the Banks as the predominant shareholder, and it exercises oversight of the operations of the Banks more so than other member states (Gwin 1994; Lavelle 2011). Decisions only go to the Bank’s board if donor shareholder approval is likely (Culpeper 1997). Proposals are frequently run past U.S. Treasury (the main agency responsible for oversight of the MDBs) while preparing it for a board meeting.

The US uses its voice at the Board as well, to influence other member states to adopt new ideas. It may work with other members to marshal support (Gwin 1994, 56), as well as through bilateral relations, the G7, and the executive directors networks to generate consensus (Upton 2000, 51, 85). Voice also incorporates U.S. congressional legislation that restricts how the U.S. Executive Director can vote (Sanford 1982, 16). As shown next, the use of congressional legislation was a powerful stick to induce change within the Banks over the need for transparency and accountability. Finally, when satisfied, the US would vote in favour of creating new transparency and citizen-driven accountability mechanisms within the Banks. This is evident across all of the Banks except the EBRD, where the US abstained because they did not believe the mechanism was independent from Bank management. Only after it was given greater independence did the US endorse it.

U.S. INFLUENCE IN THE MDBs: TRANSPARENCY AND CITIZEN-DRIVEN ACCOUNTABILITY

Activists demanded greater transparency, because they needed to know how and what the MDBs were planning in order to identify and challenge projects likely to cause environmental and social harm. The MDBs were highly secretive for two reasons: first, its structure as based on ‘executive multilateralism’ (Zürn 2004), which meant that the Banks could only speak with their shareholders or the member states who sit on the Banks’ Boards. As with other IOs, the executive multilateralism of the MDBs led to charges that they suffered a ‘democratic deficit’ (Blanton 2007). Second, as a banking institution they relied on borrower confidentiality, meaning that even people affected by projects financed by the Bank were unable to access documents about operations that may affect them. Indeed, only the Banks’ Articles of

Agreements (constitutions) and the lending contracts with borrower member states identifies any form of obligation and therefore accountability.³

Contesting international development succeeded when activists demonstrated that harm had occurred, and worked through existing structures (shareholders) to achieve positive outcomes. While mass protests at the project site and symbolic politics through the international media were important for maintaining pressure, the ability to translate that pressure into MDB-wide policy change took place as a result of inter-relations between activists and donor shareholders. Key activists were able to influence members of U.S. Congress to legislate for change. The 1989 Pelosi amendment for information disclosure within MDBs, presented by congressional member Nancy Pelosi and authored largely by the Sierra Club, placed conditions on the U.S. Financial Institutions Act (Keck and Sikkink 1998, 149). This required the U.S. Treasury to instruct U.S. Executive Directors of MDBs, such as the World Bank, to oppose any environmentally significant project that had not had an environmental assessment (EA) (Nelson 2001, 1839). Moreover, the U.S. Executive Director (ED) was to oppose the project if the EA had not been made available to the Board at least 120 days prior to the Board meeting to approve it. This has since been adopted by the other MDBs. This recreated domestic level transparency requirements for environmental and social impacts previously established in Western liberal democracies.

Activists could therefore assist in disseminating information to people likely to be affected by Bank projects, thus enforcing the environmental accountability of the MDBs. The US established an internal government Working Group on Multilateral Aid (Hunter 2008, 464) to oversee the environmental aspects of MDB operations. Comprised of the U.S. EPA, U.S. AID, U.S. Treasury, BIC, FoE, Greenpeace, and WWF (all with sister organisations and networks in Europe) totalling between 15 and 25 NGOs at any one time (BIC 2003). The aim was for environmental NGOs and the U.S. government to come to common agreement on the environmental projects and policies of MDBs. The transnational advocacy network was maintained by a constant communication of ideas to and from environmental NGOs within the Tuesday Group. Establishing a common conception of development between parts of the state and environmental NGOs within advocacy networks is the most concrete example of how the activists contested MDB rule. Throughout the 1990s activists would continue to press the MDBs to shift towards favouring transparency. From the first information disclosure in 1994 towards much greater concessions in the early 2000s, activists and the US would continue to advance the idea that transparency is a key requirement for international development.

Contestation continued as activists demanded a means of recourse for project affected people (PAP). While the changes to policy that activists had

fought so hard for were important, unless there was a means of ensuring that ecosystems and people were protected then there were very real concerns that the Banks would revert to past practices. The issue came to a head with the Narmada Sardar Sarovar Dam in India. The project, financed by two World Bank loans in the 1980s, was to move over 120,000 people to make room for a system of dams. It would be one of the largest civil protests since Indian independence (Shihata 1994, 10). Narmada was the 'singularly defining reason for the necessity for the inspection mechanism within the Bank' (Umana 1998, 2). Under pressure to respond, World Bank President Barber Conable commissioned the Bank's first ever independent review of a Bank project in 1991. The Morse report was critical of the Bank's efforts (Morse and Berger 1992). The Bank responded with the *Narmada: Next Steps* report stating that 'the interests of the Bank would be better served by the establishment of an independent inspection panel' (Shihata 1994, 8). Yet, as the World Bank's General Legal Counsel Ibrahim Shihata noted, 'None of the recommendations and action proposals made in this context mentioned the creation of a permanent inspection body. Attention at this stage was limited to existing internal mechanisms to monitor and control the quality of the Bank's operations which included . . . the possibility of establishing an ad hoc independent commission for this purpose' (1994, 13).

Lori Udall and Bruce Rich from the Environmental Defense Fund (now Environmental Defense) and David Hunter from Center for International Environmental Law, among others, lobbied the US to push for accountability for the World Bank (Udall 1997, 6; Shihata 1994, 25). Despite Treasury's role in determining U.S. policies towards the MDBs, they were not supportive (van Putten 2008, 80). It did, however, catch the attention of the U.S. Congress: Over a three-month period, Udall and Hunter worked with the Chairman of the U.S. House of Representatives authorising committee Barney Frank to create a formal appeals mechanism resolution (van Putten 2008, 74). While other member states favoured an internal sanctioning mechanism the activist-US Congress model supported a recourse mechanism for PAP.

Most borrowing Executive Directors (EDs) opposed the idea of opening the Banks up to being held accountable to PAP. The Dutch, German, Chilean and Malaysian EDs proposed an 'in house evaluation unit that enabled Bank staff to review problem projects' and be responsible to the Board. This in-house mechanism was neither independent nor allowed a role for project-affected people (Clark et al. 2003, 8). In response, Bank management concluded that there was 'no apparent need for a permanent inspection unit' (Shihata 1994, 23).

The US then threatened to withhold the World Bank's IDA-10 replenishments pending the creation of a World Bank accountability mechanism in 1993. Negotiations for IDA-10 funds for July 1993 through to June 1996 had concluded in December 1992. However, the amount the U.S. Treasury agreed

to contribute had to be passed into law by U.S. Congress (Lavelle 2011, 24). On 5 May 1993, activists testified to the U.S. House of Representatives before the Subcommittee on International Development, Finance, Trade and Monetary Policy of the Committee on Banking, Finance and Urban Affairs, Chaired by Congressman Frank. Chairman Frank made it clear that the US would not allow IDA funds to be authorised unless the Bank established such a mechanism, raising the prospect of withholding IDA-10's third year of funding. As a result of the US using its power of the purse, the proposal for an inspection function not only progressed but was modified to become accountability as justice. This included being responsive to PAP; to be independent of Bank management; and take the form the US propounded. The Bank objected but legal advice upheld Frank's capacity to do so (Lavelle 2011, 126–7). Only then did Ibrahim Shihata, the World Bank's General Legal Counsel, begin working on the accountability mechanism proposal.

While some Executive Directors remained sceptical, by then agreed that such a body should be created. With the US, UK and Germany on board, it became clear that donors were in favour of creating it; they were aware of the public backlash arising from MDB-projects (Park 2010b).⁴ Owing to the weighted voting system, borrowers knew there was not much point voting against it; consensus would be better. In the discussion, one ED made it clear that the proposal was 'very much built on one shareholder's view [the US] on what was needed to gain political support for IDA-10' (World Bank 1993). A borrower pointed out that they were only willing to go along with it because it had widespread support; they would not have supported it if it was only a minority position 'no matter how powerful they [the US] were and no matter the consequences of IDA funding' (World Bank 1993). The US played a 'critical leadership role in the process and managed to induce consensus' (Fox 2000, 288). On 22 September 1993, the Board established the Inspection Panel (resolution number 93–10 IBRD, and resolution number 93–6 IDA). The idea of accountability as justice was crucial to the design of the Panel rather than an in-house sanctioning mechanism to improve the Bank's project performance. Independent from Bank management, the Inspection Panel has the capacity to investigate claims by PAP in a borrower's territory. Transparency and accountability would then be implemented across the MDBs thus shaping international development rule.

CONTESTATION AND THE CHANGING RULE OF INTERNATIONAL DEVELOPMENT

The US now had a reform agenda and Treasury worked on behalf of Congress to look to where they could find success. The US requesting the IDB create

such a mechanism in 1994 using a GCI. The IDB's Independent Investigation Mechanism (IIM) was created 'under US pressure' (Nelson 2000, 424). The IDB accepted \$700 million in new money during GCI-8 in April 1994 in exchange for accepting the U.S. policy agenda for increasing the Bank's effectiveness and efficiency, including an accountability mechanism. The GCI-8 agreement included an aim to 'increase transparency and accountability in Bank operations' (IDB 1994, 10–11). In August 1994, the Board approved the introduction of the IIM to 'investigate allegations by affected parties that the Bank failed to follow its own established operational policies' (McGill 2001, 194).

IDB's mechanism would be followed immediately after by the ADB in 1995 with the US using both a GCI and an ADF replenishment. The US linked the need for an Inspection Function to its 'commitments to the general capital increase for its ordinary operations and in relation to its Asian Development Fund (ADF) VII negotiations' (Bissell and Nanwani 2009, 158). The US was the most vocal of the member states on the ADB Board and it had the responsive ears of the other donors (Interview with Accountability Expert, 27 November 2013). Representatives from the ADB then visited Washington, DC, enabling the U.S. Treasury to comment on several drafts (Interview with Accountability Expert, 27 November 2013). The Inspection Function was then created.

The WBG would establish its mechanism in 1999 within the context of activist campaigns against the International Finance Corporation (IFC) and concerns over the parameters of the World Bank Inspection Panel using a mix of GCI and IDA replenishments. The US used the power of the purse to ensure change by using both soft-loan replenishments (IDA funding) and CGI for the IFC and MIGA to propel the creation of an accountability mechanism. When U.S. Congress passed the IDA-10 replenishment it made clear its expectations for an accountability mechanism for the rest of the WBG (United States Congress 1993). In the 1990s, activists challenged the negative impact of IFC investment and funding of the Pangué Dam in Chile. Pangué was the first large project IFC ever undertook and its environmental and social impacts would have lasting ramifications for the IFC (Park 2010a). A local environmental and social umbrella network Grupo de Accion por el Bibio (GABB) and close to 400 Chileans filed a complaint with the Inspection Panel in November 1995, but it was rejected because the Panel does not inspect IFC projects. The Pangué Inspection Panel claim triggered discussions over the need to extend the Inspection Panel to cover the WBG or establish a separate mechanism (Udall 1997, 52). In early 1996, the WBG Board requested IFC and MIGA management 'formulate an inspection mechanism proposal designed to meet the needs of the private sector'. In June, IFC and MIGA management stated that they 'support the establishment of an inspection mechanism that would review compliance [of IFC and MIGA] upon

request by locally affected parties, while accommodating the special characteristics of the private sector' (World Bank Group 1996).

Heeding congressional demands, the U.S. Treasury maintained pressure on the WBG for creating an accountability mechanism. IDA-11 (begun in 1997) produced 'an agreement to have management propose an inspection function for the Bank's private windows, IFC and MIGA' (United States Congress 1999). Meanwhile, the Hair report investigating Pangue was completed in April 1997. It concluded that IFC was unable to enforce its own environmental and social guidelines. It recommended that 'IFC projects should be subjected to an Inspection Panel process such as the one currently in place at the . . . International Bank for Reconstruction and Development' (Hair 1997, 35, and Section B, 6). In August 1997, IFC and MIGA management stated that 'the majority of private clients and co-financiers told IFC and MIGA that they believed that the disadvantages of an inspection mechanism would outweigh any benefits' (World Bank Group 1997). Meanwhile, in 1997, member states agreed on the need for an \$850 million GCI for MIGA. U.S. Treasury used the GCI as a carrot to continue to push for an independent inspection mechanism. MIGA's Chairman and Executive Vice President Iida then favoured extending the Inspection Panel to the WBG.

At IDA-12, IDA Deputies recommended that 'Management should bring to the Executive Directors of IFC and MIGA a proposal aimed at instituting an appropriate and independent inspection function, suitable for the private sector' (IDA 1998). U.S. power of the purse was necessary because IFC management opposed the mechanism. IFC Chairman Peter Woicke stated that:

in 1999, our institution had come under tremendous pressure to accept a mechanism which would allow people negatively affected by IFC projects to voice grievances. My future colleagues feared a World Bank-type Inspection Panel was likely to be forced on them and . . . yet it became quickly clear that IFC would not get away without providing such a platform, given [*sic*] project-affected communities the right to express their grievances. The Compliance Advisor/Ombudsman appeared to us as a more acceptable solution than the Inspection Panel and hence *management stopped lobbying against an accountability mechanism*. (Woicke 2001, emphasis added)

U.S. power and influence was instrumental in creating the WBG's accountability mechanism. A March 1998 paper by IFC and MIGA then outlined the option for a Compliance Officer/Ombudsman (CAO), which gained broad support and the CAO was created in 1998. The CAO directly mediates between the affected community, IFC or MIGA, the project sponsor (corporation) and the host government. Under its compliance function, the CAO operates like the other accountability mechanisms as a formal sanctioning tool for investigating Bank compliance.

The US would continue to use its power of the purse through an AfDF replenishment to press for an accountability mechanism. The AfDB was the last MDB to establish a mechanism in 2004 (EBRD is discussed later), although Bank management ‘proposed the formation of an inspection panel to receive and investigate complaints from outside parties directly affected by a bank-financed project’ a decade earlier (English and Mule 1996, 61). After the U.S. Congress signalled its preference that all of the MDBs have accountability mechanisms, Western member states asked management to ‘develop proposals for an inspection panel’ during negotiations for ADF-VII in 1994 (English and Mule 1996, 61; Hansungule 2009, 6). The Bank sent a draft proposal similar to the Inspection Panel to the U.S. Treasury in October 1994. The AfDB’s accountability mechanism did not become a reality until a decade later because the Bank was in financial turmoil from the African debt crisis, with many Regional Member States becoming dependent on AfDF concessional loans. The US resumed AfDF lending in 1998 in the lead up to AfDF VIII negotiations, specifically requiring the creation of an independent inspection function for funding (AfDB 2004, 158). In 1999, the Bank ‘seriously began thinking about the accountability mechanism’ (Interview with Accountability Officer, 28 October 2013), coming into effect on 30 June 2004. Like the other mechanisms, the new Independent Review Mechanism would undertake investigations of claims by groups of people ‘who demonstrate that their rights or interests have been or are likely to be directly affected by the failure of the relevant Bank Group entity to comply’ with its policies (AfDB 2004).

Owing to the near-parity of donor shares in the EBRD and its lack of a soft-loan facility, the US would rely on its voice and vote to realise its accountability mechanism in 2003. The US relied on convincing the other major shareholders to agree to its preference. The EBRD closely identifies with the operations of the IFC, and IFC was only just beginning discussions as to whether an accountability mechanism was viable for its operations. Notably, ‘IFC and the EBRD held out the longest’ in terms of resisting an accountability mechanism but ‘once the IFC had done it the writing was on the wall’ (Interview with EBRD staff member, 9 June 2009). The US came to a consensus with the other G7 EDs to push the EBRD for such a mechanism from 2000, soon after the creation of the CAO for the WBG. In Fukuoka, the G7 Finance Ministers Report expressly stated that ‘there is a clear need for additional progress in such crucial areas as information disclosure, public participation and accountability to the shareholders’ of the MDBs and that ‘Independent inspection panels should be in place in an appropriate manner in all institutions’ (G7 2000). In 2001, the G7 reiterated their call for the MDBs to ‘strengthen or establish inspection mechanisms reporting directly to the Board’ (G7 2001). EBRD (and the AfDB) were asked to develop proposals

for creating accountability mechanisms ‘along the lines of the World Bank Panel’ (G7 2001).

The US strongly advocated for such a mechanism on the EBRD Board although the European directors were concerned about the cost. On 14 May 2002, the Board of Executive Directors held a closed Executive Session to agree on establishing a mechanism. As stated by President Lumierre, the session:

endorsed the principle of establishing a mechanism whereby local groups that may be directly and adversely affected by a Bank-financed project would be able to raise their complaints or grievances with an arm of the Bank that would be independent from project operations. The desire to enhance the accountability and transparency of the IOs are the primary reasons for establishing such a mechanism. (EBRD 2003)

With full Board support, the session discussed what such a mechanism would look like. The Europeans wanted an accountability mechanism but were concerned with how it would affect the Bank’s commercial confidentiality while the US and Canada were more open (Interview with EBRD staff, 9 June 2009). In reporting to U.S. Congress in 2003, Treasury noted that the EBRD supported U.S. objectives because it ‘has proposed establishing an inspection function for the first time, called the Independent Recourse Mechanism’ (United States Congress 2003). In April 2003, the EBRD established its IRM.

CITIZEN-DRIVEN ACCOUNTABILITY IN THE MDBS: LIBERAL TRANSNATIONALISED RULE

The style of accountability pressed on the Banks is important. From the beginning, the Banks and their borrowers rejected the idea of being accountable to the ostensible beneficiaries of their projects they finance. When discussed initially, the Banks favoured in-house mechanisms that provided internal oversight. Activists and the US demanded this be opened up to provide people affected by Bank-financed projects the means to hold the Banks answerable and responsible for their actions. Thus, the accountability mechanisms described here are vertically accountable in the sense that they provide additional oversight for member states to review cases of Bank non-compliance with its own environmental and social policies. They are also horizontally accountable in terms of creating new accountability units within the Banks to investigate whether Bank non-compliance has led to harm on behalf of project-affected people (Grigorescu 2008). This therefore means that the Banks are both internally held to account and externally accountable to affected people.

In pushing for the accountability mechanisms, activists recreate domestic liberal political styles of accountability. All of the mechanisms are citizen-driven in that they are structured to receive complaints from people that may be or are being negatively affected by an MDB-financed project. The onus is the one suffering to demonstrate evidence of harm. The accountability mechanisms were originally designed as quasi-legalistic procedures. All of the mechanisms are built on the basis of investigating whether Bank compliance or non-compliance had led to harm and then making recommendations on the outcome of the investigation. This is akin to a court of law: hiring a lawyer to make the case on your behalf. Indeed, the initial templates for citizen-driven accountability were drafted by environmental lawyers working in NGOs in the US and Europe (Christensen 1990; Wold and Zaelke 1992). Most of the mechanisms in their first iteration had little role for project-affected people once a complaint had been made. As a result, not only were the mechanisms insulated from themselves being transparent and accountable to their users, but project-affected people were only informed of the result of the complaint after the investigation had concluded.

The accountability mechanisms were not designed to disrupt transnationalised rule. They were structured not to interfere with Bank operations: loan disbursements would not be stopped or the project interrupted by a request to investigate claims that people have been or are likely to be harmed. Suspending disbursements as a result of harm remains an extraordinary step by the Banks' Boards, and rarely occurs. This limits the ability of the accountability mechanism to provide remedies to PAP. The process precludes options that PAP may want including stopping the project altogether or substantially changing the project such as its location or design. Furthermore, a request may be submitted at any time throughout the project design or implementation stages; the later the request for investigation, the less recourse may be available as environmental damage may not be rectifiable or a return to previous livelihoods may be impossible. The accountability mechanisms can ameliorate the damage resulting from the project but generally do not stop it. As a result, some project-affected people have withdrawn from the accountability process (Park 2015). This reinforces transnationalised development rule.

For many, the legalistic, technical, and in some cases combative style of accountability structures like the World Bank Inspection Panel and ADB's Inspection Function (excluding the Ombudsman of the World Bank Group) were challenging for non-Western project-affected people. Outside many Western liberal democracies, accountability can be understood culturally to be an ongoing discussion between members of a community as to how best to resolve an issue (Jordan 2011). Often dispute resolution through more consensual and group-focused means of advancing accountability is preferred (Nanwani cited in van Putten 2008, 123). Recognising this, in the second

Table 2.3. The Accountability Mechanisms of the MDBs: Iterations and Updates of Their Resolutions and Rules of Practice

<i>MDBs</i>	<i>First Iteration of the Accountability Mechanism</i>	<i>Second Iteration</i>
World Bank	Inspection Panel 1994; clarified 1996	Inspection Panel 1999. Updated 2014
Inter-American Development Bank	Independent Investigation Mechanism (IIM) 1994–2009	Independent Consultation and Investigation Mechanism (ICIM/MICI), 2010. Updated 2014
Asian Development Bank	Inspection Function 1995–2002	Accountability Mechanism (AM) 2003. Updated 2012
World Bank Group (IFC/ MIGA)	Compliance Advisor/ Ombudsman (CAO) 1999. Updated 2007 and 2013	N/A
European Bank for Reconstruction and Development	Independent Recourse Mechanism (IRM) 2003–2008	Project Complaint Mechanism (PCM) 2009. Updated 2014
African Development Bank	Independent Review Mechanism (IRM) 2004. Updated 2015	N/A

iterations of the mechanisms problem-solving or mediation functions were added to provide communities a last resort effort to resolve issues stemming from Bank-financed projects (see table 2.3). To address this, most accountability mechanisms now include mediation or ‘problem-solving’ functions. However, transnational activists prefer the compliance investigation process for holding the Banks answerable and responsible for their actions.

CONCLUSION

This chapter examined how activists contested the transnationalised development rule in the 1990s by pushing for citizen-driven accountability mechanisms for the MDBs. This built on past contestation over incorporating environmental and social policies for the MDBs to limit their negative impact. The chapter traced how activists engaged with transnationalised rule through seeking to influence the US to advance transparency and accountability. Activists contested the nature of international development financing to address local level grievances by establishing democratic-style transparency and accountability procedures for the MDBs. In response, the US used three ideational and material tactics to bring citizen-driven accountability mechanisms to fruition: through the U.S. power of the purse, its voice, and vote on

the Banks' boards. Through a process of contestation, activists were able to recreate liberal democratic transparency and accountability procedures for transnationalised development rule. This was possible because contestation sought to modify, not destroy, the international liberal economic order upheld by the MDBs. Transnational activists contestation strategy aligned with U.S. desires to reform transnationalised rule. The US must now contend with rising powers who may be less concerned with citizen-driven accountability within international development. The changing nature of global governance may portend the need for other strategies to succeed in challenging transnationalised rule.

NOTES

1. This chapter builds on Park, Susan. 2017. 'Accountability as Justice for the Multilateral Development Banks? Borrower Opposition and Bank Avoidance to US Power and Influence'. *Review of International Political Economy* 24 (5): 776–801.

2. Other NGOs also played prominent roles in specific campaigns such as International Rivers Network. The key advocates discussed further in the book also moved between NGOs but maintained their focus on MDB transparency and accountability such as Lori Udall and David Hunter.

3. The Banks have immunity as international organisations under international law.

4. The U.S. domestic political system enables greater input from NGOs and interest groups to directly influence Congress, which shapes the U.S. position on the MDBs compared with other Western states. The U.S. power in the MDBs enables those ideas to change the Banks (Babb 2009; Lavelle 2011).

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Chapter 3

Divide and Rule? The Politics of Self-Legitimation in the WTO

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The legitimacy of international institutions is contested. Traditionally evaluated in terms of their performance—their policy output and impact—such institutions now tend to be assessed based on their adherence and amenability to democratic standards of legitimacy.¹ In other words, input concerns have taken centre stage in the debate (Steffek 2012). This applies to all international institutions, albeit to varying degrees, along with a general trend towards more transparency in international institutions and a gradual (though varying) opening towards stakeholders and wider publics. Especially, the world economic institutions, such as the World Bank, the World Trade Organization (WTO), and the International Monetary Fund (IMF), attracted public criticism for their lack of legitimacy and their neo-liberal agendas in the 1990s, which erupted into mass protests and unrest at the Ministerial Conference of the WTO in Seattle in 1999. These protests by what came to be known as the Alter-Globalisation Movement (AGM), a loose network of non-governmental organisations (NGOs) and direct-action groups, have become emblematic of the legitimacy crisis of international institutions and as evidence of their increasing politicisation more broadly (Zürn et al. 2012). After Seattle, a plethora of NGOs, think tanks, and more loosely connected transnational advocacy networks (TANs) has continued to contest the legitimacy of these IOs, though mostly with moderate means.

While such contestation of the legitimacy of international institutions has been studied extensively, the reactions of the international institutions have not (but see O'Brien et al. 2000; Hack 2017; Anderl 2017). While Jonas Tallberg and his colleagues (Tallberg et al. 2013) have demonstrated that international economic institutions opened up to civil-society critics in reaction to protests, and international institutions generally have opened up over time, we still know little about the specific politics of international institutions in

securing or regaining their legitimacy vis-à-vis their (various) constituencies in the face of continued contestation (cf. Schmidtke and Gronau 2015).

We address this research gap by focusing on the interaction between the contestation of IOs' legitimacy and their ensuing efforts to legitimise themselves through discourses and practices. The WTO is a particularly promising case to study the politics of self-legitimation since it is one of the most heavily targeted international institutions and has reacted directly to public criticism. The organisation has opened up in various ways since the late 1990s. We focus on those that address the contestation of legitimacy: the *indirect* discourse with critics in its annual reports and the *direct* discourse with them in civil-society forums specifically created for this purpose. We observe a general pattern: while the WTO works hard to present itself as an open organisation capable of adaptation, it opens up very selectively to some—moderate—critics while excluding other, more radical ones, thereby splitting the base for mobilisation. Contrary to the perception of international institutions including civil society to gradually transform the institutions' legitimising basis (Nanz and Steffek 2004), the politics of self-legitimation observed here resembles instead a strategy of 'divide and rule' that works to silence and disperse resistance.

Divide and rule is a classic strategy of securing and maintaining authority that was already in use in the Roman Empire and reflected in Machiavelli's recommendations for effective rule (*Il Principe*): divide potential enemies to prevent the emergence of a strong opponent that could threaten one's claim to authority. The Roman Empire applied this strategy through a complex system of bilateral agreements and treaties with its tributaries, according them highly unequal statuses and privileges. Similarly, the WTO case displays several mechanisms to accord unequal statuses and privileges to civil-society critics based on language, expertise, and structural incentives. While we cannot prove that this is a conscious strategy on the part of the WTO, we can and do reveal these mechanisms in their rhetorical and practical politics.

We first describe the resistant practices between 1998 and 2002 by focusing on the justificatory practices of two ideal-typical instances of opposition (ATTAC) and dissidence (Peoples' Global Action). We then analyse the WTO's interaction with these challenges before deriving a theory according to which the former form of resistance is enabled while the latter is restricted. Without judging the intention of such interaction, we conclude that it does indeed have the effect of 'divide and rule'.

CONTESTING THE LEGITIMACY OF THE WTO

The WTO is one of the most heavily contested international institutions, and it was targeted very early on in the 1980s (then as the GATT) by environmental

and development movements. The latest wave of resistance, which emerged in the mid-1990s, however, has probably been the most visible and direct assault on the IO's legitimacy. The AGM formed in the mid-1990s as a conglomeration of diverse organisations, ranging from NGOs, such as Friends of the Earth, Greenpeace, and Oxfam, to loosely structured direct-action groups, such as La Via Campesina and Peoples' Global Action. They criticised the neo-liberal tinge of economic globalisation in general and targeted the world economic institutions, including the WTO, as its vanguards. These groups contested the institutions' claim to authority over trade regulations (Hopewell 2016, ix; Rucht 2013, 67). The movement gained a global audience with the 'Battle of Seattle' in 1999, a mass street protest during the Third Ministerial Conference of the WTO in Seattle. The movement assembled more than 40,000 protesters in the streets and successfully blocked conference venues. Seattle became famous for the colourful forms of protests, with carnivalesque marches and protest theatres, but also for vandalism and riots. In subsequent the movement gained in strength and organised transnational protest events to coincide with all major world economic summits before the wave of protests began to subside in the mid-2000s.

Early on, it became clear that the movement attracted actors with heterogeneous ideologies, objectives, and strategies. Most of the NGOs opted for an *oppositional* approach; that is, they sought improved access to the world economic institutions in order to change the rules of the game from within (see the introduction to this volume). The more *dissident* direct-action groups instead aimed to transform the very system of global economic governance and its attendant international institutions (Eschle 2005). In the following, we present two typical actors from the core of the AGM network to illustrate the various practices of resistance against the WTO as well as their justifications, with ATTAC² as an oppositional group and Peoples' Global Action (PGA) as dissidents.

ATTAC was founded in France in 1998 originally to lobby for the so-called Tobin Tax, a tax on transnational financial transactions. The group also demands the abolition of offshore tax havens and debt relief for developing countries (Ullrich 2003, 33). Further, it supports farmers' criticism of the WTO's seed policies. These patent rules favour the interests of seed-producing transnational corporations over biodiversity and (small) farmers' interests by allowing the producers to limit their purchasers' rights to sow parts of the harvest.

The demands to reform the international financial system by, for example, taxing transnational capital flows, expanding labour rights in cases of corporate takeovers, and instituting state controls over corporate globalisation characterise ATTAC as an oppositional actor. ATTAC identifies flaws in the international financial and economic systems, and it seeks reforms within

this system. ATTAC's proposals do not seek the abolition of the underlying capitalist system. In general, reform means change, not destruction, of the underlying structures (cf. Scholte 2002, 284).

Peoples' Global Action, on the other hand, is a network criticising capitalism more generally and has been characterised as a radical and dissident voice in the AGM (Rucht 2013, 70). The loose network was founded in 1998 by action groups in the worldwide social movement. Coordination and communication among resistant actors inspired the network's formation. In its statement of principles, PGA advocated 'a very clear rejection of capitalism, imperialism and feudalism; all trade agreements, institutions and governments that promote destructive globalisation' and a rejection of 'all forms and systems of domination and discrimination including, but not limited to, patriarchy, racism and religious fundamentalism of all creeds'. PGA justified a 'confrontational attitude, since we do not think that lobbying can have a major impact in such biased and undemocratic organisations, in which transnational capital is the only real policymaker'. Consistent with this confrontational approach, PGA called for 'direct action and civil disobedience, support for social movements' struggles, advocating forms of resistance which maximise respect for life and oppressed peoples' rights, as well as the construction of local alternatives to global capitalism'. These guidelines were supposedly based on 'decentralisation and autonomy' as the principal organisational philosophy (cf. Ullrich 2003, 33).³

The PGA principles quoted earlier as well as the network's activities qualify it as a dissident actor. In contrast to oppositional actors, these dissents deny the WTO any capacity to successfully transform the current system into a just and socially sustainable system of rule. The group considers the diffusion of neo-liberalism and the facilitation of neo-liberal governance to be practices of transnational rule. Dissident actors like the PGA reject international institutions as 'non-reformable' (Brunnengräber 2005, 346).

SELF-LEGITIMATION IN THE WTO

In response to the enduring criticism and protest, world economic institutions have instituted various measures to grant more access to civil-society critics. Since the late 1990s, the WTO⁴ has also introduced several measures to counter criticisms and to regain and secure its legitimacy. In this section, we trace how these measures have been implemented. We focus on two specific fields of self-legitimation: indirect communication with critics through annual reports and direct communication with various actors through public forums that were introduced in 2001. We find that, while the WTO presents an image of itself as a generally open and adaptable organisation, its communication

and practices effectively divide its critics into reasonable (moderate) ones and unreasonable (radical) ones, with the consequence that only the moderate are granted access.

Indirect Communication: Justifying the Self by Dividing the 'Other'

In this section, we illustrate how the WTO engages with its critics in official publications. Annual reports are an informative source to observe the legitimisation discourse of international institutions, because they contain a condensed view of how the WTO appraises its own performance, and they are the canvas on which the organisation paints itself in a favourable light by justifying its work (for a similar view, see Dingwerth et al. 2015). Our analysis covers all relevant statements on criticism in the WTO's annual reports between 1998 and 2008.⁵ In these 11 reports, we find 34 excerpts that engage with the organisation's critics—almost half of them (15) in the 1998 report and almost none after 2004. As we show, this engagement with critics follows a general pattern: it imparts an image of a caring and inclusive organisation by demonstrating openness towards critique; it distinguishes between legitimate critique (by moderate opposition movements) and illegitimate critique (by radical dissident movements); and it insinuates that legitimate critique, which ought to be taken seriously, broadly shares WTO goals, while the illegitimate form is incompatible with 'proper' discussion and can therefore be ignored.

Legitimate but Misunderstood

In its publications, the WTO presents the Seattle protests of 1999 as the result of a misunderstanding. Numerous statements in the annual reports argue that criticism of the organisation's structure and policies must be misinformed about its actual function and practice. In this reading, the WTO is opposed by individuals with false arguments or insufficient knowledge. This assumed victimhood is well represented in the following quote:

The WTO has been portrayed by critics as the powerhouse of globalisation, seen as a malign force or even as a conspiracy. In fact, of course, the term 'globalisation' covers a range of trends in economics, technology and international relations which may be mutually reinforcing but which have diverse origins. . . . Globalisation is not a programme or an agenda. But the widespread public confusion and apprehension about it call for a positive agenda from governments and international institutions if they are to forestall a populist and protectionist backlash. This is where the WTO has its real relevance to globalisation; not as its sinister architect but as a forum for negotiating rules to help guide it. (WTO 2000, 4)

Since resistance to the WTO is presented as uninformed, the WTO reacts by publishing 'information material' to support public education. In 1999, the WTO also published *10 common misunderstandings about the WTO*. This campaign leaflet stated that 'criticisms of the WTO are often based on fundamental misunderstandings of the way the WTO works' (WTO 1999, 112). When critique is solely based on a misunderstanding, it does not have to be interpreted as a challenge to the international organisation's (IO) legitimacy. By continuously insisting that those who 'understand' the WTO system will also embrace it, self-legitimation becomes synonymous with 'explaining'. The WTO presents itself as the teacher in a teacher-student relationship, precluding an open-ended deliberation. With this move, it distinguishes between the moderate critics who are willing to 'learn' about the WTO and the more radical ones who are not. As dissident actors are 'unwilling to learn', they are delegitimised with the designation of political 'die-hards'.⁶

Opening Up to Whom?

A central aspect of the self-legitimation discourse apparent in the annual reports is the delegitimation of radical critics. One characterisation used with nearly the same wording in the 2001 and 2002 reports illustrates this. The document accepts that reform may be needed:

Last year, the Director-General noted that many Member governments and WTO critics agreed that certain adjustments to the rules were needed if the trading system is to better reflect the social, economic and political conditions of a rapidly changing world.

The route of reform is discussed in two sentences. While the first seems open to any kind of reform proposition, the second makes the direction of change utterly clear:

Agreement still remains elusive on precisely how existing rules should be changed and what form necessary new rules should take. But at Doha the WTO achieved something that many skeptics [*sic!*] had suggested was beyond the organisation's grasp: the launch of a new trade round.

Openness towards critics, which the new trade round is claimed to achieve, is presented as if this outcome were the critics' only goal. The very next sentence holds that 'even the sternest critics of globalisation today accept that the alternative to multilateral rules is reliance on the law of the jungle',⁷ making this depiction all the more divisive. Critique is reduced to a very specific form of utterance, namely moderate critique that adopts the organisational logic of the WTO. By equating WTO rules with 'multilateral rules', alternatives are

suppressed. Moreover, by suggesting that ‘even the sternest critics’ would respect the terms of the debate set by the WTO, potential deviation is marked as irresponsible and, with the metaphor of ‘the law of the jungle’, even portrayed as being incompatible with a ‘civilised’ discourse.

But who is a civilised critic? In the view of the WTO, ‘heightening interest in a new Round is shared, to varying degrees, across governments and critics of globalisation’ (WTO 2001, 5). This suggests that all critics of the WTO are in favour of a new trade round in principle and the concomitant strengthening of the WTO system. The omission of more radical forms of critique is striking. Groups like PGA and La Via Campesina demanded something completely different. In 2001, the peasants’ movement issued in a press release that:

despite the promises to improve the system made at the end of the Seattle ministerial aimed at countering the WTO’s crisis of legitimacy, no improvements have taken place and instead things have gotten worse. The time is overdue to roll back the power and authority of the WTO. (Via Campesina 2001)

Ignoring this radical critique and suggesting that consensus about the future course had been achieved could be attributed to a lack of information on the part of the WTO. La Via Campesina, however, attended all the Ministerial Conferences in this period to raise their concerns, like removing the WTO from agriculture and food production. This happened both on the streets and at the official summits (see Rosset 2005, 9). Therefore, it seems dubious that the WTO was simply unaware of this criticism. The disparity between representations by the WTO and its resisters is most obvious with a rhetorical move used in reviewing the 2006 public forum, where one reads that ‘the WTO system was scrutinised, criticised and analysed with the common objective of making the system more fair and more balanced, to strengthen its role as a facilitator and arbiter of international trade’ (WTO 2007a, 4). By presupposing a ‘common objective’ shared by all participants, radical critique, which might not value a stronger WTO, is diminished and potentially dismissed. When the report was written in 2007, the civil-society forums might have already been lacking this kind of critique, because the radical critics had by then opted not to attend the meetings any longer (see Deitelhoff 2012).

Separating the ‘Good’ Critics from the ‘Bad’

Given the WTO’s presumption of consensus on the future direction of its policies, oppositional groups are viewed as partners. A specific reference to NGOs was included in drafting the Marrakesh Agreement. The document

‘recognises the role NGOs can play to increase the awareness of the public in respect of WTO activities’ (WTO 2002, 135). This passage suggests an image of NGOs eager to partner with the WTO in order to spread its message. The terms ‘NGOs’ and ‘civil society’ are used synonymously. This move allows the report to state that a regular briefing for NGOs is ‘a genuine sign of commitment to ensure transparency and the recognition of civil society as an entity which deserves attention in its own right’ (WTO 2002, 136). The WTO in 2002 considered informing NGOs to be sufficient evidence of its commitment to ‘civil society’, thus failing to address—or even consider—the radical actors present in Seattle.

The following quote, however, reveals that the WTO was aware of more radical forms of critique. Dissident actors are mentioned repeatedly in the annual reports. Referring specifically to the Seattle protests, the subsequent annual report states that:

The events at Seattle attracted much media comment, and some sweeping pronouncements were made in the heat of the moment about the value and the future of the WTO. The more catastrophic interpretations of Seattle have already been debunked. The WTO is not lost; and it is not discredited. On the contrary, it is the more extreme critics who are becoming discredited as the WTO system shows its resilience and as the membership demonstrates its collective will to move constructively forward. (WTO 2000, 2)

The argumentative style of this excerpt can be interpreted in two ways. The first accepts that there is a contest for legitimacy in which the WTO and its critics battle for the member states’ trust. As ‘membership demonstrates its collective will’, the institution assumes that it has won the battle, and the radical critics are ‘discredited’. One corollary of this reading is that the legitimacy of the WTO depends on the support of the member states, and it is up to the WTO to convince its members with self-legitimising activity. This view is peculiar, especially when considering the domestic need for legitimisation in the member states, which is not taken into account. This perspective implies that the two kinds of self-legitimation (international and domestic) are completely decoupled. For the WTO, then, *states* are the targets of its legitimisation efforts and the judges of its legitimacy. The second way to interpret this statement is simpler and recalls traditional forms of rule. If the radical critics question the future of the WTO, and their prophecies of systemic collapse prove inaccurate, their critique must have been wrong. The ‘resilience’ of the WTO simultaneously serves to legitimate the organisation. With this circular argument, ‘legitimate’ critique is again limited to those forms that cherish the trade system as it is and pursue only modest reforms in its unquestionable progress.

Direct Communication: The WTO Dialogue Forum Divided by Language and Selection

The same pattern of engaging with critics can be observed in the annual public forum. By establishing the forum, the WTO imparts an image of a caring and inclusive organisation open to critique. However, the forum simultaneously divides this critique into two kinds: a legitimate one (opposition) and an illegitimate one (dissidence). During and through the forum, the WTO, on the one hand, refers to the legitimate form of critique as concordant, worth integrating into a dialogue. On the other hand, it insinuates that the illegitimate form of critique is irrational and cannot be taken seriously. This pattern is apparent in two practices of the forum: the selection of participants and the use of language as a tool of inclusion and exclusion.

Selection and Competition

During the first year of the public forum (2001), the WTO decided on the roster of panellists, speakers, and topics. In reaction to criticism from the civil-society participants on its selection, the WTO withdrew from its prominent position in the forum in 2003 and started a ‘grassroots’ (Lamy 2007) process. Civil-society actors can apply with proposals for working sessions, which ‘only have to fit into the annual theme’⁸ selected by the WTO. Nevertheless, the basic rules for WTO-NGO interactions as laid out in the organisation’s 1996 *Guidelines for arrangements on relations with Non-Governmental Organizations* (WT/L/162) come into play. These allow for NGOs ‘concerned with matters related to those of the WTO’ (WTO 1996) to gain access and to interact with the WTO in various ways. The burden of substantiating whether an NGO is concerned with matters related to trade lies with the applicants (Perez-Estevé 2012, 12–13). Using proposals to select applicants allows the institution to invite only those critical voices seeking a moderately critical discussion and to exclude more radical proposals peremptorily.

The following empirical analysis examines and compares the political views of the participants of three forums (2001, 2006, 2014) to see which critical voices (oppositional and dissident) are admitted. Those present are assumed to have been granted access to the dialogue. By contrast, the absence of certain actors can be interpreted as *one* indicator of deliberate exclusion. Other explanations could also apply, such as critical actors refusing to enter into a dialogue with the organisation or the preference for bilateral agreements over multilateral ones since the mid-2000s. A ‘division of labour’ among civil-society actors according to which a more radical approach from ‘outside’ paves the way for the moderates inside (Dellmuth

and Tallberg 2017) is also plausible. Still, regarding the 2001 forum at the height of the clash between the AGM and the WTO, non-participation driven by resistance alone is rather unlikely. While there are typically several resistance groups that refuse dialogue on principle, these groups were a minority at the time. Intentional non-participation is more likely at later stages when both sides have developed a sense of the dialogue process and become dissatisfied. Indeed, there is a general decline in resistant participation at the forum over the period in question, confirming this expectation. Comparing the three forums, we also assume that selection was quite strict in 2001, since the WTO itself was the sole organiser.

The participants' political orientations are coded, first, by determining their political aims, strategic activities, and self-identifications from their publications (including those addressed to the WTO and at the forums) and, second, locating them on Scholte's (2002) spectrum of civil-society actors' political orientations. He distinguishes between 'conformists', 'reformists', and 'transformists'. We superimpose these types of political orientation onto our categorisation of forms of resistance. Reformists fit our category of opposition by playing by the rules of an institutional order⁹; transformists' goal of transforming the institution qualifies them as dissidents.¹⁰ Conformists do not resist the rules of the WTO or the trade regime, so we consider them to be supporters.¹¹ Since Scholte identifies actors' orientations with reference to their advocacy strategies, we look at their strategies, aims, and self-identifications.

Concerning participants' political backgrounds, oppositional actors clearly predominate in 2001 and 2006¹² followed by a shift from highly critical opposition in these early years to a lack of opposition in 2014.

The analysis reveals only one participant in 2001 representing a dissident group. In 2006 and 2014, one actor in each year lingers between oppositional and dissident goals. Dissident voices, already rare in 2001, are effectively absent from later forums (figure 3.1).

The remaining organisations cannot be assigned to one of the political orientations (indeterminate). In a few cases, this is due to an interstitial orientation (between opposition and supporters); in most other cases, a definitive assignment is impossible due to lack of information about the actors' political goals. Still, while not all these actors can be identified as oppositional, they clearly do not constitute dissident actors.¹³

The roster of the public forum was very selective, favouring oppositional actors who do not articulate radical critique. Still, it is difficult to ascertain whether this is due to an organisational strategy or to the resistant movements themselves. To answer this question, it is instructive to analyse how the WTO treats those who gain admittance to the forum.

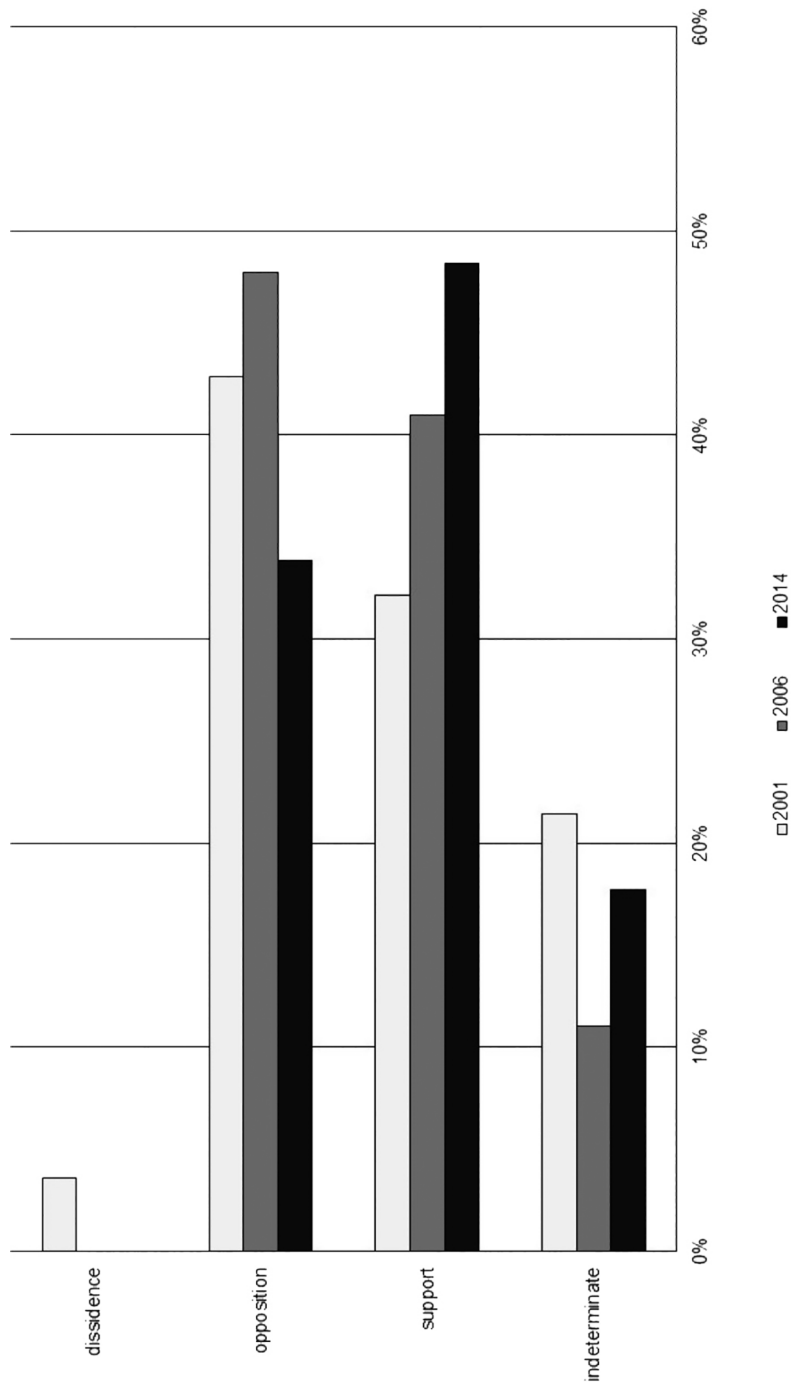


Figure 3.1. Political Background of Participants

Linguistic Practices: Inclusion and Exclusion

We now turn to the forum and analyse how the institution interacts with the critics present. We operationalise this by analysing the linguistic practices employed in the forum and show how they reinforce the divisive effects observed in the selection of participants. A truly inclusive dialogue requires to create a setting that facilitates acts of communication as free as possible from domination, which entails integrating newcomers and remaining open to alternative discursive narratives. Analysing the WTO forum,¹⁴ we observe that jargon is a highly effective barrier to open dialogue.

‘Trade lingo’ operates on the basis of discursive narratives such as ‘efficiency’ or ‘the market’ (or very generally ‘capitalism’). Discussions and dialogue at the forum not only revolve around trade treaties and trade regimes, but they do so almost exclusively from economists’ perspectives. Newcomers to the ‘trade community’ may be able to understand the ‘generally diffused stories’ underlying this jargon, but they are often unable to cope with the use of specific trade-related statistics, numbers, abbreviations, and acronyms in presentations and debates. This is one reason why newcomers find it difficult to understand all the information and to follow specific arguments.¹⁵ One participant stated that ‘the forum mainly used trade lingo and that within the trade community the use of this lingo was an absolute necessity for an ‘effective’ debate’. Without fluency in trade lingo, talking points get lost in the discussion. The dominant use of trade lingo ‘would exclude certain lines of argumentation, such as arguments of justice or morality, simply because those could not link with trade lingo as its logics were incompatible with those other lingos’ logics’.¹⁶ The incomprehensibility of the logics or narratives in the jargon is a problem for critics, and Robert Smith (Executive Editor for the US National Public Radio) addressed them during the Opening Debate of the 2014 Public Forum. When asked for concluding advice, he stated:

I will encourage everyone here to communicate better, and I say this because I’m a radio reporter and I’m trying to understand this, I am trying to tell people who don’t know your acronyms, who don’t know trade lingo that these are important things, that what you do here is incredibly important and shakes entire societies, changes real people’s lives. . . . You use very complicated words and acronyms and lingo. (WTO 2014)

Dialogue with Whom?

The use of jargon can be a form of linguistic domination in dialogue. Integrating alternative languages and perspectives is inhibited, while the dominance of one certain jargon is encouraged. While *opposition* does not always use trade lingo, it is fluent enough to be heard during the forum. Some of the

NGO actors, for example, provide very specific legal analyses and advice on multilateral and bilateral trade treaties; others use statistical analyses to critically illustrate the practice of protectionism by WTO members.¹⁷ Radical *dissidence*, on the other hand, does not speak trade lingo, as it rejects the logics and narratives underlying this language by definition, especially the rational-choice logics of neo-liberalism (Altvater and Mahnkopf 2002; Della Porta et al. 2006; Ullrich 2002, 2003). As long as radical counter-arguments are considered illogical and unfit for the ‘right’ dominant dialogue, dissident voices are not only excluded but also delegitimised. Or, in the words of the WTO’s spokesperson, ‘People who opposed the idea of trade in general do not have a common ground for dialogue with the WTO’ (Keith Rockwell cited in Friedrich 2007, 89, author’s translation; see also Tucker 2014).

THEORISING INTERACTION: RELATING CONTESTATION AND LEGITIMATION

Academic debates about the legitimacy of international institutions have long focused on normative concepts of legitimacy, questioning whether international institutions live up to normative standards, such as justice or democracy, and whether and how they could be reformed accordingly (Buchanan 2011; Hurrelmann et al. 2007; Steffek 2003). While these debates have enhanced our knowledge about the general potential of international institutions to adhere to normative standards, they tend to discount actual experience. The often-noted politicisation of international institutions (Nonhoff et al. 2009; Zürn et al. 2012) and of organised resistance to their claims of authority (Daase and Deitelhoff 2018; Maignushca 2003) suggests that, beyond disputes over the adequacy of normative legitimacy standards, the legitimacy of international institutions is increasingly contested on empirical grounds as well.

As we have shown, the legitimacy politics of international institutions cannot be understood without reference to their challengers. Resistance points to the fact that legitimacy is (re)constructed in the interaction between legitimacy claimants and their constituencies. Thus, legitimation is part of the politics in which claims and counter-claims are raised and evaluated (Nullmeier et al. 2010; Nullmeier et al. 2012; Reus-Smit 2007). Not only does the severity of the challenge matter, but the institutions directly adapt their repertoire of reaction to the type of resistance they encounter. Moderate critique provokes a different response than critique which questions the very existence of an institution (see also Daase and Deitelhoff 2018, 2015). The WTO did indeed ‘open up’ in the face of resistance, but in a very audience-specific way: it opened up to moderate critics in order to accommodate their

concerns while it closed ranks vis-à-vis radical critics and even ridiculed their concerns in print.

The WTO assigns highly unequal statuses and privileges to different kinds of civil-society critics. It divides these potential adversaries to prevent the emergence of a strong opponent that could threaten its authority. On the one hand, the mechanisms based on language, incentives, and expertise at play in the WTO may appear to be strategic action, because a powerful actor like the WTO could and probably would have acted differently had it not intended to divide its resisters. On the other hand, as theories of organisational culture argue, a large bureaucratic institution like the WTO is probably not capable of acting outside its ingrained rationality or cultural habits (Townley 2008, 52). Such rationality not only limits the ability of an institution to communicate with its environment, but the very behaviours that filter input from the (critical) environment reproduce that rationality. By communicating effectively only with actors who reaffirm its rationality, the WTO also induces a division between different kinds of resisters. Karen Tucker, among others, has retraced how the ‘professional’ and ‘economic’ rationalities of the WTO have dismissed NGOs that do not operate ‘adequately’ from participating (Tucker 2014).

These practices—be they conscious or governed by a particular rationality or both—directly divide resistance. Those encouraged to offer criticism and contest the WTO on its own terms, in its own jargon, and in reference to its own goals are invited in and supported to continue their work. Those who fundamentally disagree and do not speak WTO jargon are excluded physically and symbolically. We have labelled this phenomenon ‘divide and rule’ since we observed over time that, indeed, the critics are divided into those who generally accept the WTO’s mandate and accept its invitation and those who progressively turn away from the institution. Still, we are not implying that all this must have been a sinister plan. Rather, what we observed is most likely an interaction effect of the IO’s pragmatic reactions to resistance and the diverse reactions of its critics. Furthermore, beyond opting to invite some critics and exclude others, yet another layer of institutional politics—the WTO’s organisational culture—divides resisters. Some can learn to argue their way through the institution. Others feel out of place and direct their attention elsewhere. Whether this was the WTO’s plan or not, it worked.

CONCLUSION

Those who hope for the democratisation of global governance have generally welcomed the WTO’s opening up toward civil-society actors. Our analysis

shows, however, that the organisation's integration of civil-society actors has not significantly changed its mandate or procedures. On the contrary, the WTO defends its mandate and procedures by interpreting criticism as the result of a lack of information. Interaction with civil society is thus directed at self-legitimation rather than transformation.

The WTO portrays itself as an open institution by, for instance, addressing critics in its annual reports. However, its depiction of criticism is divisive. Forms of critique that radically question the logic of the global trade regime (dissidence) are not taken seriously and sometimes defamed. The general logic of this engagement is to accept forms of critique that accept the WTO's mandate and pursue only small-scale, gradual changes (opposition). Similarly, the WTO only admits particular participants to its deliberation forums. While moderate critics are granted access to the WTO, radical critics who helped shape the AGM protests during the early 2000s and late 1990s are absent. Although the organisation later opened this procedure, we found that the interaction with preselected NGOs at these forums is not genuinely open, as evidenced in the use of jargon as an effective barrier to actors unfamiliar with the trade community.

In both the direct and indirect communication with critics, we identify a divisive move by which the WTO differentiates between reasonable criticism worthy of being addressed (resolved by adequate information) and nonsensical criticism that is not amenable to reason. As this pattern is to be found in all the practices analysed here, a *strategy* of 'divide and rule' cannot be ruled out: the WTO gains legitimation by excluding dissidence from the discourse while remaining open to opposition. Although the latter have no perceptible influence on the workings of the organisation, the WTO can claim to be open to critique—and in so doing the organisation debunks radical critics as irrational, for they *could* have engaged in dialogue had they only wanted to.

There are alternative explanations to the story told here. First, the division between moderate and radical critique might be the effect of an ingrained organisational culture and the rationality of the WTO (see also Strange 2011; Tucker 2014). All bureaucratic institutions develop institutional routines for their procedures and discourses that gradually translate into specific institutional rationalities. Thus, institutions find it increasingly difficult to even comprehend certain demands from their social environment that deviate from their own rationality. Trade lingo is exemplary of this kind of institutional rationality. Therefore, the division of 'good' and 'bad' critics is not necessarily a sinister strategy, but it may result from such organisational processes that lead to selective recognition of other opinions. Second, the partition of civil society may also be due to a 'division of labour' on the part of these actors. With more moderate NGOs attending summits and lobbying IOs, more radical ones may fuel the atmosphere in favour of the former through

street protests and more disruptive repertoires. Furthermore, there were divisions within the AGM even before the WTO started to open up.

We have argued that these processes are not contradictory. Rather, they reinforce each other. First, strategies and organisational cultures cannot be fully separated in big organisations. They influence each other and for an organisation to transform, staff must first ‘unlearn’ certain dogma. Perceiving dissident parts of civil society as beneath reasonable discourse seems to be entrenched in the organisational culture of the WTO. Second, the hypothesis on the division of labour is also compatible with our argument. Given different approaches on how to pursue protest, the targeted IO can draw on and aggravate these divisions by including opposition and excluding dissidence from the discourse, thus weakening the entire resistance movement as we have observed. Irrespective of whether these phenomena are part of a conscious strategy or not, they are demonstrably effective: civil-society protests have gradually declined since the mid-2000s. Surely, this cannot be credited to the self-legitimation politics of the WTO alone, but results from other factors such as the heterogeneity of the movement and its lack of an organisational base as well.

NOTES

1. For helpful comments on an earlier draft of this chapter, we wish to thank the participants of the workshop ‘*The quest for legitimacy in world politics—international organizations’ self-legitimations*’ at the 43rd ECPR Joint Sessions of Workshops (March 2015), as well as the participants of the workshop ‘*Norms, Ideas, Heuristics: Cognitive Approaches to World Trade Politics*’ at the University of St. Gallen (May 2015), the participants of the conference ‘*International Dissidence: Rule and Resistance in a Globalized World*’ in Frankfurt (March 2017), and the authors’ workshop for this volume in Frankfurt. We are particularly grateful to Klaus Dingwerth, Lukas Linsi, and Ben Kamis for their comments and suggestions.

2. Association pour une Taxation de Transactions financières pour l’Aide aux Citoyen-ne-s.

3. All quotes from: <https://www.nadir.org/nadir/initiativ/agp/en/>; 23 April 2018.

4. Here ‘the WTO’ refers to the WTO Secretariat, specifically its External Relations Division.

5. We sampled the following: #criti# (critique, critics, critical, etc.), disregarding the word ‘critical’ where it merely attributes crucial importance to something or highlights the ‘critical circumstances’. We also sampled #oppos#, ‘opposite’, and ‘opposed to [other options]’ as well as #resist#, but only if used in the sense of resisting the WTO, its policies, or its institutional design. Instances where countries ‘resist protectionism’ were omitted. ‘Strong domestic resistance’ is only coded if the report addresses the resisters.

6. As also in our interviews with WTO officials, 2 October 2014 and 30 January 2015.
7. Quotes from WTO (2002, 2).
8. Interview with WTO official, 2 December 2014.
9. Cf. Scholte's definition of reformists as actors aiming at changing regimes, but not seeking to abolish underlying social structures (Scholte 2002, 284).
10. Cf. Scholte's description of transformists as actors who seek an encompassing change of the social orders underlying regimes and institutions (Scholte 2002, 284).
11. Cf. Scholte's description of conformists as actors who generally support and aim to uphold the existing norms of a regime (Scholte 2002, 284).
12. Participants' political orientations are operationalised by following means: The participants' publications, mostly presenting the actors' goals and some addressing the economic institutions they lobbied, are scanned for key phrases divulging their political aims, strategies, and self-identifications. According to the spectrum presented above, the actors are categorised by identifying their archetypes and advocacy strategies.
13. For a detailed presentation of these findings see Hack (2017).
14. The dataset for this part of the analysis consists of field notes taken during the 2014 public forum ('Why trade matters to everyone', 1–3 October 2014) and interviews with participants taken during and shortly after that forum. Publications of the WTO and research literature were used to fill gaps in the dataset.
15. Participant observation 1–3 October 2014.
16. Interview with forum participant 4 October 2014.
17. Participant observation 1–3 October 2014.

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Chapter 4

The Last Refuge of the Scoundrel: Comparing Ecuadorian and Russian Harbouring of Whistle-Blowers in Light of International Civil Disobedience

Ben Kamis and Martin Schmetz

Like democracy, there is wide agreement that civil disobedience is a ‘good thing’ and wide disagreement about exactly what constitutes it. Its popularity is understandable. Civil disobedience promises a means of expressing dissatisfaction with some aspect of the prevailing order more or less publicly and peacefully. Its champions include heroes of historical emancipation movements, like Mohandas Gandhi and Martin Luther King, Jr. At best, it can lead to revolutionary changes in unjust ruling orders without the blood and suffering that revolutions often entail.

The international context, however, does not readily accommodate the concept of civil disobedience. As generally conceptualized, civil disobedience occurs—and can only be meaningful—in the context of rule. Without such a frame of reference, without a condition of political hierarchy in which rules authoritatively structure the political order, there is no duty to obey and, consequently, no disobedience, civil or otherwise. In the absence of a more or less formal ruling order with more or less explicit rules applying to a population of subjects, disobedience is an invalid category. International society arguably lacks such an institutionalised hierarchy, making rule difficult to detect. Its rules are ostensibly based on the consent of sovereign states, rendering the question of how to resist any given international rule(s) moot. As a result, there has been little to think and say about international civil disobedience. Finding a case of international civil disobedience would, therefore, help to reveal structures of international rule and the implicit rules that constitute it. Should it be thinkable and actually discoverable, international civil disobedience is precisely the kind of tool this volume seeks to devise: a means to examine and theorise rule and resistance beyond the nation state. But how?

This chapter will attempt to develop a concept of international civil disobedience by, first, considering the concept itself, the limitations that hinder its application to international society and the modifications required. Our intuition is that, when identifying the context that would validate calling an act of dissent ‘civil disobedience’, one must consider more than duly constituted laws and explicit structures of rule. To the extent that structures of rule can be validly reconstructed out of the actions and statements of dissenters, those structures are real and meaningful if dissenters perceive and experience them, despite falling short of the evidentiary standards usually used to identify cases of civil disobedience. To put these ideas into practice, we examine two states, Russia and Ecuador, that could hardly be more different in terms of the typical indicators of power and position in international society but that nonetheless opted for a dissentient act: harbouring fugitive whistle-blowers keenly sought by the United States for prosecution.

The first step in this investigation is to examine the concept of civil disobedience, the obstacles to its application in the context of international society, the modifications required to allow it to be fruitfully applied in that context and its relation to contestation. Second, we consider how to reconstruct dissentient states’ experience of rule in international society by means of discourse and narratives of justification. Third, we will compare the differences between Russia and Ecuador in terms of their relative power and positions in international society, the striking similarities in their decisions to harbour two whistle-blowers, Edward Snowden and Julian Assange, respectively, and how these differences and similarities strongly recommend identifying their actions as instances of civil disobedience. Finally, we will compare their actual statements and justifications for their actions to reconstruct their experience of international society and conditions of rule that actually apply in it.

INTERNATIONAL CIVIL DISOBEDIENCE?

The term ‘civil disobedience’ dates to Henry David Thoreau’s eponymous 1849 essay (Thoreau 1937), and reports of the practice date back at least to Exodus 1:15, when Jewish midwives defied the Pharaoh’s command to kill their people’s sons. Perhaps deriving from Gandhi’s renowned successes in inciting an irresistible popular movement in British India against foreign domination, or Martin Luther King’s eloquent defence and admirable practice of the principle in the American civil rights movement, along with the rise and spread of political theory as professional academic discipline, civil disobedience is widely celebrated in the literature, especially in relation to the information society (Züger, Milan, and Tanczer 2015, Celikates 2016).

Its attraction, especially among liberal intellectuals, seems to be due to its imputed capacity to correct some of democracy's potential defects, like the tendencies to homogenise political orientation and to neglect minority demands, to admit change principally through and around elections, to admit only incremental change when more radical change might be desirable, and to promote more or less overt tyrannies of the majority. Moreover, the change civil disobedience can achieve tends to be less bloody and horrific than that achieved through other means, like terrorism, armed revolt or civil war.

The modern literature on civil disobedience includes a number of criteria. John Rawls (1991) compiled the most widely cited list of criteria, and the vast majority of scholars working in the traditions of liberal democratic theory accept it. It includes the requirements that the act be public, conscientious, illegal and directed at a change of law or government policy. That the act be public is important because a clandestine act would be more properly understood as vandalism or sabotage, it might be simply inconsequential and, perhaps most importantly, it would fail to communicate the political intent effectively. Conscientiousness is important because it substantiates the intent of the disobedient actor to effect change rather than just bumbling into politically relevant discourse or pursuing selfish and particular ends.

Other criteria, like justification on the basis of universally valid moral claims (Neubauer 2009), are more controversial. There is a particularly lively debate about the criterion of non-violence, which King and Gandhi both considered essential, but which recent scholars, like Celikates (2010) and Brownlee (2012), consider underspecified, if not downright wrongheaded. Because our cases involve non-violent acts, which mean they meet even the more stringent criteria, we can circumnavigate these deep philosophical waters. Another important implication of the non-violent nature of our cases is that they also lean towards opposition rather than dissidence, as defined in the introduction (ch.1, this volume). In the confines of these cases, Ecuador and Russia are opposing the exercise of rule, but not the fundamental features of international society. As the empirical analysis will clarify, these are cases of states criticising another state's perceived contraventions of the basic norms of international society; they oppose actions within the order of international society, not the form of the society as such.

At least the core criteria of civil disobedience have been put to good use in analysing the validity of digital dissent as civil disobedience (Züger 2017), and they have even been applied to the more pertinent question regarding the status of digital whistle-blowers, like Edward Snowden (Scheuerman 2014). However, these analyses are not especially helpful in analysing whether states' harbouring of digital whistle-blowers should qualify as civil disobedience because they still relate to sub-state groups and individuals in fairly well-defined constitutional legal orders.

When it comes to *international* civil disobedience, there is less research and less concord. Kokaz (2005) is fairly certain that no acts by hegemonic states can be considered instances of civil disobedience, but she does not address the general question of how the concept applies to the remaining majority of smaller states. Taking a formalistic analysis that borders on sophistry, Hunter (2015–2016) argues that international law binds states on the basis of consent, and since they are sovereign by definition, states cannot conscientiously violate a law to which they have consented. This would imply either that they were not sovereign and, thus, not states in the first place, or that their consent was not effective at the time of violation. By contrast, Neubauer (2009) has argued that states can indeed commit acts of civil disobedience with a few modifications. First, as monopolists of legitimate violence, states can hardly avoid at least the threat of violence, so non-violence must be reinterpreted as non-extra-legal-violence. More interestingly, he addresses the complicated aspects of conscientiousness and illegality by saying that states have to pursue new treaties, the erection of new institutions or a new rule through adjudication because the international legal order is so amorphous and ‘internal motivations’ are so opaque (8–9).¹

Though these solutions are unsatisfactory, they help to identify the problem: sovereignty seems incompatible with illegality at the international level for several reasons. First, international society is not a constitutional, public legal order that applies to all its members and defines what non-violent acts of protest are generally illegal. There are standing norms of international public law, like non-aggression and the prohibition of genocide, but there is no international criminal code or standing catalogue of illegal acts. International society lacks the kind of rules needed to identify civil disobedience. Thus, international civil disobedience would seem incapable of being ‘civil’. Second, in a society based on sovereign equality, how is one to understand ‘obedience’ or its opposite? Here, Hunter’s sophistry is apposite in that sovereignty and a duty to obey seem incompatible. If international society is not the kind of political or legal order that admits of hierarchical rule, then no state is subordinate to any other, and ‘disobedience’ becomes meaningless. Without ‘civil’ and ‘disobedience’, there would seem very little left about international civil disobedience to discuss.

The problem, perhaps, is that such views understand sovereignty in particular and international society in general in overly formalistic, legalistic terms that rely on a domestic analogy of law. Far from an anarchic system of equal, sovereign states, international society is and always has been suffused with numerous explicit and implicit norms (Kamis 2016, Kratochwil 1989, Reus-Smit 1999). Recently, scholars have come to realise that this society admits of hierarchy and authority (Hurd 1999, Lake 2009, Onuf 1989, Onuf and Klink 1989). If hierarchy and authority can obtain in international society, rules can be imposed, a political order possessed of rule can prevail, and

a duty to obey this society's rules and authorities would potentially follow. Conscientious rule-breaking and acts of civil disobedience become thinkable.

However, just because hierarchy, rules and rule in international society make international civil disobedience *thinkable* does not mean that such acts are easily *identifiable*. As long as one scales up from the domestic context of a duly constituted legal order of codified statutes, the illegality criterion will remain an obstacle. Most scholars of international law, however, reject this domestic analogy (Alvarez 2003, Finnemore and Toope 2001). Taking international society as a political and legal order *sui generis* that deserves analysis on its own terms and that admits of hierarchy, rule and rules makes the problem of international civil disobedience no longer ontological but merely epistemological.² After all, the domestic analogy is so helpful because it makes identifying criteria like illegality and conscientiousness much easier. International civil disobedience is not unthinkable, just very hard to see.

A final consideration about the nature of international civil disobedience is its relation to contestation. As defined in the introductory chapter, contestation is a form of resistance that engages with the ruling order on its own terms, largely within its order of justification, according to the 'rules of the game'. Civil disobedience in general, and the international variety in particular, convenes to this concept, but a little awkwardly. On the one hand, the criterion of illegality seems to contravene the requirement that contestation adheres to the prevailing 'rules of the game'. Indeed, the point is to flout such rules ostentatiously. On the other, the criterion of public performance means that ostentatious disobedience serves a communicative purpose, not one of compulsion. The idea is to make an unmissable, undeniable statement in the discourse, not to overwhelm the ruling order with superior force or wanton, shocking violence. Whether civil disobedience is directed at a change in the ruling order or a change of the order as a whole must be determined on a case-by-case basis. It can be used to pursue a change of policy within the order, but some of the prime historical examples, like Gandhi's pursuit of independence from the British Empire, pursued a change *of* the ruling order.

As our empirical research shows, the disobedient states in both cases were/are pursuing the reinstitution of an order they see in desuetude: they seek to reinvigorate the international institutions of sovereignty and non-interference against their perceived corruption. Therefore, our cases happen to convene to the concept of contestation as described in the introduction, but this should not be taken as a categorical feature of civil disobedience generally.

JUSTIFICATION AND RULE

Discourse analysis, the practice of studying discourse for epistemological gain, has become a widely recognised mode of interpreting data in IR. Its

popularity is perhaps related to the rise of constructivism, and good, general overviews of the topic are not hard to find (see, e.g.: Milliken 1999; Holzscheiter 2013). The question at hand, however, is fairly particular: do these two disparate countries, Ecuador and Russia, perceive rule and rules in international society such that their harbouring of whistle-blowers can be considered acts of international civil disobedience? To answer this question, we can confine the analysis to discourses of justification, which are a specific kind of discourse with their own established literature.

Analysing discourses of justification presupposes a conceptualisation of what discourses are as well as what justification is. For the latter, we draw upon the work of Rainer Forst. Just like civil disobedience, Forst's theory was not originally intended for application to international society. While he does concern himself with human rights and questions of global justice, the actors remain individual subjects. States only serve as a context within which these subjects might arrive at a justified legal and political system. They do not act in and of themselves.

However, much of what Forst describes for domestic societies can be extrapolated to the international society of states. Humans, by nature, desire justification (Forst 2015, 9). Their practices always take place in the context of some form of justification, and any kind of social order, such as a state, is ultimately one of justification (Forst 2007, 9). Justification is intimately connected with justice, a determinant for every kind of political coexistence. Subjects want to be respected as beings with a right to justification. Their basic impulse to fight for justice (or even injustice) is rooted in the dissatisfaction that results when their right to justification is violated (Forst 2007, 10). This right is the foundational concept on which all other reasoning, be it ethical, social or political, rests (Benhabib 2015, 778). Rights and justice are notoriously tricky concepts, especially in international contexts, so we are not overly concerned with Forst's normative conceptualisation of the end state of a fully just society, but rather the continuous discursive (re-)construction thereof.³

Still, justice is the justification of social conditions and, thus, the distribution of the power of justification in a political context (Forst 2007, 13). A primary good for every subject is the socially effective power to make a claim for justification, to question justifications and to offer them, thus turning them into a basis for political action and institutional arrangements (Forst 2007, 13). This can only be generated discursively and collectively.

The same is true for international society. It is characterised by specific principles and norms that simultaneously constitute its members as such and regulate their behaviour (Bull 2002 [1977]; Kamis 2016; Wendt 1999). While material power factors do indeed play a role, well-justified and accepted norms can attenuate power imbalances and prevent them from escalating into

armed conflict. Likewise, they can materialise as formal institutional arrangements, like the UN or WTO, and ultimately serve to channel the need to (re-)construct the norms and practices that constitute international society. This obviously does not mean that international society is the same as a society contained within a state or that it can be considered just. But just as Forst sketches how humans can eventually arrive at just institutional arrangements through collective, discursive processes, international discourse can be understood as a similar kind of arrangement (Wendt 2004).

Justifications take the form of good reasons, which are intersubjective and intelligible. Only these are ultimately convincing and can serve as a valid foundation for a claim or norm (Forst 2007, 37). The right to justification applies to both norms as well as particular actions (Fritsch 2015, 806), and there may be reasons to justify larger, complex normative constructs that may not immediately affect an actor, as well as particular cases where a specific action by one actor directly affects another actor (Fritsch 2015, 806).

Importantly, every subject has the right not only to participate, but also to veto basic norms, rules and structures that cannot be justified to her (Forst 2007, 16, 36). This rings true for international society as well. As long as a state is recognised as a state at all, it can participate in the discursive (re-)construction of the norms, rules and structures of international society, and since the bindingness of rules generally depends on consent, a state can usually reject rules and structures it holds to be insufficiently justified.

International dissent can take the form of claims to justification for the behaviour of certain states and requests for certain aspects of the international order that may be deemed illegitimate by certain members of international society to be justified. As a particular form of dissent, international civil disobedience might not be technically illegal, but it does challenge an existing order (both political and normative) through action that serves to highlight the order's perceived lack of fairness. Such utterances and actions simultaneously call for the unfair rules to be justified as well as potentially deviant acts that themselves require justification.

Because international society is such a peculiar context for civil disobedience, we need a maximally open concept of rule—one that remains as agnostic towards the form, content and context. However, we still require an indicator—some hint that some actor perceives rule. Discourses of justification serve these purposes in that demands for justification are only to be expected when some subject perceives something to be amiss. And since only other subjects can provide justification, those demanding it must perceive the situation as being within the control of their addressees. Thus, calls for justification are minimal indicators for perceived rule.⁴ Acts of civil disobedience are always calls for justification, so civil disobedience reveals rule clearly but indirectly.

Norms are the basic constituent of rule. While there are shared norms that constitute international society, its members and that constrain how those members behave, these norms can attract criticism. When certain members perceive their differential application to be unfair, they might opt to challenge these norms and the perceived conditions of rule in international society along with them by symbolically and publicly contravening these norms, thus calling for justification. Narratives of justification can reveal to what extent seemingly legal but contrarian acts, like harbouring fugitive whistle-blowers, meet the criteria of civil disobedience in the unlikely context of international society. To the extent that these actions are public, and the justifications for them indicate that their authors acted conscientiously, under the belief that they were contravening a more or less explicit condition of rule and attempting to achieve change, the discourses of justification are the key to identifying international civil disobedience.

SCOUNDRELS AND THEIR SANCTUARIES

Our case that harbouring whistle-blowers sought by other states can, under certain conditions, be understood as civil disobedience implies that the harbouring states perceive a form of informal rule in international society against which their acts are directed. This claim can largely be substantiated with reference to the harbouring states' claims in the discourse of justification, which reconstructs the form of rule from the form of its resistance, as when Russia refused an American demand for ad hoc extradition that ignored conventional norms. But there remains room for doubt. For example, one could argue that 'rule' amounts to mere material power, like GDP, military expenditure, or energy consumption, but expressed in the more florid sociological terms. Were the harbouring and prosecuting states direct competitors in the discourse, one could also argue that the act of harbouring fugitive whistle-blowers would constitute an attempt to weaken rivals through loss of face or some other motivation that would compromise the acts' conscientiousness.

If, however, the harbouring states occupy different statuses in international society, then these doubts can be allayed. When two countries with very different positions relative to the obvious indicators of power commit similar dissident acts with similar justifications, some more elusive form of rule is at play, and the acts would represent more subtle means of resisting it.⁵

To strengthen our inferences, our cases should display a few characteristics: the harbouring states should hold different positions in international society relative to typical indicators of power, but their dissident acts and justifications should be similar.

The Scoundrel Refuges

While both are formally equal before international law as sovereign states, Russia and Ecuador occupy very different positions in other dimensions of international society. Contrasting geopolitically, Russia is in the northern and eastern hemispheres, and Ecuador is in the southern and western hemispheres. Russia is the vastest state in the world, nearly doubling Canada in second place, and Ecuador is only the 73rd largest, about 1/60th Russia's size. In 2012, Russia spent about \$91 billion USD of its \$1.33 trillion GDP (measured in 2011 USD) on defence, as compared to Ecuador's \$2.3 billion USD military expenditure of its roughly \$100 billion GDP (SIPRI 2012). Ecuador's population of about 17 million people is roughly equivalent to the population of just the greater Moscow area. But these indicators are fairly generic and could be used for any generic claim of difference.

Because both scoundrels committed their dissentient acts over the internet, implying that both harbouring countries might be similarly invested in the digital society, their affinity to the internet and digital infrastructure is another important dimension to consider. The two harbouring countries also diverge when it comes to their social investment in the internet as a medium and site of rule, as suggested by Ecuador's relatively low rate of internet penetration at about 49 per cent (103rd worldwide) as compared with Russia's relatively high rate of 73 per cent (48th worldwide) as of 2015 (World Bank 2016).

Establishing similarity between the dissentient acts would also strengthen our claims, so describing the two cases is the next step.

The Refugee Scoundrels

Edward Snowden became famous when he leaked classified information from the National Security Agency while working for Booz Allen Hamilton. That information documented the existence of several global mass surveillance programs conducted by the Five Eyes Intelligence Alliance. In May 2013, Snowden flew to Hong Kong, where he stayed while the story broke in worldwide media. He then flew to Moscow, intending to reach Ecuador, which had offered him asylum. As his passport was cancelled en route, he was trapped in Moscow, where he subsequently applied for asylum, which was initially granted for one year in July 2013. Snowden has remained in Russia, while the documents he leaked have inspired global criticism of the Five Eyes' surveillance. Since arriving in Russia, Snowden has appeared remotely at many conferences, lecturing on the dangers of global mass surveillance.

WikiLeaks bankrolled Snowden's flight to Moscow and his lodgings in Hong Kong. WikiLeaks, led by Julian Assange, had previously garnered attention by publishing a number of classified documents and media, among

them a collection of American diplomatic cables, logs from the wars in Afghanistan and Iraq, and a video depicting an American helicopter attack on civilians. The leaks of the cables received global media attention and led to tensions with several countries, many of which were depicted unfavourably in the documents. These releases took place throughout 2010. In November of that year, Sweden requested Assange's extradition on rape and sexual assault charges. Assange sought and received asylum in Ecuador in August 2012. He has stayed in the Ecuadorean embassy in London ever since, unable to reach an egress without being apprehended and extradited.

Our goal is not to defend Snowden or Assange as individuals, nor to vindicate their whistle-blowing activities. Indeed, two cases similar in other ways would have sufficed for our purpose, which is to reveal perceived structures of international rule and instances of international civil disobedience. Indeed, many might categorise their activities as dissidence rather than opposition, according to the distinction drawn by Daase et al. (2017) and the introductory chapter of this volume (ch.1, this volume). However, since we are interested in Ecuador and Russia's acts of harbouring them, not in the activities that induced their need to be harboured, the categorisation of such whistle-blowing is beside the point.

DECRYING RULE, SHOWING DISOBEDIENCE

Russian Representations of Rule

After his arrival in Moscow, but before receiving a visa, Putin clearly stated that Snowden was free to travel and that extradition to the United States was not possible without an extradition agreement. He also mentioned Assange in the same context, that both saw themselves as fighters for human rights whose imprisonment was a questionable goal. As far as Russia was concerned, neither had committed a crime (Kremlin 2013e). However, we found no evidence that Putin ever called Snowden or Assange fighters for human rights. Several of his statements and interviews repeat variations of Snowden and Assange seeing themselves as fighters for human rights whose personal motivations were difficult for Putin and the Russian leadership to understand (Kremlin 2013a). Russian motivation must lie elsewhere.

In another statement, Putin stressed that Russia had previously entreated the United States to sign an extradition treaty but had been rebuffed. Instead, the United States continued to harbour people that were criminals by Russian estimation, with little interest in extraditing them. Therefore, demanding Snowden was simply not fair:

There are certain rules and procedures in the world, according to which a criminal can and must be handed over to the other party if there is an appropriate

agreement where many issues are set out and certain guarantees are given. However, the United States refused to sign such an agreement with us. . . . We cannot judge whether Snowden committed a crime in the United States or not. We simply cannot do that. But as a sovereign country that does not have such agreements with the United States, we cannot do otherwise but to give him the opportunity to live here. (Kremlin 2013b)

This encapsulates a recurrent motif in many statements regarding Snowden: Snowden has little relation to Russia, he is only there due to circumstances beyond Russia's control, and he has never worked with Russian intelligence. Russia is not detaining him, nor was he invited. On the contrary, interfering with his presence in Russia would infringe on Russia's sovereignty (Kremlin 2013d). Russia, like all states, is bound to international rules and norms, and central to these rules and norms is the quality of sovereignty. Accordingly, international norms and law enjoin states to interact with each other as sovereign entities, which simultaneously constrain them: 'Russia is a sovereign state; there was no other option [i.e. extraditing Snowden] in this situation' (Kremlin 2013c).

In other words, Russia was insisting on the *legality* of asylum in the face of what would otherwise be an arbitrary use of power. This would seem to contradict the concept of civil disobedience, but it is not without precedent. Many disobedients appeal to a higher or truer law than the statutes their acts violate. In this case, Russia appears to be making a similar appeal, with international law as the higher law whose observance would prevent arbitrary rule.

Indeed, Russia has argued that Snowden's presence in Russia merely highlights how the United States interferes in other countries, exempting itself from the norms of mutual respect of sovereignty and non-interference, while calling on others to observe them. This double standard is explicit in many statements. For example, on 4 September 2013, Putin claimed: 'International relations practice requires mutual respect toward one another. And these types of issues are resolved on the basis of reciprocity. Why are they being so snobbish?' (Kremlin 2013c). This approach has carried over into Donald Trump's presidency. In January 2017, amid calls in the American public for Snowden's extradition as a sign of good faith, the Russian foreign ministry rebuked these demands, calling them an 'ideology of betrayal', and asserting that Russia would continue to follow its laws, one of which was not to surrender those unfairly prosecuted elsewhere (Zakharova 2017).

In short, Russia demands that the United States respect sovereignty reciprocally and impartially. Such a demand also indicates the conscientiousness and publicness of the act. The demand for the ostensible ruler, the United States, to change its policies would seem to fulfil the requisite criteria of civil disobedience. To Russia, there is an acceptable and legitimate rule to be followed. Long-standing international rules and norms have shaped international

society, and Russia has helped shape them as one of the most powerful states of the past century. Chief among these rules and norms is the mutual respect of sovereignty. However, to Russia, the United States has progressively bent the rules to its will, to the point where it can exert undue influence over other states, denying them the respect states deserve as members of international society. Contesting this state of affairs materializes itself in Russia's decision to harbour a whistle-blower.

The question of rule is even more pronounced when looking at internet governance as a specific issue area. Unlike the United States, Russia has long championed a model of internet governance that sees the internet not as a global network of networks, but rather as segmented networks under the influence of the country in whose jurisdiction they are physically located (for an overview, see Schmetz 2016). This conception of the internet is also known as digital or internet sovereignty.

The revelations of the Five Eyes' mass surveillance programme through Edward Snowden directly led to a UN General Assembly resolution titled 'The Right to Privacy in the Digital Age' (UNGA 2013). Though proposed by Germany and Brazil, both Russia and Ecuador served as sponsors. Notably, the United States demurred and relented only after substantially revising the proposed resolution (Hack and Schmetz 2013). The resolution called for a summary report on the right to privacy in the digital age under the Office of the High Commissioner on Human Rights (UNGA 2014), and, for the first time, to link intelligence gathering and espionage to human rights. Importantly for Russia, the wording of the (non-binding) resolution conformed to the Russian approach to internet governance and surveillance. It condemned extraterritorial spying—exactly the kind of activity Snowden had publicised and Russia perceived as international rule—while surveillance within the state was represented as a matter of municipal law. Again, the act was presented in principled, public, and change-oriented terms emphasising the tension between the law and moral rectitude.

In another example, Russia espoused similar positions prior to the World Summit on the Information Society's 2015 review. States are to guarantee their citizens' safety and security, even on the internet. This includes safety from global mass surveillance, such as that Snowden revealed. This not only reiterates the importance of the norm of sovereignty, but also stresses the importance of states as protectors of their citizens from outside forces. Harbours Snowden reinforces such norms, and the practices of the Five Eyes compromised them, moving Russia's activity still further from opportunism and towards civil disobedience.

Incidentally, the question of rule re-emerged with regard to Snowden's asylum in Bolivia, which Bolivian president Evo Morales had mooted in an interview on 1 July 2013, while at a conference in Moscow. When leaving

the country the following day, Morales's plane was denied passage through French, Italian and Spanish airspace and was rerouted to Austria. Only after Austrian officials had confirmed that Snowden was not aboard the plane was Morales permitted to continue to Bolivia the next day. Putin, again, deplored interference in sovereign matters and bullying other countries into extraditing individuals despite the lack of extradition treaties (Kremlin 2013f) in disregard of international norms, specifically by the United States (Kremlin 2013a). Thus, Russia's principled opposition was not restricted to its own interests but extended to those they perceived to be unduly subject to implicit rule.

Ecuador's Steadfast Disobedience

We find similar motifs in the case of Assange's asylum in the Ecuadorian embassy in London. The claims of foreign interference in Ecuadorian affairs, aimed mostly at the United States, calls to respect sovereignty and accusations of double-standards abound in Ecuadorian justifications for Assange's asylum and his continued stay in the Ecuadorian embassy, reflecting the perception of rule in the Russian case as well as principled, public and reformist opposition. In the initial statement released after Assange was granted asylum in the Ecuadorian embassy, his hosts stated that he was considered to be in immediate danger of extradition to a third country and, ultimately, the United States, where he would not receive a fair trial (Ecuador 2012). The statement even claims that neither Great Britain, Sweden nor the United States would 'respect the international conventions and treaties and would give priority to internal laws of secondary hierarchy, contravening explicit norms of universal application' (Ecuador 2012). Unlike Ecuador, which presents itself as an upstanding member of international society, one that respects the rules and norms of this society and that has even been commended for its refugee policy by the High Commissioner of the United Nations for Refugees (Ecuador 2012), Western nations do not respect the norms and laws that govern international relations and that they espouse. This critique of the generality and reciprocity of these norms' application and Ecuador's behaviour do not challenge these norms as much as those who disrespect the norms. Again, this shows the appeal to a higher canon of rules that supersedes the immorality of arbitrary rule, and it identifies roughly the same source of rule.

These same arguments have been rehearsed over the last four years during Assange's stay in the embassy. Indeed, Ecuador has provided extensive lists of the rules it claims to be upholding in resisting informal rule:

[The] Status of Refugees of 1951 and its 1967 Protocol, the International Covenant on Civil and Political Rights of 1967, the Convention against Torture 1984

and the American Convention on Human Rights and the 1969 Caracas Convention on Diplomatic Asylum, 1954, which committed the country to defend the human rights of people. (Ecuador 2014)

Ecuador represents itself as the dissident champion of legality in the face of unlawful rule. And like Russia, Ecuador punctiliously points out hypocrisy, especially by the ruling Western states that usually purport to support these norms, when justifying Assange's asylum:

'These instruments also commit us to protect them against the policy are subject to prosecution, regardless of power that the trackers have. Ours is not an option; it is a must. But it is also a right that assists us as a country, according to all recognized international instruments', said the Chancellor.

However, as stated by the Minister Patiño, the United Kingdom, preventing Assange to be transferred to Ecuadorian territory, has not respected the legal right of the Ecuador to grant asylum to citizen and, above all, has violated Article 14 of the Universal Declaration of Human Rights, 1948, which states that 'everyone has the right to seek and to enjoy it'. (Ecuador 2014)

This indicates that Ecuador sees a broader cast of ruling agents than does Russia, invoking the United Kingdom in a Western alliance in contrast to Russia's seemingly exclusive focus on the United States.

There are other differences, too. Unlike Russia, Ecuador seeks to bolster its arguments with support material from international organisations, specifically the United Nations. Criticising both Sweden and the United Kingdom's lack of cooperation with Ecuador, the Minister of Foreign Affairs and Human Mobility, Guillaume Long, pointed out that even the United Nations considered Assange's detainment as arbitrary (Ecuador 2014). Long added a call for change, in terms of both international regulation of global mass surveillance and more equal participation in the information society and economy:

The Government of Ecuador believes in a foreign policy based in principles that generates fundamental changes. Julian Assange, Chelsea Manning, Edward Snowden and many others have made an essential contribution. Not only have they expose to the general public terrible crimes against humanity, as well as serious violations of the human rights, they open a very important global debate: how power imbalances affect how information is generated, distributed and controlled and how this has an impact on the lives of us all. (Ecuador 2014)

This indicates that, while Ecuador and Russia envision different sources of rule and answers to it, they both represent their acts as principled resistance to power exercised wrongfully.

This commitment to change can also be seen in the realm of internet governance. Ecuador was not only a sponsor of the aforementioned UN resolution on the right to privacy in the digital age, but also repeated its condemnation

of global mass surveillance through foreign intelligence services at the review conference for the World Summit on the Information Society in 2015 (Ermert 2015). As part of the G77+China group, it was also active in the negotiations preceding the final report, where it advocated for more support for developing nations to close the gap between developed and developing nations with regard to the information society and economy, the so-called ‘digital divide’ (G77 and China 2015). It also advocated overhauling internet governance institutions with a stronger focus on governments. However, the motivation here is different from Russia’s: Western nations and their civil society actors are seen as dominating internet governance and Ecuador, as part of the G77 group, wants more parity in internet governance. The group does not advocate radical change; rather, it reminds developed, Western nations of unattained goals in previous documents. This position is combined with a reiterated commitment to international norms. Again, the representation of the goal of disobedience is to restore a promised order, not to institute a revolutionary alternative.

Unlike Russia, however, Ecuador does not express its dissent by trying to restore sovereignty as an absolute norm, but rather by observing the norms of international conduct more stringently than the Western states that typically preach them most loudly. In doing so, it also seeks to equalise participation in international governance, such as internet governance, and to stop global mass surveillance, which it sees as an expression of rule. Given that sovereign equality is a recognised principle of international law dating back centuries and repeated in key documents, like the UN Charter, this criticism clearly indicates opposition, not dissidence.

CONCLUSION

This chapter made the case for the concept of international civil disobedience as both thinkable and discoverable. Detecting practices that can reasonably be identified as civil disobedience beyond the state meaningfully contributes to the overall aim of this volume: to trace and theorise the existence of rule and resistance beyond the nation state. The instances of Russia and Ecuador harbouring whistle-blowers are not only clear cases of civil disobedience, a theory of rule beyond the nation state also enhances the intelligibility and import of their explanation.

For all the differences in the two harbouring states’ relative positions in international society, these two cases display several similarities that warrant the label of international civil disobedience in opposition to perceived rule. Russia disobeys by pointing out the continued American refusal to sign an extradition treaty, snubbing Russian suggestions, while audaciously demanding Snowden’s extradition. For Russia, harbouring Snowden is simply a

matter of the autonomy that each sovereign state should enjoy and to its principled resistance to informal American rule publicly. For its part, Ecuador disobeys by invoking international norms that contradict Western dominance, such as treaties on torture, freedom of the press and human rights. These norms serve to justify Assange's asylum and, if observed, would attenuate the condition of rule.

Thus, both cases indicate public, conscientious and reform-oriented efforts to change the conditions of rule in international society by symbolically harbouring fugitive whistle-blowers. To both Russia and Ecuador, these conditions manifest themselves in a system of rules and norms that has been unduly manipulated to favour either the West in general, in Ecuador's case, or, in Russia's case, the United States in particular. To both, it is not the system of rules and norms itself that justifies dissent, but its distortion by the unjust manipulation of certain states. Tracing the opponents' justifications allows us to reconstruct international rule and establish international civil disobedience as a thinkable and actual mode of resistance.

NOTES

1. The internal motivations to which Neubauer refers are whether state representatives act unselfishly according to moral conscience. Such motivations are indeed opaque, and considering such representatives as components of states as collective actors complicates detection still further.

2. Franceschet (2015) also discusses the domestic analogy in the context of international civil disobedience to show that weak states can commit civil disobedience against the strong. Our argument goes further by using a subtler means of identifying disobedience.

3. For this reason, Forst's approach is compatible with the sociology of critique described in the introduction, which derives from the work of Luc Boltanski (1999, 2011). Despite having been developed in an arguably more self-consciously theoretical project, the former approach is perhaps less general and able to deal with a smaller repertoire of resistant practices. However, since we focus merely on states' explicit justifications for non-violent actions, this 'simpler' tool remains fit for purpose.

4. There is also the question of what counts as a call for justification. For example, could a groan or rolled eyes count? These are certainly an important grey area to explore in interpersonal relations. In international relations, however, especially in instances of potential civil disobedience, the acts and justifications are by definition official and public.

5. The intuition here is similar to Mill's method of agreement (Mill 1846), except that we employ enough theory to preclude induction. Since we cannot specify the forms of rule and resistance prior to the empirical investigation, we cannot specify in advance what would constitute a hard case. But if we examine two heterogeneous instances, we can suppose that one of them constitutes a hard case without specifying which one.

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Chapter 5

Hegemony and Varieties of Contestation: Social Movements and the Struggle over Coal-Based Energy Production in Indonesia

Anna Fünfgeld

INTRODUCTION

The 9th of November 2017 is the fourth day of the *2017 United Nations Climate Change Conference* (COP23). State representatives, non-state observers, and journalists from 196 countries are meeting in the conference venue on the Rhine floodplains in Bonn, Germany's former capital, to debate on how to deal with global climate change. At the same time, a group of around 20 people are gathering outside on the broad sidewalk of one of the streets leading to the conference venue. The protesters form a semicircle, hoisting banners carrying slogans such as 'climate justice for all!' 'end coal and all dirty energy' or 'yes to community power, no to dirty energy'. In front of them are a dozen journalists, holding up cameras and recorders. Some spectators are watching the scene from a distance, partly gathering at the small coffee stall behind the demonstrators. Every now and then, one of the protesters steps forward to deliver a short address to the audience about the impacts of coal mining in different parts of the world. Apart from Indian, U.S., and Filipino demonstrators, there are also representatives of the Indonesian NGOs WALHI and JATAM present. Two of them explain how open-pit coal mining entails processes of land grabbing that in turn threaten subsistence farming. Their banner reading 'food not coal' emphasises as much. Another huge banner with Japanese letters in red and black and a poster saying 'JBIC [Japanese Bank of International Cooperation, author's note] stop funding coal' criticises the financing of coal power plants by Japanese state institutions.

Over the past years, the energy sector and its impacts on climate change gained significant attention in climate discourses—from not only non-state but also state actors. This is also the case because apart from a number of inter- and transnational organisations dealing with specific energy-related matters

such as the Organization of the Petroleum Exporting Countries (OPEC), the International Energy Agency (IEA), or the World Energy Council (WEC), a broader international energy regime does not exist yet. Hence, internationally, energy matters are mostly treated in adjacent policy fields, such as the international climate regime. At the climate summits in 2017 and 2018, the role of the energy sector in climate change received far more attention as compared to previous international climate summits. At COP 23, issues such as rising fossil fuel emissions and the need for an energy transition were not only raised through protests outside the venue, and discussed at the civil-society-organised *People's Climate Summit* but also in official side events, negotiations, and statements. International climate summits have emerged as central civil society arenas for the contestation of energy politics. Moreover, for activists and NGOs engaged in climate and energy matters, they provide important opportunities to exchange, network, and form and maintain transnational alliances. Over the past years, a transnational movement against coal has evolved out of local, environmental justice-related struggles over land and resources, and the global climate justice movement, aiming to combine environmental and social justice-related claims. With respects to its global, climate-related dimension, the climate justice movement rejects what has been called 'fossil capitalism' (Altvater 2007), 'carbon capitalism' (Di Muzio 2015), or neo-liberal climate governance (Bedall 2014), and accordingly demands 'system change, not climate change'. However, while transnationally an 'anti-coal' norm is currently emerging, no binding regulation has been issued so far, and in many countries, coal is still amongst the most important sources for electricity production.

Indonesia is one of the biggest producers, and the second-largest exporter, of coal worldwide. Coal is not only an important source of revenues but also has gained importance for the country's electricity supply in recent years. The Indonesian government is expanding the domestic use of coal for electricity generation, arguing that it provides an affordable way to meet rising electricity demands, enhance the country's electrification rate, and stimulate economic growth and development. However, coal mining and the construction of new power plants is highly contested domestically. Indonesian NGOs and parts of the media have successfully called attention to the environmental destruction and the health risks concomitant with open-pit mining. Moreover, they have pointed out the losses of livelihood and income that often result from land enclosures around mining and power plant sites. Criticism has also been raised about the vested interests of politico-business groups as well as practices of corruption and collusion that are often at play in the licensing process, and a lack of law enforcement and transparency. While most civil society organisations working in the field would probably subscribe to all of these criticisms, their political stance, their practices, and the narratives they

refer to differ between the groups with a clear anti-coal orientation on the one hand and those supporting reforms of the sector on the other. Ideationally, the criticism of coal-based energy production that has evolved in many other countries as well as globally over the past decade supports and legitimizes the position of Indonesian NGOs. Fossil fuels, and especially coal, have emerged as a central topic at UN climate negotiations, and transnational civil society networks demanding the cessation of coal mining are growing. However, despite this favourable international environment, coal politics in Indonesia have hardly changed over the past years.

The chapter aims to understand this persistence of coal-based energy politics in Indonesia by looking at the protagonists of their contestation: domestic NGOs and activist groups. It focuses on the four Indonesian NGOs: WALHI (*Wahana Lingkungan Hidup Indonesia/Indonesian Forum for the Environment*), JATAM (*Jaringan Advokasi Tambang/Mining Advocacy Network*), PWYP (*Publish What You Pay*) Indonesia, and *Article 33*. These NGOs are amongst the most active and influential groups on the national scale. Empirical data for this case study was gathered in qualitative field research in Indonesia and at UN Climate Change Conferences in 2016, 2017, and 2018.¹

By combining the rule-and-resistance framework with critical state theory—especially theoretical concepts developed by Antonio Gramsci—the chapter addresses the following questions: (1) In how far and how does Indonesian NGOs' resistance against coal politics relate to (transnational) hegemonic orders of justification? (2) What does this reveal about rule in Indonesian energy politics? From a Gramscian perspective, fossil fuel-based energy politics in Indonesia can be conceptualised as a hegemonic project against which several actors try to build up counter-hegemonic movements. The main counter-actors are domestic NGOs, which have partly taken over the function of 'organic intellectuals'. As international climate negotiations and transnational civil society networks also play a role in shaping discourses and hegemonic norms and narratives, the Gramscian realm of civil society needs to be extended to the transnational sphere.

Within the proposed typology of resistance, struggles over coal and energy in Indonesia can generally be regarded as practices of contestation. Hence, they are closer to the oppositional than to the dissidence side of the continuum. However, the case study reveals that contestation itself can be very diverse in reality and that it may even entail instances of escalation and exit. I argue that, assessing the ways in which norms, narratives, and practices of contestation relate to hegemonic orders of justification enables us to identify and distinguish between different resistance actors. On the basis of their practical and ideational references to hegemonic orders of justification, the chapter identifies two different strands of activism: WALHI and JATAM stand for more radical, anti-coal activism, and PWYP and *Article 33* pursue a rather

moderate, reformist approach. Moreover, analysing the norms, narratives, and practices of the actors who contest hegemonic orders of justification reveals the complex relationship between transnational norms, international hegemonic orders, and (in this case) domestic rule. The chapter traces the increasing importance of transnational alliances and emerging international norms for domestic struggles against coal in Indonesia. It shows that Indonesian coal politics are clearly situated in the context of international rule. At the same time, the specific, historically grown domestic political-economic structure continues to be crucial for Indonesian coal politics and significantly limits spaces of resistance.

The chapter starts with introducing the theoretical frame, combining the rule-and-resistance framework with Gramscian lines of thought. The following section provides the context of counter-hegemonic struggles by outlining hegemonic energy politics in Indonesia. Then, the main section on counter-hegemony provides an overview on environmental NGOs in Indonesia before presenting an analysis of counter-hegemonic narratives and practices of the four NGOs, and their embeddedness in transnational movement structures and domestic collaborations. The conclusion summarizes the findings.

A GRAMSCIAN APPROACH TO RULE AND RESISTANCE

The interrelation between rule and resistance constitutes a central reference point of Antonio Gramsci's political thinking. Hegemony, one of the central concepts developed by Antonio Gramsci, is a form of power that is based on coercion and consent likewise. Establishing consent is related to convincing others of certain ideas and may also include entering into tactical compromise—however, without touching the core of a group's vested interests. This means that a social group—or an alliance of different social groups forming a 'historical bloc'—enforces their political and economic interests not only through domination and force but equally through organising consent. Gramsci developed the concept mainly in his analysis of the Italian Risorgimento, the revolutions in Russia and France, and the question of why there was no revolution in states like Italy, Germany, and Great Britain (Gramsci 1991–2002). Accordingly, he used the concept to explain general societal power structures. However, other authors have applied or suggested to apply it to specific political sectors, also referring to it as a 'hegemonic project' (Kannakulam and Georgi 2012). Nonetheless, it is clear that every sector-specific constellation of forces is situated in general political-economic structures and the historical trajectories related to them. In this chapter, I distinguish between a hegemonic project in a certain policy field, that is, a project that has already achieved (quasi-)hegemonic status,

and counter-hegemonic projects that are opposed to the hegemonic project and strive for becoming hegemonic in the respective policy field themselves. Hence, the current Indonesian energy order is referred to as a hegemonic project while the oppositional forces are termed counter-hegemonic (though we need to distinguish between different groups as will be explained later).

From a Gramscian perspective, the concept of 'orders of justification' may be understood as an essential component of hegemony, namely organising consent in the sphere of civil society. It is here that rule, based on the specific arrangement of consent is stabilised but also contested through practices of resistance. However, for Gramsci, this is not merely a question of values and normative parameters, or the 'reasons and argumentative structures of resistance' (see introduction, p. 9). Rather, the ideological foundations and practices of actors need to be related to the political-economic structure, which is key to understanding the context in which hegemony is pursued, and hegemonic orders of justification are situated and contested.

One of the central innovations of Gramsci's perspective on the state is that he conceptualizes it as an 'integral state', consisting not only of the 'political society' (or the state apparatus/state institutions) but also of 'civil society', a mere analytical dimension. This serves to underline meaning that domination, power and political relations in general are always also located in the latter. Civil society is the terrain where consent is being organized. It is not independent of 'the state', but rather an arena of collective action where thoughts, ideologies, and principles are being negotiated. It provides a medium for different political groups to introduce their ideas to society. Therefore, civil society is an essential element of state power as it is here where hegemony is generated and stabilized. However, civil society is also the arena where counter-hegemonic movements—or new 'historical blocs'—emerge and set out to challenge current hegemonic orders (Gramsci 1991–2002; Anderson 1979; Candeias 2007; Opratko 2012). A historical bloc—an alliance of different groups that was formed to challenge the hegemonic order—can be very diverse, also depending on the specific hegemonic project it relates to.

According to Gramsci, intellectuals play a central role in the formation of a historical bloc and the organisation of consent. He does not define intellectuals based on specific skills or knowledge but instead with regard to the societal functions they fulfil. Every social group develops its own 'organic intellectuals' who contribute to building awareness about its political interests (and thereby going beyond the economic sphere of class solidarity). The other central function of the intellectuals is to organise consent in order to stabilise the hegemony of a specific group. Not all intellectuals fulfil the same function in this respect as some might be developing new ideas and concepts while others are passing them on to group members or a wider public (Gramsci 1991–2002, Q12 §1, GH, 1497–1516). While Gramsci was assigning this

role mainly to political parties and their members (Gramsci 1991–2002, Q12 §1, GH, 1497–1516), today, it may be also fulfilled by social movements or NGO groups (Quist-Adade and van Wyk 2007; Birchfield and Freyberg-Inan 2005).

Taking these concepts into account, a Gramscian approach can add a more holistic perspective to social movement studies (Kebede 2005). While most social movement theories focus on a single major explanatory factor (such as resource mobilisation, political opportunity structures, frames, or collective identity), Gramscian theory combines multiple factors into a more comprehensive understanding of the structural, ideational/ideological, and strategic patterns underlying social movements. From a Gramscian perspective, social movements may be understood as ‘agencies of counter-hegemony’ aiming at dis-organising consent, disrupting hegemonic practices and discourses, opposing hegemonic orders, and working towards the establishment of social alternatives (Carroll and Ratner 1994).

In the case of Indonesian energy politics, NGOs are the major agents of counter-hegemony. However, the extent to which resistance actors adopt the normative givens of hegemonic orders or challenge them by applying alternative orders of justification may vary significantly within a social movement or an NGO alliance. These ‘varieties of contestation’, I suggest, can be identified with respects to the ideological foundations, the norms, and narratives resistance actors refer to, and their protest repertoire as well as the collaborations they seek domestically and transnationally. They are closely related, and hence point at how rule in the context of Indonesian coal and energy politics is structured.

HEGEMONIC ENERGY POLITICS IN INDONESIA

From a Gramscian perspective, coal-based energy politics in Indonesia can be conceptualised as a hegemonic project. In Indonesia, the general political-economic context is characterised by a mixture of oligarchic power structures, (neo)liberal policies and institutions, and some sectors that are largely state-coordinated (often related to state-owned enterprises) (Rosser 2014). After the country’s independence in 1945, and a first (partly) democratic era under president Sukarno, Indonesia was under authoritarian rule for 31 years. After the overthrow of President Suharto’s New Order regime in 1998, comprehensive democratisation and decentralisation reforms were carried out. While this led to an opening of new political space for civil society organisations, the regime transition did not lead to a complete transformation of domestic power structures. Powerful, family-run politico-business conglomerates that emerged from influential bureaucrats and politicians from the

New Order regime continue to play an important role in the country's affairs. They survived the political reforms and have successfully reorganised themselves within the democratic system as party functionaries, state officials, parliamentarians, and business people (Aspinall 2013; Hadiz and Robison 2013; Robison and Hadiz 2004). Neo-liberal reforms were carried out in three waves (in the 1960s, the 1980s, and end of the 1990s) with the support of Western countries and multilateral agencies, specifically the International Monetary Fund (IMF) and the World Bank. However, they did not thwart but rather contributed to consolidate the influence of predatory politico-business alliances by enabling them to acquire lucrative businesses formerly controlled by the state (Hadiz and Robison 2005).

The neo-liberal reforms initiated by the IMF and the World Bank after the Asian Financial Crisis at the end of the 1990s included measures typical for contemporary structural adjustment programs such as privatisation, deregulation, and market liberalisation. The decentralisation reforms, implemented from 1999 onwards, were part of the long-term orientation towards 'good governance' advocated by the IMF and the World Bank in many countries of the Global South. Commonly dubbed a 'big bang decentralization', the reforms were among the most far-reaching and quickly implemented decentralisation reforms ever. They were in line with a global trend that viewed regional autonomy as a major instrument towards good governance (Sindre 2015). However, for a long time, decentralisation reforms did not only fall short of expectations in terms of accountability, transparency and improved service delivery (Kis-Katos and Suharnoko Sjahrir 2014; Fünfgeld, Lücking, and Platte 2012). Also, rather than undermining the functional logic of patronage politics, they led to its preservation as the transfer of responsibilities to the local level opened up new rent-seeking opportunities. This was mainly due to the authorisation of district heads to issue land-use concessions such as for coal mining, which was effective until the latest reform of the regional autonomy law in 2014 (Fünfgeld 2016b). Furthermore, there is a reverse flow of influence as many new second-level politicians with business backgrounds have emerged. Often, their political rise is a direct result of their ability to buy their way through political parties, where they use their political influence to push their economic interests (Aspinall 2013).

These developments are especially crucial for the Indonesian coal sector as the enormous proliferation of mining licenses in the 2000s was not only a result of a global commodities boom but is also directly related to the country's decentralisation reforms. With the implementation of a new mining law in 2009, mining regulations have been adjusted to decentralisation reforms, allowing municipality and district heads to issue coal-mining concessions. In many districts, this led to an uncontrolled issuance of concessions often based on self-enrichment and corruption. Many district heads and mayors

established alliances with business players or became directly involved in the coal business themselves. The boundaries between state and private actors, and between legal and illegal activities became increasingly blurred, ranging from weak law enforcement to corruption and bribery. These patterns can be observed over the entire production chain: in pre-mining environmental assessments, community consultation, post-mining re-cultivation, and the repression of local protests by thugs and paramilitary groups (Fünfgeld 2016a; Fünfgeld 2016b). These developments were only halted after the latest revision of the regional autonomy law was passed in 2014, which shifted the responsibility for mining concessions to the provincial and central government level. However, by then, most regions were already widely covered with mining concessions, and coal prices temporarily experienced a sharp decrease. Hence, as in other sectors, neo-liberal reforms such as decentralisation did not undermine predatory political patterns but were hijacked by old and new politico-business groups pursuing personal benefits through illegal practices (Fünfgeld 2016b).

Today, the largest share of Indonesian coal production is being exported, mainly to China, India, and other East Asian countries (MEMR 2018, 64f). Indonesia is currently the second largest exporter worldwide (IEA 2018). During the last decade, export rates were between 75 and 83 per cent of total coal production, while they were declining to 64.5 per cent in 2017 due to increasing domestic demand (MEMR 2018, 63). The current government's energy planning foresees a significant increase in domestic coal use for power generation. According to them, this is to ensure affordable energy supply, meet increasing electricity demands, and enhance electrification levels over the archipelago. Initially, the planning foresaw the construction of 291 new coal power plants, to a large degree funded by international investment companies and banks (such as JBIC). Meanwhile, the government and the state-owned electricity utility PLN (*Perusahaan Listrik Negara*) have decreased this number and adjusted it to new estimations on economic growth and energy demand. PLN holds the monopoly on purchasing and distributing electricity, which provides them and the ministries in charge of PLN with the ability to steer electricity prices. Moreover, several regulatory changes on renewable energy over the last years led to a political environment that favours the use of coal as compared to other energy sources.

In sum, hegemonic energy politics in Indonesia are marked by an over-reliance on coal and based on a political-economic structure characterised in many sectors by oligarchic politico-business networks, and neo-liberal and state-coordinated policies. Consent is sought by references to generalised objectives such as development and economic growth. However, especially on the local scale where resistance against mining and power plants often takes the form of direct action, coercion is a central means to secure the

functioning of the current energy regime. This includes threats and violence carried out by thugs and paramilitary groups (and sometimes even the police) against local protestors. Hence, there appears to be a differentiation between the domestic and the local scale in terms of how hegemony is organised and secured.

Both coal mining and the coal-oriented national energy planning have raised much criticism over recent years. Many NGOs and other observers argue that this policy is primarily accommodating the interests of the domestic coal business that depends on new reliant sales markets in a time when international prices have shown to decline rapidly, and import rates from Indonesia's major coal importer China are decreasing. Moreover, just like open-pit coal mining, the construction of new power plants goes along with land grabbing mostly at the expense of rural communities who often lose their basis of living. It causes environmental destruction, health impairment, an increase in floods and erosions, and a severe reduction of agricultural harvests and fish catch, leading to the impoverishment of farming and fishing communities living close to mining or power plant sites (Fünfgeld 2019). Amongst the most outspoken opponents of Indonesia's energy politics are the four NGOs that are portrayed in the following chapters. They challenge the government's consent-building efforts, which mainly rest on narratives of development, poverty alleviation, economic growth, justice/equality, and (energy) security to different degrees.

COUNTER-HEGEMONY AND ORGANIC INTELLECTUALS: CONTESTING COAL IN INDONESIA

The Indonesian environmental movement first emerged in the late 1970s/early 1980s, during President Suharto's authoritarian, New Order regime (1966–1998). Interest in environmental issues resulted from a growing public awareness of environmental degradation and other consequences of the pro-capitalist development programs fostered by Suharto's state developmentalist approach in the forestry, mining, and plantation sector. The Suharto regime generally worked towards a de-politicisation of society and sought to incorporate political activities and groups. Independent NGOs working on 'political' topics like democratisation only started to surface in the last decade of the New Order, between the late 1980s and the mid-1990s. The comparably early formation of the environmental movement was only possible because environmental issues were generally perceived apolitical. Additionally, some politicians played an important role in bringing forth favourable regulations for environmental groups or by personally supporting environmental matters.² Coalitions between rural and urban activists contributed to the

grassroots- and environmental justice-oriented character of many environmental groups. Many environmental NGOs also sought alliances with other activist groups such as from the agrarian reform movement, indigenous people's organisations, and legal rights groups. These collaborations, as well as the exposure to democratic ideas such as political participation and human rights, significantly influenced the politicisation of many of them (Aspinall 2004; Eldridge 2005; Nomura 2007; Peluso, Afiff, and Rachman 2008). During *reformasi*, the transition period after Suharto's fall in 1998, political opportunities for Indonesian NGOs significantly expanded allowing them to increasingly participate in policy-making processes. Many of them have turned towards influencing public debates and attitudes of voters and party politicians. Nonetheless, most environmental groups have remained extra-parliamentary actors that critically engage with the Indonesian government. Moreover, democratisation transformed the decision-making and organisational structures of many environmental NGOs towards enhanced public accountability and representation and allowed for strengthened relationships to local communities (Nomura 2007).

Over the past years, the number of NGOs working on energy and coal mining has significantly increased. While in 2011, at the peak of the coal mining rush in Indonesia, there was basically only one nation-wide NGO (JATAM) working on coal mining issues (in addition to local groups), over the past years many NGOs emerged in the field—to a large degree funded by international institutions or foreign NGOs that are engaged in climate protection. The focal points of (domestic) contestation are the impacts of coal mining and power generation as well as the political-economic context and the illegal practices connected to the mining business. Moreover, the fact that many local communities despite living close to mining or power plant sites do not enjoy improved electricity access or a significant rise in job opportunities is often perceived as unjust. However, the degree of contestation, as well as the adoption of or resistance towards hegemonic justifications related to political-economic norms and practices such as the oligarchic structure, neo-liberal policies, and state coordination, differs significantly. The most remarkable cleavage is between more leftist-radical, so-called 'anti-coal', and more moderate and reformist, so-called 'pro-coal' groups. While anti-mining NGOs demand an immediate stop of coal production and usage, moderate groups generally support good governance measures in order to improve extractive industries' governance and reach a step-by-step phase-out from coal. In order to assess in how far different NGOs are challenging the hegemonic energy regime and its narratives and justifications, the following analysis deals with the approaches of two NGOs from each camp. WALHI and JATAM are regarded as more radical, anti-coal groups, while PWYP Indonesia and Article 33 are pursuing a more moderate, good governance-oriented approach.

WALHI was founded in 1980 and is not only Indonesia's first environmental NGO but also the largest one. As an umbrella organisation, it currently unites 481 institutional members from 28 of Indonesia's 34 provinces. While common working topics are adopted in regular plenary meetings, member organisations are free to determine their particular agenda in correspondence to the developments and characteristics of their region. By their self-definition as an environmental justice NGO, in their work, WALHI focuses on the intersection between environmental and socio-political aspects. In the energy sector, it pursues a zero-coal strategy and works towards a comprehensive energy transformation. WALHI advocates a people-driven, small-scale renewable energy production. They work closely with local communities negatively affected by coal mining and power plants. This includes facilitating community organisation, capacity building, direct action, and the execution of lawsuits. On the domestic level, they are engaged in campaigning, research, and public information sharing.³

JATAM is a civil-society organisation specialised in mining issues. It was established by WALHI members in 1995, and both organisations maintain a close relationship until today. JATAM opposes all kinds of mining activities and works towards strengthening the resistance and resilience of affected communities. Like WALHI, JATAM consists of several local branches (currently 38), which determine their work focus while the general mandate is defined at regular national gatherings. Apart from coal mining, they also mobilise against coal power plants as a part of their zero-coal policy. JATAM's protest repertoire consists of campaigning, public education, lobbying, research, advocacy, capacity building on the local level, and direct support of local activists in cases of conflict. Current activities related to coal mining include the mapping of mining conflicts, a legal review of mining concessions, and the assessment of rent-seeking, and adverse impacts such as human rights violations. Another focus during election campaigns in 2018 and 2019 is to run a campaign to inform voters about the candidates' involvement in mining issues.⁴

PWYP Indonesia is a civil society coalition affiliated with the PWYP global campaign that promotes the *Extractive Industries Transparency Initiative* (EITI), 'a global standard to promote the open and accountable management of oil, gas and mineral resources'.⁵ It was officially established in 2007, but already active since 2003. The coalition consists of 35 NGOs and maintains partnerships to local groups in 25 provinces. While the global initiative focuses on urging companies to disclose information on revenues, royalties and other payments, the agenda of PWYP Indonesia goes beyond that. Their activities include research on natural resource governance, policy advocacy, campaigning, public education, and the monitoring of law-making and implementation processes. In the energy sector, PWYP Indonesia currently focuses

on fossil fuel extraction. They perceive the enhancement of transparency and accountability in the extractive industries sector as a central means for improving social welfare and justice.⁶

Article 33 is a research- and advocacy-oriented NGO founded in 2009⁷ that started to work on extractive industries in 2011. They derive their name from the 33rd article of the Indonesian constitution, which demands that natural resources be used for the prosperity of the Indonesian people. Hence, their declared goal is the enactment of this article which is interpreted as returning sovereignty over natural resources to the people by exposing the gaps between the constitution and its implementation. For Article 33, this involves, for example, ensuring the payment of royalties to the government, and controlling commodity exports. Accordingly, the organisation also supports EITI. On a project basis, Article 33 also cooperates with development agencies and international organisations such as the World Bank (as part of EITI and in other projects). They work in ten focus districts and five provinces. Their work focuses on providing research-based information and facilitating workshops and other events in order to inform policy-makers on various political levels about existing legislation and how they can be improved or implemented more thoroughly.⁸

Protest Repertoires

Besides their engagement in transnational alliances, remarkable differences between the two NGO streams also include their protest repertoire and general strategies, and their relation to other domestic actors. In the capital Jakarta, where most authoritative regulations on energy and mining are debated and issued, activities such as campaigning, awareness raising, lobbying, and research and data collection are central activities of all groups. However, differences regarding the collaboration with state and business actors and the engagement in protest activities do exist. For example, anti-mining groups pursue a rather selective and ‘critical engagement’ with government agencies and refuse to cooperate with business actors, multilateral institutions and bilateral donors.⁹

The institutional structure of WALHI and JATAM, which is essentially based on local member organisations, enables them to also take on a very active role on the local level, where they are engaged in protest activities, awareness raising, and capacity building. They also provide community training and legal support to affected communities. Here, the protest repertoire of anti-coal groups is even broader as it includes more escalatory practices (direct action such as demonstrations, blockades, and sabotage) and exit strategies, such as experiments in alternative ways of living and working. For example, as a kind of ‘exit’ strategy, both groups support self-sufficient

agriculture and resilience in several villages affected by coal mining. The support of more radical forms of direct action is also an integral part of the protest repertoire in many areas. The mobilisation of their members via social media channels for these kinds of activities and public campaigning is central to this strategy. Furthermore, in order to give local communities a voice and raise awareness about their demands in domestic politics, WALHI and JATAM facilitate public events and press conferences with local activists and members (sometimes also with like-minded local government officials) in the capital.¹⁰

In line with their emphasis on governance reform, more moderate organisations like Article 33 regularly cooperate with local governments in order to foster law enforcement on the local level.¹¹ Their engagement for EITI, which besides CSOs includes government agencies and private companies, also brings about a closer collaboration with state and business actors on the domestic level. Both PWYP and Article 33 also maintain close relations with parliament staff and discuss and share information with them, which significantly widens their scope of influence.¹² In correspondence with their support of good governance measures, moderate groups exhibit fewer reservations towards cooperating with bilateral donors and multilateral agencies.¹³

Despite the differences in political stance, strategies, and choice of partner institutions, all four NGOs maintain regular contact with each other and collaborate on specific causes. These coalitions help to broaden political campaigns and contribute to reaching incremental policy improvements. Short-term coalitions are usually based on specific common concerns and involve information sharing and joint events. Besides joining forces in order to push specific matters, NGO coalitions also function as a platform for information sharing, mutual learning, and networking and have contributed to bridging existing divides between the different streams.¹⁴

One example for a short-term alliance is a joint press conference in 2016, where anti-mining and moderate groups addressed the issue of several children who drowned in abandoned mining pits in Kalimantan, resulting from the non-compliance of many coal companies with their post-mining responsibilities.¹⁵ Another common concern is the ongoing reform of the Indonesian law on minerals and coal mining. In spring 2016, a broad NGO coalition involving anti-coal and reformist groups organised a joint workshop in order to prepare a policy paper on the new law.¹⁶ In 2018, several NGOs from both camps established a coalition to identify pathways towards an energy transformation in Indonesia.¹⁷ These collaborations are mostly temporary, strategic coalitions. However, they have been growing in number and intensity remarkably since 2016, when the first broader, long-term coalition was established as part of the global *break free from fossil fuels* initiative.

A long-term alliance, the *anti-coal mining mafia coalition*, was formed in order to support the *Corruption Eradication Commission's* (*Komisi Pemberantasan Korupsi/KPK*) initiative to evaluate coal mining concessions according to administrative and legal standards. With the help of several NGOs, the KPK started to collect data about mining licenses in several provinces in 2014. In 2017, they revealed that around 40 per cent of the 11,000 permits under investigation are not 'clean and clear' and accordingly should to be revoked. According to KPK, the NGOs' support was of fundamental importance to their work as they provided basic information for the investigation.¹⁸ Currently, the NGOs are supporting the implementation of KPK's recommendations. This is crucial as many of the respective licenses have not been revoked yet due to various problems at the provincial level.¹⁹ Nonetheless, all four NGOs appreciate the initiative as a remarkable success in contesting coal mining and the illegal activities related to it.²⁰ Still, all NGOs critically note that the evaluation was limited to administrative and legal offenses while environmental destruction and human rights violations should be taken into account in the evaluation of mining licenses.²¹

In sum, different NGO groups enter coalitions and share information regularly. However, these coalitions mainly involve activities in the capital such as campaigning, issuing policy papers, or holding press conferences, while on the local level, practices like the promotion of alternative ways of living and working or more radical direct action are specific to anti-coal groups.

Hegemonic Orders of Justification and Counter-Narratives

The cleavage between so-called pro- and anti-coal NGOs is most apparent with regard to the groups' self-definition and political attitude, which is reflected in the objectives, norms, and narratives they commonly refer to. Corresponding with their self-perception, WALHI and JATAM place great emphasis on defending human rights and supporting justice claims of local communities. Accordingly, their concern in coal issues centres on social injustices and human rights violations connected to mining and power generation, such as forced evictions, impoverishment of local communities, or the violent suppression of protests. The focus on local impacts correlates with the institutional structure of both NGOs, where local branches and communities play a pivotal role in terms of general agenda-setting and activities on the local level.²² For example, not only is JATAM's 'mandate . . . coming from the victims, from the people, the community who resists, who struggles, who is facing the impact . . . from this industry',²³ the NGO provides affected people the opportunity to become organised and join JATAM or one of its member organisations. Hence, many JATAM members and their families

have been affected by mining impacts themselves and joined the organisation in order to become engaged in defending their communities' livelihood and learn about resistance strategies.²⁴ Thus, many political campaigns of both NGOs focus on local environmental and social impacts of mining and power generation. Moreover, they aim to disclose information about the close entanglement of politics and coal business.

Anti-coal groups refuse most of the government's normative justifications. They argue that recent energy policies are primarily oriented towards safeguarding economic interests of politico-business groups. Moreover, according to anti-coal groups, the government's claim that the current energy planning is meant to tackle inequalities in electricity access is merely a strategy to organise consent. Instead, they point out that most new power plants are not projected to be erected in remote areas where electricity is most needed. The NGOs suggest that the government pursues a fossil fuel-based strategy to ensure energy security and sovereignty in order to please the coal industry's interests and to provide electricity for industrial production with the intention to enhance economic growth, which is central to the president's agenda.²⁵

Besides challenging official narratives on energy planning, both organisations have developed their own counter-narratives. For example, the guiding principle of JATAM, '*daya pulih*' ('self-recovery') describes the objective of strengthening the resilience of local communities towards the mining industry. It can be considered a counter-narrative as it suggests an alternative way of development, living, and working that stands in sharp contrast to market-oriented economic arrangements. Sustainable farming, such as agroforestry, and fair trade shall provide stable and sustainable income opportunities that enable local communities to resist short-term investments and compensation payments from the mining industry. JATAM and WALHI both work towards this vision through local capacity building. This does not only encompass training in resistance strategies but also education on alternative and traditional ways of farming. Moreover, as a form of direct support, both organisations set up cafés at their headquarters in Jakarta where they sell agricultural goods produced by affected communities.²⁶

WALHI's guiding principle '*adil dan lestari*' ('just and sustainable') conforms to their self-perception as an environmental justice NGO that advocates the consideration of social justice in environmental matters.²⁷ To WALHI, social justice in the energy sector touches not only on questions of unequal energy access but also implies moving towards a more just and sustainable way of energy production. The latter, they suggest, shall not only be based on renewable energy sources but also requires overcoming currently hegemonic, market-based modes of energy production. Accordingly, WALHI advocates many ideas that are part of the global 'just transition' discourse, including an energy

transition that is not only based on the phasing out from fossil fuels but involves civil society and trade unions. They also support the meanwhile transnational idea of ‘energy democracy’ where energy production shall be ‘people-driven’, for example, citizens ought not to be treated as mere consumers of energy, but shall be able to become small-scale energy producers at the same time.²⁸

Moderate groups like PWYP Indonesia and Article 33 share with anti-coal groups their concern about local mining impacts and the criticism of weak law enforcement and illegal practices in the mining industry. Though, they perceive the demand for an immediate phase-out as unrealistic and accordingly pursue a gradual exit from coal mining and combustion along with the regulatory improvement of the sector. As a member of Article 33 explains it: ‘if we call it directly anti-coal . . . we cannot reach fast. Coal is part of the big chunk of revenues in Indonesia, and there are many parties involved. It cannot be blocked directly’.²⁹ Similarly, contrasting their organisation with JATAM, a PWYP member explains that PWYP is less ‘extreme’ and not an ‘anti-mining organisation’.³⁰ Instead, both organisations pursue a rather reformist approach significantly based on good governance-related norms like transparency and accountability. A PWYP member summarizes the underlying narrative stating: ‘we say that if you want to exploit, please do the best mining practices and do have an impact towards the society . . . and you should be transparent and accountable towards the society and the people and the local government and have a good impact with your operational company’.³¹

Transparency and accountability have been advocated by multilateral institutions like the World Bank and the IMF as essential elements of a global, neo-liberal good governance agenda. These norms are also fundamental to the EITI³² that PWYP and Article 33 support. Accordingly, these norms are reflected in PWYP’s general philosophy and emphasised in their publications where they portray EITI as a tool for overcoming the ‘resource curse’ and assisting the government in implementing good governance measures.³³ From the perspective of Article 33 and PWYP Indonesia, advancing accountability and transparency in the coal sector allows for strengthened civil society participation that eventually leads to an enhancement of social justice and sustainable development.³⁴ In general, both organisations pursue a reformist approach, seeking improvement through the enhancement of mining governance and law enforcement, which also includes demanding companies to fulfil their post-mining responsibilities and stop illegal mining.³⁵

Hence, corruption, nepotism, and other illegal activities connected to coal mining are shared concerns of both NGO camps, and they regularly collaborate on these matters. Still, their problem analysis and the potential solutions derived from it differ. Moderate groups perceive these problems as independent practices resulting from a lack of good governance, whereas anti-coal groups rather interpret it as a structural problem related to the oligarchic

and neo-liberal facets of the current political order. JATAM and WALHI members are rejecting good governance-oriented approaches arguing that they tend to disregard human rights violations and social injustices stemming from the production and usage of coal.³⁶ As illustrated previously, to PWYP and Article 33, good governance norms are an essential tool for overcoming the problems related to corruption and weak law enforcement in the coal sector. The differences in political orientation and the norms and narratives the NGOs refer to illustrate the broad spectrum of coal contestation in Indonesia. PWYP Indonesia and Article 33 partly operate within and refer to hegemonic orders of justification such as global, neo-liberal good governance concepts. In contrast, WALHI and JATAM seek to challenge current energy politics by

Table 5.1. Objectives, Norms, Narratives, and Approaches of Indonesian NGOs Dealing with Energy Issues

	<i>More radical NGOs (WALHI, JATAM)</i>	<i>More moderate, reformist NGOs (PWYP, Article 33)</i>
Objective	no extraction or use of coal immediate phase out	responsible, law-based, and transparent extraction and use of coal step-by-step phase out
Norms	Social justice, climate justice, human rights, anti-corruption, bottom-up mandate	Good governance, transparency, accountability, anti-corruption, prosperity
Narratives	Counter-narratives: Daya pulih (self-recovery) Adil dan lestari (just and sustainable) 'coal is not only dirty, but deadly' 'The government's electrification program doesn't enhance social justice, but only benefits the business and the 'corruptors' '	Good governance narratives: 'Accountability and transparency lead to better law enforcement, more responsible mining practices and civil society participation, which in turn enhances social justice and sustainable development' 'A step-by-step improvement of extractive industries is possible'
Protest Repertoire/ Approaches	Domestic Level: Campaigning, research, legal approach, demonstrations Local Level: Community organisation, capacity building, legal approach, direct action, campaigning, supporting exit strategies	Domestic Level: Campaigning, research, legal approach, lobbying (research-based publications) Local Level: Advocacy (e.g., local governments)

referring to counter-narratives such as JATAM's *daya pulih* and WALHI's *adil dan lestari*, and through the re-definition of general concepts applied by the Indonesian government. Still, in practice, all groups collaborate regularly, the more radical groups sometimes also support incremental regulatory improvements, and representatives of moderate groups are also not per se 'pro-coal', but highly critical of its extraction and usage.

International Norms and Transnational Alliances

As international climate negotiations, as well as transnational civil society networks, also play a role in shaping discourses and hegemonic norms and narratives related to energy in Indonesia, the Gramscian realm of civil society needs to be extended to the international/transnational sphere. Norm diffusion and norm localisation theories have shown that ideas and norms travel between countries, world regions or from international fora to the regional, domestic or local political context. However, which norms and narratives (or which parts of them) are employed in order to organise consent for a specific political project is often a highly selective and strategic endeavour, undertaken by various actors, including the Indonesian government, the private business, and other actors. As the focus of this paper is on Indonesian NGOs, the following paragraphs look solely on how they perceive the role of transnational ideas and events (in addition to the previous chapter that already pointed to the application of good governance norms by two of the NGOs).

Transnational collaboration and activities on the international level are of great importance to all four NGOs—albeit for varying purposes, differences in the choice of transnational partners, and regarding the strategies employed. All of them are organised in transnational networks—WALHI as a member of *Friends of the Earth International*, JATAM through their affiliation with the *Jubilee South* network, PWYP Indonesia as part of the global *Publish What You Pay* initiative and both PWYP and Article 33 through their engagement in the EITI. As described earlier, because PWYP Indonesia was founded under the roof of the international PWYP group, the good governance orientation was already pre-set. Similarly, Article 33 was founded as the research hub of an NGO which worked on good governance, and political and fiscal decentralisation—also a clear good governance-oriented agenda.

For JATAM and WALHI, international climate summits and other activities related to the climate justice³⁷ movement are essential elements of their transnational engagement. Global climate summits have become a major arena of struggles over climate justice. Moreover, for activists and NGOs engaged in climate and energy matters, they provide important opportunities to exchange and network and thereby contributed to the formation of a transnational climate justice movement.

Transnational climate discourses have turned more negative towards the use of fossil fuels and especially coal for electricity production. There is a common understanding that a phase-out from coal is inevitable and that future energy production should be based increasingly on renewable sources. Over recent years, a transnational ‘anti-fossil fuel norm’ (Green 2018) has started to emerge. More concretely, one has to speak about an ‘anti-coal norm’ as gas is assigned a different role in the discourse (it is rather experiencing a revival due to its framing as a ‘bridge technology’). The global climate protection norm, as well as the currently emerging global anti-coal norm, helps Indonesian NGOs to legitimise their claim that coal mining and power plants need to be stopped—despite the fact that the global anti-coal discourse is (not exclusively but) mainly based on the argument that emissions from coal contribute to climate change and mining leads to environmental destruction, while for Indonesian NGOs, the main (domestic) arguments against coal are because of its social and health-related impacts and the corrupt practices it is based on.

Especially international summits like UNFCCC climate conferences, which are at least partly open for social movements, researchers, and the media, contributed to creating new opportunities for the forming of transnational NGO alliances. Indonesian NGOs like WALHI and JATAM also use the climate conference as an opportunity to criticise and pressure the Indonesian government and form and maintain broader transnational networks.³⁸ Transnational networking and exchange allow for supporting each other, learning from societal struggles in other countries, and exchanging on possible strategies and alternatives to hegemonic norms and narratives. For example, a WALHI member refers to ideas developed within European debates such as *degrowth* and *energy democracy* and the South American *buen vivir* concept as valuable starting points for developing counter-narratives applicable to the Indonesian context.³⁹ Besides providing ideational and strategic support, transnational alliances also help Indonesian NGOs to acquire funding thereby also gaining some influence upon the energy politics in the country. However, many foreign donors provide funding for more radical and moderate NGOs likewise. However, especially WALHI and JATAM are quite critical towards external financial support and decide carefully with whom they collaborate. This implies, for example, that they would not accept financing from organisations like the World Bank, the IMF or bilateral development agencies.⁴⁰

CONCLUSION: VARIETIES OF CONTESTATION OVER INDONESIAN COAL POLITICS

On the continuum between oppositional and dissident forms of resistance, the strategies employed by Indonesian NGOs to contest the production and use of coal is located closer to the end of opposition than to the one of dissidence,

and their activities can be mostly regarded as forms of contestation. Nonetheless, they make use of a broad range of practices, including exit and escalation practices on the local level. Hence, there exists a broad variety even within the realm of contestation. This variety of contestation is especially visible with regard to the ideological orientation of the NGOs, the objectives, norms, and narratives they refer to, as well as regarding their protest repertoire and the domestic and transnational alliances they seek.

The analysis has shown how the norms and narratives which the four NGOs refer to relate to different hegemonic orders of justification. This enabled the identification of two different strands of activism: more radical, grassroots-based anti-coal NGOs and more moderate, good governance-oriented groups. Due to their common objective to work towards the phasing-out of coal, better conditions for the local population, and against corruption in the sector, they regularly collaborate and form coalitions on specific topics. However, the narratives and norms they relate to differ to a significant degree.

Regarding their protest repertoire and alliances, the approaches of moderate groups appear to be in line with their overall political orientation, which essentially rests on good governance-related norms and supports the narrative that problems in the coal sector may be tackled by enhancing governance. Thereby, they adopt parts of the normative givens of the hegemonic order, but challenge aspects resulting from the oligarchic features in Indonesia's political-economic system, such as poor law enforcement and corruption. Therefore, PWYP Indonesia's and Article 33's approach conforms to global hegemonic orders of justification, while still challenging domestic power structures.

It is only the more radical groups WALHI and JATAM that can be classified as organic intellectuals of a new historic bloc (or a counter-hegemonic bloc) in the Gramscian sense. They reject hegemonic justifications such as the government's pledge that increasing the rate of coal-based power production would enhance justice and development, revealing them as mere strategies of organising consent and promoting their own counter-narratives. On the discursive level, this approach resembles a counter-hegemonic strategy. The ideas they develop contribute to a politicisation of local communities affected by mining or the construction of power plants. They transform the socio-economic inequalities locals experience into political demands and refuse individual solutions such as compensation payments. Yet, besides promoting alternative socio-economic models and supporting direct action and community training on the local level, both NGOs also make compromises on the domestic level in order to reach incremental improvements. This is mainly to push the Indonesian government to meet its own targets (e.g., regarding the share of renewables in the energy mix or regarding emission reductions)⁴¹ and leads them to enter into strategic coalitions with other groups and collaborate with state actors such as the KPK.

The Gramscian approach to rule and resistance employed in this chapter has helped to illuminate why contestation in this case rather tends to take the form of opposition despite clear expressions of the refusal of hegemonic orders of justification and the development of comprehensive counter-narratives and alternative visions on the part of anti-coal actors. The analysis of NGOs' positioning towards normative orders of justification has allowed for the identification of two different activist strands. Moreover, the analysis has revealed the complex normative inter-relations between transnational norms, international hegemonic orders, and domestic rule. While transnational norms such as climate justice or the emerging anti-coal norm have increasingly gained ground in Indonesian discourses, Indonesian rule is at the same time situated in a specific domestic, political economic structure, and in international orders of justification such as the government's development approach.

The Indonesian domestic conflict over coal is situated in the global context where a hegemonic capitalist development model is increasingly under scrutiny due to the social inequalities and the tremendous environmental destruction it produces. Moreover, the two NGO cleavages in Indonesia also largely correspond to the climate approaches that are currently controversially discussed in inter- and transnational fora: climate justice demands and neo-liberal approaches to climate governance. This corresponds to the fact that Indonesian NGOs from different camps collaborate and exchange with different sets of transnational actors, from which they sometimes receive direct support and with whom they share a basic political stance. Due to the manifold impacts international hegemonic orders and transnational discourses and alliances have on domestic struggles, it is crucial to understand their impacts but also how they are being translated to a domestic or local context. Both the international climate protection norms and the emerging anti-coal norm generally support the positions of both Indonesian NGO camps, especially in international fora. However, and interestingly, the domestic discourse of contestation is less oriented towards climate protection. Instead, both NGO camps rather strive to build a consensus around the criticism of social and health impacts, as well as corruption.

Nonetheless, despite a rather favourable international environment for anti-coal activism little has changed in Indonesian coal politics. Several campaigns of NGO alliances have gained a fair bit of media coverage, the most effective probably having been their collaboration with the KPK that revealed the enormous number of illegal mining licenses and initiated a process to revoke them. The government reacted *inter alia* by announcing several moratoria on coal mining licenses (in East Kalimantan 2013 and 2015, and by the President of Indonesia in April 2016). However, it appears that this has rather been a lip service as no regulation, decree or law has followed the announcements.

Another significant change undertaken by the national government was the re-centralisation of the licensing system, which revoked the right to hand out mining licenses from the district level. However, the effects of this regulatory change were limited as licences already covered the most coal-rich districts to a large degree by the time of its implementation.

In sum, the contestation of Indonesian coal politics by domestic NGOs led to a changing normative environment on the domestic scale. References to anti-corruption, human rights, and social justice norms appear to challenge hegemonic orders justifications such as development and economic growth. Accordingly, they contributed to the current government's compromising (the moratoria and the re-centralisation)—a crucial aspect of sustaining a hegemonic order. Where different NGO camps joined forces, they were able to make their criticism heard. However, due to the differences in their political stance, the common objectives of these alliances can only be oriented towards incremental policy reforms, which in turn limit the impact of contestation. Moreover, the political-business groups in favour of coal are continuing to exert influence over energy-related policy-making. On the local level, in the last instance, the extractivist energy system is also secured through means of coercion—either in the form of threats or as direct violence. The central functioning of the Indonesian energy regime has not really changed over the past years. Nonetheless, the opposition towards coal is not only growing in Indonesia but also globally. Whether it can challenge the functioning of the hegemonic energy regime in Indonesia does not only but also depend on whether different groups can succeed in organising internal consent and forming broader alliances.

NOTES

1. Additionally, the chapter draws on an unpublished study about Indonesian climate and energy politics that the author conducted in 2016 for the Rosa Luxemburg Foundation.

2. For example, it was the state minister for population and environment (1978–1993), Prof. Emil Salim, who played a key role in devising Art. 19 of the 1982 Environmental Law. It was through this article that NGOs and local community groups gained the right to participate in environmental planning processes (Eldridge 2005). Additionally, the nationwide environmentalist meeting that Salim initiated in 1980 led to the foundation WALHI—of which he also became a member. As a network organization, WALHI brought together a vast number of environmental groups from all over the country, numbering 350 by the mid-1980s (Eldridge 2005; Nomura 2007). Furthermore, the appointment of Erna Witoelar as WALHI's first executive director from 1980 to 1986 provided a measure of political safety as her husband was a member of parliament for the state political party GOLKAR (Eldridge 2005; Nomura 2007).

3. Interview with WALHI representative, Jakarta, 14 September 2017; participant observation and informal conversations in 2016, 2017, and 2018.
4. Interview with JATAM representative, Jakarta, 21 October 2016; participant observation and informal conversations in 2016, 2017 and 2018.
5. See EITI homepage: <https://eiti.org/who-we-are>. Last accessed 16 February 2018.
6. Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016.
7. Until 2013, it was named PATTIRO (*Pusat Telaah dan Informasi Regional*) Institute as it was established as the research unit of PATTIRO, an NGO working in the field of good governance, and political and fiscal de-centralization.
8. Interview with Article 33 representative, Jakarta, 28 April 2016; Interview with Article 33 representatives, Jakarta, 3 November 2016.
9. Interview with WALHI representative, Jakarta, 9 April 2018.
10. Participant observation in Jakarta in 2016, 2017, and 2018; Interview with JATAM representative, Jakarta, 21 October 2016, Interview with WALHI representative, Jakarta, 9 April 2018; participant observation and informal conversations in 2016, 2017 and 2018.
11. Interview with Article 33 representative, Jakarta, 28 April 2016.
12. Interview Article 33, Jakarta, 10 April 2018; Interview with parliamentary advisor, Jakarta, 23 April 2018.
13. Interview with Article 33 representative, Jakarta, 28 April 2016; Interview with Article 33 representatives, Jakarta, 3 November 2016.
14. Interview with Article 33 representative, Jakarta, 28 April 2016; Interview with Article 33 representative, Jakarta, 10 April 2018; Interview with JATAM representative, Jakarta, 29 April 2018; participant observation and informal conversations in 2016, 2017 and 2018.
15. Participant Observation, Jakarta, May 2016.
16. Participant observation and informal conversations, Jakarta, October/November 2016.
17. Participant observation and informal conversations, Jakarta, April 2018.
18. Interview with KPK representatives, Jakarta, 23 April 2018.
19. Interview with WALHI representative, Jakarta, 27 February 2018.
20. Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016; Interview with JATAM representative, Jakarta, 29 April 2018.
21. Interview with WALHI representative, Jakarta, 14 September 2017; Interview with JATAM representative, Jakarta, 21 October 2016. Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016.
22. Interview with JATAM representative, Jakarta, 21 October 2016; Interview with WALHI representative, Jakarta, 17 October 2016.
23. Interview with JATAM representative, Jakarta, 21 October 2016.
24. Conversation with JATAM member, East Kalimantan, 21 April 2018.
25. Interview with JATAM representative, Jakarta, 24 March 2016; Interview with WALHI representative, Jakarta, 14 September 2017.
26. Interview with JATAM representative, Jakarta, 21 October 2016; participant observation and informal conversations in 2016, 2017 and 2018.
27. Interview with WALHI representative, Jakarta, 17 October 2016.

28. Interview with WALHI representative, Jakarta, 14 September 2017.
29. Interview with Article 33 representative, Jakarta, 28 April 2016.
30. Interview with PWYP Indonesia representative, Jakarta, 3 May 2016.
31. Interview with PWYP Indonesia representative, Jakarta, 3 May 2016.
32. See for example https://eiti.org/sites/default/files/migrated_files/Implementing%2520EITI%2520for%2520Impact_Handbook%2520for%2520Policy%2520Makers%2520and%2520Stakeholders.pdf.
33. Interview with PWYP Indonesia representative, Jakarta, 3 May 2016; Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016.
34. Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016.
35. Interview with PWYP Indonesia representatives, Jakarta, 20 October 2016; Interview with Article 33 representative, Jakarta, 28 April 2016.
36. Interview with JATAM representative, Jakarta, 21 October 2016.
37. Climate justice demands emerged from environmental justice and human rights-related movements in the early 2000s. One of the movements starting points were the Bali Principles of Climate Justice, issued by an NGO network in preparation of the 2002 Earth Summit. Similar to environmental justice claims, they apply a pluralist conceptualization of social justice including the three dimensions of distribution, recognition, and participation (Schlosberg and Collins 2014). Hence, 'climate justice' is a rather broad term ranging from pointing towards the unequal distribution of climate change impacts and the needs for compensation to a more general critique of capitalism, which is the focus of one of the movements' central slogan, 'system change, not climate change'.
38. Interview with WALHI representative, Jakarta, 27 April 2018; participant observation, UNFCCC Climate Change Conference, Bonn, November 2017.
39. Interview with WALHI representative, Jakarta, 27 April 2018.
40. Interview with WALHI representative, Jakarta, 27 April 2018.
41. Interview with WALHI representative, Jakarta, 14 September 2017.

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Chapter 6

Lethal Repression and Transnational Solidarity

Lesley J. Wood

March 21, 1960—South Africa intensified its apartheid control of the Black population in 1960, leading to widespread protest. In Sharpeville, between 5,000 and 7,000 people marched without their mandatory pass books on a police station. They intended to present themselves for arrest, in an act of civil disobedience. The police opened fire on the crowd, killing 69 people, including 8 women and 10 children, and injuring 180. Many people sustained injuries as they were shot in the back, running away from the gunfire. The country erupted in outrage, with demonstrations, protest marches, strikes, and riots. The government declared a state of emergency, detaining more than 18,000 people, including many prominent anti-apartheid activists. The main anti-apartheid organisations, the African National Congress and the Pan African Congress were forced underground and both parties launched military wings.¹

The repression at Sharpeville marked a turning point in South Africa's history, and in the history of transnational solidarity. In London, three months earlier, exiled South African students, with the ANC leader Tennyson Makiwane and other exiles, alongside Christian Action, the Labour Party and the African Bureau of Anglican Priest Michael Scott, had launched the British Boycott Movement (Lodge 2011, 237). Before the massacre, this coalition had already prepared 2 million flyers for 'Boycott Month'. The number was ambitious, as there was not yet widespread public support. The grisly events of Sharpeville provided the organisers an opportunity to convince the broader public to become involved. One week after the massacre, the Labour Party hosted an anti-apartheid rally in London's Trafalgar Square (Thorn 2006, 16, 128; Lodge 2011, 172). Almost 15,000 attended and listened to speakers like Makiwane, Labour's Colonial Affairs spokesperson James Callaghan, and Robert Willis from the Trade Union Congress. The response was not simply

a reaction to the repression, but built on the existing efforts, their networks, and their narratives.

In other countries, South Africans, Pan Africanists, Communists, Socialists, Liberals, and Christians also took on the task of translating the struggle in South Africa for outsiders. They did so using different justifications, tied to their local context, to facilitate the diffusion of transnational solidarity with the struggles against apartheid in South Africa.

Today, lethal repression of protesters continues. In 2017, police or military forces killed demonstrators in Mexico, Bahrain, Togo, Nepal, Ethiopia, Iran, Israel/Palestine, Kenya, Venezuela, Afghanistan, India, Pakistan, Iraq, Cameroon, and Angola. However, even in a highly connected globe, only killings in Togo, India, Iran, Venezuela, and in Israel/Palestine led observers elsewhere to mobilise in solidarity. Such actions required organizers act as brokers between the targeted movement and potential sympathisers. These brokers explained the violence in ways that helped potential sympathizers to identify with those under attack, and to justify their mobilization. These brokers do not always exist, do not always have the networks they need, nor are they always willing or able to translate the struggle for new audiences in ways that resonate. This chapter will look more closely at the justifications successful organisers use to diffuse transnational solidarity. This emphasis on transnational interaction resonates with the approach of this volume. As ruling relations globalise and accelerate, so too do relations of resistance, facilitating—as I will argue—transnational solidarity. Yet, to understand why specific episodes of transnational solidarity have succeeded and others have not, the study of justifications offers an insightful angle that helps us trace the reasons for transnational solidarity in the face of lethal repression. In the case of this contribution, I will show how the tracing of particular stories can illuminate why transnational solidarity played out as a form of contestation rather than escalating in the face of lethal repression.

TRANSNATIONAL SOLIDARITY

The chapter asks how transnational solidarity occurs and diffuses. As Featherstone (2012, 5) notes, solidarity is ‘a relation formed through political struggle which seeks to challenge forms of oppression’. Such relations may be more or less embedded in broader social life. They may be shaped and embedded in historical relations of colonialism, of trade, of migration, and of culture. However, many relations, including transnational ones, are more fragile, requiring active construction and reconstruction. As Mike Hanagan (1998) and others have noted, transnational solidarity amongst social movements is not new. C.L.R. James (1989) tells us how the Haitian and French

populations linked their revolutions in the 18th century using abolitionist and liberal networks and justifications. Today, globalisation makes international and transnational political relations denser. These ties are both offline and online. This is not a purely structural phenomenon, but involves thinking, organising actors, offering interpretations and justifications for their actions (Boltanski and Thevenot 2006, 17).

When these organising actors attempt to justify solidarity mobilisations, they use existing understandings of social life. They use this material to tell stories that 'reflect the cultural values of their time and place as well as of those who tell them' (Selbin 2010, 25). They seek to be comprehensible, and to engage participants outside of the original site of struggle must work hard to justify solidarity. They build on history, and respond to the changing logics of the moment. In 2017, solidarity activists used justifications including left internationalism, with its socialist, communist, and anarchist variants. There are pan-Africanist, Muslim, and indigenous internationalisms, as well as the hegemonic liberal universalisms with the language of human rights and freedom (Keck and Sikkink 1998; Sluga and Clavin 2017).

Solidarity movements and their justifications have changed over time. As Tilly and Tarrow (2015) and others have noted, changes in resistance are tied to changes in rule (Tilly and Tarrow 2015). In the 1990s, the globalisation of trade, political decision-making, and online communication networks corresponded with new theorisations of global solidarity that were 'manifested through informal networks and aim[ed] to generate similarities between causes, and connect different struggles' (Olesen 2005; Featherstone 2012). For example, the Zapatistas promoted a form of decentralised solidarity that built relations between indigenous, youth, peasant, worker, religious minority, and queer movements to see themselves as connected, and fighting a shared system (neo-liberalism) from different positions and in different ways (Khasnabish 2008).

This emphasis on transnational interaction, in one form or another, is central to the work of this volume. As ruling relations globalise and accelerate, so too do relations of resistance, facilitating transnational solidarity. The instability and inequalities generated by this economic and political integration shape state action and understanding. This affects different states differently. When weaker and undemocratic states face challengers, lethal repression is more likely to occur. This repression may trigger further unrest, particularly if it appears indiscriminate. This can stimulate resistance by observers, if those observers see some connection or sympathy with the victims (Davenport 2005, Francisco 2005, Della Porta, Peterson and Reiter, Opp and Ruel 1990; 423).

Such solidarity can draw attention to the instability and violence of authorities. The resulting solidarity can put pressure on domestic repressive actors,

dividing them locally. As Tilly (2002) argues, repression is most likely to mobilise observers when it fragments elites. Even when elites can shut out grassroots pressure from their own population, they may be vulnerable to the condemnations or pressure from international allies. Keck and Sikkink (1998) describe this ‘boomerang effect’, which occurs when domestic actors operating in a repressive state use international allies to put pressure on a state. These outside observers may become engaged, expanding the arena around the site of conflict, as activists, governments, NGOs, and international actors, call into question the legitimacy of the repressive authorities. Using networks and justifications, solidarity diffuses internationally, and as it spreads, transnational networks are strengthened.

DIFFUSION

Katz (1968) defines diffusion . . . ‘as the acceptance of some specific item, over time, by adopting units—individuals, groups, communities—that are linked both to external channels of communication and to each other by means of a structure of social relations and a system of values, or culture’. While the literature focuses primarily on the diffusion of innovations, this definition can also be used to understand the diffusion of understandings, stories, identities and actions (Wood 2012 and others). The challenge, as McAdam and Rucht (1993, 58) insist, is to ‘investigate systematically the conditions under which diffusion is likely to occur, and the means by which it does’. This is the goal. For solidarity to spread, brokers must link networks, theorise events for new audiences, and help observers to identify with those under attack. For this undertaking, the fit of their respective orders of justifications seems to play an immense role. As I will outline in the following, to focus on concrete ‘stories’ in the process of diffusion can be as easy access point for these justifications, because they are observable in daily practice and they transport messages of justified and unjustified forms of activism and thereby construct shared identities which, in turn, contribute to solidarities in the longer run.

BROKERAGE, THEORISATION AND IDENTIFICATION

Successful organizers are brokers who link previously unconnected people and/or networks, making it possible to diffuse messages/ideas and practices to new audiences (Tarrow 2005, 190). These organizers move their listeners to action by helping their audience to identify with those being repressed, and to understand that repression and that struggle in particular

ways. This cultural work can be understood in different ways, and highlight different aspects. Kaiser and Marcks (2016) speak of frame bridging and frame extension that allows different communities or movements to work together. Chabot (2000) emphasizes dialogue between movements. My past work highlights deliberation in receiving contexts (Wood 2012). Della Porta and Tarrow (2012) consider the interactive diffusion of contention and repression using the language of promotion, assessment and theorisation. Each of these conceptualisations gets beyond simple contagion and recognises that the process of diffusion involves cultural and relational work that must allow for a kind of translation between sites of protest, allow potential participants to mobilise (Doerr 2018). As Tarrow (2005, 104) notes, the explanations organisers give, locate an event or movement or issue within a cause-effect or functional scheme. Conceptualising these justifications as stories, either simple or complex, allows one to emphasise their cultural and unintentional elements, in contrast to frames, which are often seen as more intentional and strategic.

As Tilly (2008) notes, stories can help to build and rebuild a shared identity. As McAdam and Rucht note, that 'all instances of diffusion depend on a minimal identification of an adopter with a transmitter' (McAdam & Rucht 1993, 60; Strang and Meyer 1993). Identities are constructed and reconstructed around boundaries between 'us' and 'them', by particular sets of relations within and across these boundaries, and through the stories people tell about who 'we' are, and who 'they' are. In this way, identification is the process by which an individual or collective sees themselves as having a 'similar' identity to another individual or collectivity. Identities can be mapped by examining the stories people tell about themselves and others. Identification can be seen when people talk about how 'we' are part of the same community, how we share a context or an enemy, or a set of characteristics. In the case of the formation of the anti-apartheid movement in the United Kingdom, participants began to see themselves as part of a shared struggle.

Identification itself is most common when there is a common institutional locus, adherents from the same strata and a common language (McAdam and Rucht 1993, 71). When these don't exist, brokers must work harder to explain the similarities between positions. When identification occurs, boundaries are de-activated between the people in the original site of protest and repression and observers in other locations. Observers see themselves as *similar* in some way to those being repressed. As those boundaries are de-activated, others are activated—between those 'with us or against us'. These boundaries correspond with changes in stories, and changes in patterns of interaction and action. Thus, when repression activates these mechanisms, solidarity becomes possible. This is not automatic, but is facilitated by collective opportunities to theorise and deliberate (Wood 2012).

We can see this mechanism of identification being attempted by the British anti-apartheid activists in Britain. They wrote a flyer shortly after the Sharpeville Massacre that linked the end of repression to a successful boycott campaign: 'South Africa: 74 Killed at Sharpeville and Langa and now 26 new killings at Pandoland. The Whole World Is Angry. The Boycott Is Taking Effect . . . You Can Help to Destroy Apartheid'.² These activists in Britain explained South African apartheid for the British public, certifying the challengers/victims as legitimate, and calling into question the repressive government. They did so by portraying apartheid as something that must be destroyed, and the movement that 'you' could join, is 'the whole world', and it is 'taking effect'. Such a narrative invited identification, and justified the spread of solidarity action.

This communicative process facilitates agreement, and thus action. By linking activists, constructing shared identities; and by rhetorically contrasting the injustice of the repressive regime, with the worthy victims and their movement, brokers theorise in ways that justify the diffusion of transnational solidarity.

DATA AND METHODS

To better understand how repressive incidents can inspire transnational diffusions of solidarity, I use a four-stage process.

1. To identify all episodes of lethal repression of protesters in 2017, I searched all media available through Lexis Nexis. I excluded armed conflict, but included events where protesters responded to that conflict.
2. To identify solidarity protests for each episode, I used both a Lexis Nexis media and a broader Google search.
3. To identify individual and organisational brokers for each event, I searched newsmedia, websites and social media sources.
4. To trace the narratives and justifications of these brokers, I searched newsmedia, websites and social media for the organisational mission statements, and calls to action, in order to understand how they attempted to mobilise others in solidarity protests.

These 'nested' datasets of a single year cannot explain why solidarity emerged when it does. Nor can they completely represent the diffusion of solidarity, which ebbs and flows. What the data offers is a snapshot of the ways that solidarity organizers used particular orders of justification to mobilise their networks.

2017—Lethal Repression of Protesters and Solidarity

Most of the time, lethal repression does not inspire protests in other countries. In 2017, there were 31 episodes where state military or police killed at least one protester. The years tally began in January, when people in Hidalgo and Veracruz, Mexico, protested an increase in gas prices. In the resulting clashes, police killed five protesters. In February in Baghdad, two anti-corruption activists were killed by Iraqi security forces during a march. That same month, people marched on a police station in Orangi Town, Pakistan, frustrated with street crime. The police reacted violently to the challenge, killing one protester. In March in Kashmir, villagers attempted to hide Kashmiri militants, and protested the Indian army's incursions into their villages. In five separate incidents, Indian military forces killed 30 villagers. March also saw the killing of four United Democratic Madhesi Front supporters in Nepal, one protester in a drivers' protest against fuel price increases in Togo, and a pro-democracy protester in Paraguay.

Police and military killed over 400 protesters in 14 different locations/struggles in 15 countries. The victims included separatists of various kinds, ethnic minorities, pro-democracy protesters, critics of the police, educators, farmers, and anti-austerity protesters. While some had weapons and in the case of Kashmir, organised militias, each was vastly overpowered by the police or security forces of their respective states. Sometimes the repression was targeted at a particular group, at other times, police or security killed casual participants or observers. In each case, there was existing contention, an incident of lethal repression and media coverage. In some of these cases, lethal violence is an unusual event, and in others (particularly the cases of Israel/Palestine, and Kashmir), state killings have occurred regularly for years. Many of these cases were condemned by the United Nations, or by NGOs like Amnesty International and Human Rights Watch.

As one might expect, lethal repression is most likely to occur in weaker regimes that do not enjoy autonomy in all of their territory and do not offer high levels of protection and consultation to all of their population (Tilly and Tarrow 2015). The repressive events were tied to pro-democracy struggles, often around elections, struggles for self-determination, concerns about security, and economic matters.

Mobilising Solidarity Across Borders

While there were 31 episodes of lethal repression, only 6 episodes of lethal repression in 5 countries led to an international solidarity response. These are the killing of protesters in Togo, Iran and Venezuela, Gorkhaland/India, and two episodes in which Palestinian protesters were killed in Israel. How would

we describe the incidents of lethal repression that inspired solidarity protests? They are not the episodes which had the largest number of fatalities. Those were Cameroon, Venezuela, Kenya, Kashmir, and Ethiopia. Nor are they the episodes tied to the world's largest diasporas, nor those with the largest social media use, nor those countries with the most Internet access.³ Israel, Iran, and Venezuela are cases where there are strong Western or U.S. interests at play, but that is not the case for Togo, or Gorkhaland. What we can look at is how individual and organisational activists brokered the site of repression and communities elsewhere. These organizers connected people both online and offline, and helped them to identify with the victims of repression, by theorising the repression and the resistance in particular ways, that resonated with existing identities, narratives and relations, thus justifying the importance of physical mobilisation. As mentioned earlier, for solidarity protests to diffuse to new sites, brokers must link existing struggles to new actors, and they must help these potential participants to identify with those being repressed on some level. This requires to connect to their respective orders of justification. Good brokers are aware of that and often use stories about identity that justify a particular reaction and, in effect, to allow this connection to occur. As the following case studies show, successful solidarity-building starts from the construction of a shared narrative.

PALESTINE SOLIDARITY

In July 2017, after Palestinian gunmen emerged from the Al-Aqsa mosque to kill two Israeli police officers, the Israeli government installed security and metal detectors at the mosque. In response, the Waqf, the Muslim trust that administers the site, called for a boycott of prayer in the mosque, and protests intensified. Israeli forces killed three Palestinian protesters, and a Palestinian youth attacked a family in an Israeli settlement, justifying his attack as revenge for the mosque being desecrated.⁴ The World Union of Muslim Ulama (religious scholars) mobilised their networks internationally, calling Muslims all over the world to support Al-Aqsa and make Friday a 'day of rage against the Zionist steps'.⁵ The hashtag #HandsOffAlAqsa became a link between different Twitter networks. In Pakistan, the 'Jamaat-e-Islami (JI) Chief Siraj-ul Haq said on Sunday that his party is holding a rally in Karachi to express solidarity with the people of Palestine, adding that the JI wanted to unite the "Ummah" as a family'.⁶ He called for an 'Al-Quds million march'. There were large protests in London; South Africa;⁷ Amman; Ankara; Istanbul; and Kuala Lumpur, Malaysia.

On 6 December 2017, U.S. President Trump announced that the U.S. Embassy would move to Jerusalem. In response to this challenge to Palestinian sovereignty, protests quickly erupted in the Occupied Palestinian

territories, and Israeli forces killed four protesters and injured 157.⁸ Rocket fire from Gaza into Israel accelerated. Protests in solidarity with the Palestinian cause spread across the region and around the world. Like the protests in July, international Muslim networks mobilised around identity. The hashtag #JerusalemistheCapitalofPalestine became one Twitter link. Activist brokers used religious identity and anti-Zionist politics to rally worldwide support for Palestinians.

Subsequently, protests occurred in Iran, Turkey, Egypt, Jordan, Tunisia, Algeria, Iraq, Morocco, Canada, Denmark, the United States, Pakistan, Malaysia, Indonesia, and other Muslim countries.^{9,10} Brokers mobilising solidarity protests internationally were much more likely to cite the U.S. announcement of the change than the lethal violence. Organizers in different cities promoted solidarity protests in ways that resonated locally. The 'Hands Off Jerusalem' rally Facebook call, written by Palestine House and United for Palestine, emphasised a struggle against colonialism that would resonate with ongoing narratives within the Canadian left.

No colonial capital city is a good one, but declaring al-Quds/Jerusalem, the sacred land of Palestinian Arabs, the indigenous inhabitants of the land, the capital of the colonial state is a symbolic and material slap in the face. It's a moral imperative for the international community to reject US aggression on Palestine. We demand the government of Canada to condemn Trump's decision to move Israeli capital to Jerusalem and to withdraw its support for Israel.¹¹

In contrast, the Minneapolis 'Hands Off Jerusalem' rally emphasised broad frames of law, injustice and self-determination, justifying the need for a broad array of participants, and linking the struggle to the active movement against Trump. The organisers from the Anti-War Committee and Students for Justice in Palestine wrote,

Palestinians, both Muslim and Christian and supporters around the World are standing up against this violation of International law and Palestinian self-determination . . . This is not strictly a Palestinian or even a Muslim issue. A significant population of Palestinians consists of Christians, some of the World's oldest, who are equally affected by this recent turn of events. Trump has previously targeted immigrants, Hispanics/ Latinos, African Americans, Muslims, women, and the LGBTQ+ community, which why it is time for us to unite and put an end to his reckless campaigning.¹²

While the ongoing repression and the related solidarity infrastructure surrounding the Palestinian struggle meant that solidarity was not new, the December incident, like that of July, activated this network, and attempted to mobilise new protests, new actors, and articulate and spread solidarity protests.

GLOBAL MOVEMENT FOR GORKHALAND

In June 2017, the West Bengal government of India made Bengali the language of instruction in the schools of West Bengal, although the majority of people speak Nepali. This region is the home of Gorkha Janmukti Morcha, an unregistered political party which has long campaigned for a separate state. State police killed 11 people in protests against the new language policy, and protests escalated, alongside a global solidarity campaign. The organisers of this ‘Global Movement for Gorkhaland’ activated diasporic networks to mobilise solidarity protests on 30 July in 100 cities around the world, including many cities in India, and locations including Afghanistan, Australia, and 15 places in the United States.¹³ It theorised the struggle as an ethnic struggle, justifying mobilisation by highlighting a strong ‘we’ of ethnic/national identity. Organiser Smriti Rael Philip explained:

The primary objectives of the rally are to unite the Gorkha populace globally; condemn the human rights violation in Darjeeling and Kalimpong districts and raise a united voice for Gorkhaland. . . . We welcomed all who believe in the Gorkhaland dream and want to raise their voice against the human rights violation in the Hills.¹⁴

The organizer of the Hong Kong rally, Subash Thapa, the president of the United Gorkha Community of India—Hong Kong, explained, ‘It’s extremely important for us to have a separate state’.¹⁵ An organiser of the global day in Bangalore, Siddarth Bhitrikoti, highlighted the ‘people’s movement’, keeping the identity broad, noting that it ‘does not bear the signature of any political outfit’.¹⁶

These Gorkha brokers justified mobilisation by the diaspora across political lines by emphasising national self-determination. One activist explained that the rallies, ‘which were started by the Gorkha Janmukti Morcha (GJM), do not just represent political interests now. They have translated into something larger and have become a ‘people’s movement’ in which everybody is demanding their right to Article 3 of the constitution that allows the formation of new states. Other political parties like the Gorkha National Liberation Front (GNLF) and the Communist Party of Revolutionary Marxists have also joined the struggle’.¹⁷ ‘The main mantra now is unity and sustainability to carry the movement forward and not let it die down. The global march is a step in this direction’.¹⁸

VENEZUELA UN MUNDO SIN MORDAZA

Near-daily opposition protests for early elections and against the socialist Maduro regime began on 31 March and continued until 12 August 2017. During that time, 165 people were killed.¹⁹ Opposition leader Henrique Capriles urged

his supporters to keep protesting. There were competing political diasporic networks that organised solidarity. One was critical of the regime; the other was supportive. Both combined a strong Venezuelan national identity with its political approach. The critics of the regime developed the 'No Mas' movement. One of the key organisations in this movement, 'Un Mundo Sin Mordaza' (A World Without Censorship), called for a World March on 15 April, emphasising that 'Venezuelans all over the world' should mobilise against the 'bloody dictatorship'. The organisers used the easy slogan of 'No Mas' or No More, but also 'No MAS', the ruling party of Movimiento al Socialismo. The poster for the World March reads, 'No more repression! No more dictatorship! No more abuse of power! No more death! No more violence!' The organiser Rodrigo Diamanti, president of Un Mundo Sin Mortaza, called on 'the authorities of the world', 'to pronounce themselves on both the rupture of the constitutional thread in Venezuela and on the demand for elections'.²⁰ There were No Mas solidarity protests on that day in Argentina, Canada, Chile, Colombia, Germany, Mexico, Panama, Peru, Spain, the United Kingdom, and in the United States. The organisers used key universalistic themes, 'for justice, freedom, peace and security', arguing that they aimed to 'get the international community to demand that the Nicolás Maduro regime put an end to repression'.²¹

During the same period, regime supporters, mostly socialist and communist formations, organised a counter-movement under the hashtags #TodosSomosVenezuela and #HandsOffVenezuela. This involved educational events, protests, and online activity. These solidarity mobilisations did not highlight state repression, but emphasised the violence, the role of the U.S. and the nefariousness of the anti-regime protesters, arguing in April 2017, that there needed to be solidarity with the Venezuelan people (and regime) in order to defend the country from 'the latest attempt by U.S. imperialism and the Venezuelan oligarchy to remove the Bolivarian government by force'.²² In the United States, the solidarity protesters within this movement also blamed counter-regime protesters for racist attacks on Black regime supporters.²³ In April there were pro-regime protests in 20 countries, including Mexico, Ecuador, Bolivia, Argentina, Brazil, and various other Latin American countries, Turkey, Hong Kong, and Italy.²⁴

In response to the protester deaths in Venezuela, regime critics combined national identity and an anti-repression story to build international solidarity. In contrast, regime supporters used anti-imperialism, socialism, and anti-racism to support its internationalism.

#TOGODEBOUT

Security forces killed a protester at a march against increasing gas prices in March 2017, but there was no international reaction. However, in August

demonstrations against the ruling family, who have been in power for 50 years, escalated.²⁵ On 19 August, security forces opened fire and killed 2 protesters and wounded 13. For the next couple of months, protests organised by the coalition Pan African National Party continued almost weekly, involving a large portion of the population. Organisers used the hashtag #togodebut to organise protests both within and beyond the state borders. Togolese protesters in Lagos, Nigeria, marched. In September, the government shut down the internet, and blocked WhatsApp. Despite government proposals, protests continued and a nine-year-old boy at the protests was killed by security forces.²⁶ On 18 October, security killed four protesters. These numbers may be much higher, an *Africa Rising* report suggested that up to 200 people had been killed between 9 and 17 October 2017.²⁷

That same season, the Pan Africanist network *Africa Rising* had met in Ghana to discuss the situation in Togo. The network had been formed in order to establish ‘a solidarity framework from grassroots to the continental levels’. As the crisis in Togo accelerated, this network was activated.²⁸ In response to the repression, the Ghana-Togo Solidarity movement attempted to demonstrate in Accra. Hundreds of Togolese nationals gathered, but the police arrested 26 people including Ghanaian Pan-Africanist opposition politician Bernard Mornah. Nonetheless, the organisers continued to mobilise, using a Pan-Africanist and liberation-oriented lens. Mornah argued:

For those who have said, that it is in Togo, come and talk about Ghana matter and forget about Togo, they have forgotten that if there is fire at your neighbor's house and you do not go to help to quench it, that same fire can be taken to your own home and you may also not be able to contain it and your neighbor will also sit down. So I see Togolese as part and parcel of Ghana and it is important that we show that the Ghanaian people are not opposed to the struggling people of Togo.²⁹

Another organiser with the Ghana-Togo Solidarity Movement, Ibrahim Irbard, said on Friday, 15 December 2017, ‘We call on all people who believe in justice, peace and freedom to join us’. The organisation referenced other solidarity protests in Nigeria and Burkina Faso.³⁰

Indeed, in Nigeria, in October, the ‘Democratic Socialist Movement (Nigerian Section of the Committee for a Workers’ International) joined forces with other left, socialist, and Pan-Africanist groups to organise a solidarity protest and picketing of Togolese Embassy in Lagos.³¹ Ayo Ademiluyi, one of the organisers, linked the pro-democracy struggle in Togo with the struggle against capitalism: ‘to be truly successful the struggle for democratic rights needs to be linked to the struggle to defeat capitalism, particularly the neo-liberal variant which dominates neo-colonial Africa, which is the basis for the ruthless dictatorships and economic deprivation in Togo’.

Outside the continent, protests were organised by the Togolese opposition networks. These emphasised the struggle for democracy. A large march on 7 October in Paris was organised by 'Togo Debout-Europe'. The organisers subsequent statement called for further action, sending support to the 'Togolese people struggling to recover their freedoms and build a true democracy'. It called on the international community to support them, and help to stop the repression. Using a language of human rights and democracy, they called:

To the forces of democracy, human rights defenders and true friends of Togo around the world, we ask for a determined support to Togolese demonstrators for the conquest of their freedoms, good governance and well-being for everyone. The Togolese people know that it is their responsibility to fight for the final victory. Today more than ever, the people hold their destiny in their hands!³²

Clearly, different networks were mobilising solidarity protests with the Togolese protesters. In the region, some of the brokers favoured the language of 'justice and peace', and Pan-Africanist themes of solidarity, while those in France linked the Togolese identity, to more generalisable demands for democracy and human rights.

SOLIDARITY WITH THE IRANIAN PEOPLE

In December 2017, security forces killed 20 anti-corruption protesters. Iranian opponents of the regime in eleven countries around the world theorised the struggle in ways that combined Iranian identity, and various local orders of justification. They sought to reach those beyond their own community. Iranian solidarity protesters in Berlin emphasised both their Iranian identity and the illegitimacy of the regime.³³ A protest organizer in Toronto organised by the International Coalition of Women Against Fundamentalism (ICWAF) similarly justified the mobilisation in support of Iranian protesters by combining Iranian identity, with more general themes: 'People want freedom and justice', 'They want the overthrow of the regime'.³⁴ In the same protest, members of the Worker's Communist Party of Iran (CPI) led a chant that highlighted anti-imperialist themes, repeating 'down with Islamic Republic in Iran' to an echoing crowd, and argued against U.S. intervention.³⁵ In contrast, other Iranian-Canadian critics of the Iranian regime targeted the Canadian government in their press release, asking them 'to publicly support the Iranian people as well as their demands for rights and regime change'. The organiser, Sara Fallah, used open and inclusive language, bridging the concerns of Iranians and other Canadians, saying, 'I am pleading. I'm asking everyone come and help us. Let's be a voice of voiceless people in Iran. We

want unity, we want peace and we want justice for everyone in the world, including our fellow Canadians'.³⁶ These diasporic brokers succeeded in mobilising diverse allies. At one protest of 250 people in Toronto, one Canadian politician emphasised widely held values of democracy; 'In every part of Iran, people are chanting "death to the Islamic Regime of Iran". They want to establish a democratic society in their country'. There were differences in the crowd about how to do this. One activist emphasised the value of U.S. intervention, 'I hope the revolution kicks in and they manage to overthrow the tyrannical system they have now', he says. 'If nothing else, re-institute the constitutional monarchy they had prior to the revolution. 'I am an American and a Trump disciple', he continues. 'America and Trump, believe it or not, are the best hope the Iranian people have if this thing kicks off—and they need some assistance'.

Although the participants in the solidarity protests come from a range of positions, many of the solidarity protests appear to be connected through the National Council of Resistance of Iran (NCRI), which describes itself as 'a broad coalition of democratic Iranian organisations, groups, and personalities' and includes the political party the People's Mojahedin Organization of Iran (PMOI). The group links Iranian exiles in many countries and presents itself as a parliament in exile. Its president-elect, Mrs Maryam Rajavi, described the protests of December 2017 as sounding 'the death knell for the corrupt dictatorship of the mullahs and heralded the advent of democracy, justice and popular sovereignty'. One PMOI supporter in London explained that they welcomed the support of critics of the regime like Trump: 'It's our duty as an outside Iranian to be their voice', he said. 'We are here being the voice of the Iranian people [back home] until we achieve our goal'.³⁷ During the last week of 2017, the NCRI announced that there were solidarity protests in the United States, Canada, the United Kingdom, Israel, Germany, France, Sweden, Austria, Italy, Belgium, and the Netherlands.³⁸ Opposition parties played a key brokerage role in diffusing solidarity, mobilising a broader audience by combining stories of national liberation with a broader narrative of a struggle for democratic, popular sovereignty against a corrupt dictatorship.

Discussion—Beyond Brokers, Networks, and Stories

In order to mobilise distant sympathisers in solidarity with a movement under attack, brokers (aka organisers) must explain the struggle in ways that resonate with the respective audience. The justification of why solidarity is needed is therefore localised according to respective contexts. The previous analysis of the narratives that underlie collective action has shown the strong need to link up with local orders of justification. While, in the case of solidarity with Palestine, contestation against colonialism is perceived as naturally

‘justified’ in the Canadian left, the American counterparts used narratives of law, injustice and self-determination—easily justifiable causes in the U.S. left-wing scene.

The demands of this justification work can push transnational solidarity efforts to rely on existing frameworks. When we examine the stories organisers use, we better understand how transnational solidarity diffuses beyond demographic categories and social media penetration. The 2017 cases shown here illustrate that organisers combined ethnic or religious identity categories with either the liberal internationalist language of human rights and self-determination, or the left internationalist justifications of anti-imperialism, and pan-Africanism. This revitalised ‘glocal’ particularism may be a feature of the current moment. What *is* clear is that successful solidarity activists in 2017 combined modular, internationalist justifications to link here-and-there, with particularistic explanations of us versus them.

Although these translations often work to diffuse solidarity, sometimes they cannot. In the case of Kashmir, there are existing transnational diasporic and political networks that organise annual global solidarity days of protest, but perhaps due to the continuous scale of the violence, or the weakness of ties to European or U.S. politics, the killings in 2017 did not lead to solidarity protests. Similarly, after police killed farmers in Madhya Pradesh, India, organisers tried to mobilise international support. The All India Coordination Committee of Farmers Movement (AICCFM) released a statement that included the call ‘AICCFM is also calling upon our sisters and brothers of La Via Campesina, the global peasant movement, to condemn and protest this brutal killing and join us in our struggle for justice to peasants worldwide’. However, there is no evidence of any mobilisation. Brokers and their stories are necessary, but not sufficient. Transnational solidarity also depends on the strength of the ties which connect movements across borders, and the capacity of those receiving the message to mobilise.

CONCLUSION

Police and soldiers killed more than 400 protesters in 15 countries in 2017. However, despite media reports, tweets, and condemnations by international organisations and NGOs, the killings most of the time did not inspire street protests elsewhere. But the killings in the five other countries did succeed in mobilising transnational contestation, in part due to the way that organisers mobilised existing networks and translated the violence to new sites, leading to solidarity protests in 130 countries. This chapter has shown that the contestation against repression in transnational solidarity contexts is dependent on the brokers’ ability to justify a need for solidarity

in accordance with the respective local order of justification. Organisers build on existing stories, and relationships to link populations and build transnational infrastructures of resistance (Doerr 2018; Selbin 2010; Shantz 2011). Although this work is not a sufficient cause for solidarity, I have shown that it is necessary to spark contestation in solidarity with victims of repression elsewhere.

By tracing the diffusion of solidarity, we better understand how repression shapes mobilisation, or more generally, how rule and resistance interact. Such dialectics are likely to become increasingly significant as political, economic, and social relations globalise and state capacity is weakened. Independence movements, ethnonationalist movements, pro-democracy movements, and other struggles are burgeoning locally and communicating globally. As weaker and less democratic states attempt to maintain power, bloody repression becomes more likely. When it does become lethal, the pressure on authorities from inside and out can facilitate the power of transnational mobilisation. This depends on organisers and the ordinary people they work with, as they use the materiel of internationalism and self determination to activate identities, build solidarity, and provide ‘reasons why’ they too must protest.

NOTES

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Part II

ESCALATION

Introduction to the Section by Jannik Pfister,
Daniel Kaiser and Christopher Daase

In this volume, we propose to study the interaction between rule and resistance. Starting from the perspective of resistant actors, we identify three types for how this interaction can take place.

The second type is escalation. In this type, no possibility of reconciliation between dissident resistance and the established order of justification exists, and the conflict escalates. Here, resistance leaves the sphere of a discursive ‘contest’ and resorts to means of resistance that are proscribed, it aims to increase tensions, to politicise issues antagonistically, and seeks more direct, unmediated confrontation. The result is an increasingly violent dynamic of militant action and repressive counter-actions in, for instance, riots, terrorist acts, armed insurgency, and (civil) war. Without equating all these divergent phenomena, it can be argued that all follow a logic of escalation. This logic implies an acceleration of political conflicts by increasingly resorting to means that lie outside of the accepted range and are often violent. Our type of escalation thus focuses on what is often described as but the last stage of conflict formation: violence (Bösch 2017). In studying the interaction of resistance and rule, we see that violence in its different forms is emergent in gradual processes of escalation (Malthaner 2017, 3). All of these different phenomena of resistance are dissident rather than oppositional: they try to push powerholders to address fundamental issues lying outside of the constituted order by using means that lie outside of this accepted order.

In her contribution on Jihadism in Africa and the Middle East, Martha Crenshaw tackles the most prominent, and most violent, recent example of transnational escalation. Based on two detailed case studies on jihadism in the Islamic Maghreb and on the Civil War in Syria, Crenshaw shows that the escalation of violent jihadist resistance to states, international organisations, and the international system since the 1990s, and the success of rulers’

reactions to it, was strongly shaped by interaction among dissident groups. The contribution charts the complicated transnational configurations of resistance and rule in this field, arguing that jihadist groups can form strong and flexible alliances across borders that can enable them to evade control by ruling actors.

In his contribution on Resistance and Rule in High-Capacity Authoritarian States, Hank Johnston focuses on the limits to and possibilities of escalation in contexts that at first glance seem to inhibit it: authoritarian regimes. These produce more dissatisfaction among citizens because of lacking pathways for political participation, but are also capable of thwarting resistance. Still, dissident resistance occurs, and sometimes escalates, in highly authoritarian regimes. Drawing on a variety of examples like China, Russia, Iran, Mexico, and Egypt, Johnston shows how in these politically closed environments, dissidence develops in creative adaptation and in direct interaction with structures of rule. By way of analysing government repression as a field of social control with a variety of actors and structures that come with cracks and occasional openings, the contribution is able to demonstrate how dissident actors can build the subliminal foundations—often hitherto below the radar of students of contentious politics—towards open contestation, escalation, and potentially regime change.

Finally, Holger Marcks, Janusz Biene, Daniel Kaiser, and Christopher Daase elaborate the link between transnationalisation and escalation in their contribution on Escalation through Cooperation. Through three case studies of modern terrorism as violent negation of rule, ranging from anarchist violence around the turn of the twentieth century over national liberation in Mozambique to the more recent jihadism in Northern Africa, Marcks et al. examine how transnational dimensions of resistance influence escalation. Focusing on transnational cooperation of dissident actors, they trace mechanisms that can lead to an intensification or broadening of violence and show how cooperation can change the properties and thus strategies of dissident actors. They advance theory-building on this question with empirically grounded insights into three mechanisms in particular: the transnational diffusion of ideas, the distribution of resources and the integration of organisational structures—and when and how these contribute to escalation or de-escalation.

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Chapter 7

How Interactions Within the Resistance Shape the Relationship Between Resistance and Rule: Jihadism in Africa and the Middle East

Martha Crenshaw

The subject of this chapter is violent jihadist resistance to individual states, international organisations, and the global state system since the 1990s. Interactions among different groups within overall resistance movements shape the outcomes of rulers' efforts to either defeat dissidents militarily or de-escalate the conflict by inducing dissidents to move back to the arena of contestation or reconcile with the ruling order. Relationships among militant groups both reflect and influence the interaction between the resistance and institutions of rule. The strategic interaction between rule and resistance is shaped by shifting relationships among militant groups.

In doing so, this chapter tackles the most prominent and violent recent example of transnational escalation. It shows how the increasingly violent dynamic of militant action and repressive counter-actions unfolded around violent jihadist resistance since the 1990s. It also demonstrates how the responses of both resistance and rule developed beyond the nation state. The escalation of violent jihadist resistance also serves as an example of how different orders of justification clash. Even within the jihadist universe, tensions between local and transnational or global justifications of resistance provoked splits. The transnational justification of resistance associated with Al Qa'ida represents normative rejection of an international system perceived by jihadists as a Western empire dominated by the United States.

There is no single monolithic jihadist resistance but rather multiple autonomous units co-existing within a shared framework of opposition to the state

or the international order of states (see Cunningham 2013; Cunningham, Bakke, and Seymour 2012; Lawrence 2010). Relationships among these non-state actors are fluid and flow easily across national borders. The boundaries between civil war or insurgency and transnational terrorism are blurred, since the same actors employ both strategies (Crenshaw 2017). Opposition groups align and realign as they change their expectations about the future of resistance itself, expectations that are altered by the actions and justifications of rulers (Crenshaw, Matanock, and Powell 2013). Resistance groups try to position themselves advantageously for the future, taking into account ideological justifications for violence, prior social networks, leadership characteristics, and individual organisational structures and capabilities.

These multi-party intra-resistance interactions range from competition to cooperation. They can be long term and strategic or short term and tactically expedient. These changing configurations make it difficult for rulers to find a solution, and they may also undermine the effectiveness of resistance. Such volatile patterns of interaction can hamper, thwart, block, distort, or complicate rulers' strategies—or on the other hand, these relationships may make it easier for rulers to achieve either victory or reconciliation. Unexpected and unintended consequences of rulers' actions are common, counter-resistance measures are frequently counterproductive, and control of outcomes is impossible. In addition, a single resistance group has to account for the actions of others when determining its strategy towards rule, and the outcome of resistance will also be influenced by internal interactions.

States and international organisations such as the United Nations find the practices and justifications of multiple adversaries hard to understand and complicated to influence. The impenetrability of relationships among militants creates uncertainty and unpredictability. For example, ruler strategies often aim to provoke in-fighting among dissidents without grasping the dynamics of how and why (Bakke, Cunningham, and Seymour 2012). Rulers typically want to weaken what appears to be the strongest adversary and thus provoke disintegration of resistance without foreseeing the consequences (Krause 2017).

Efforts by states often backfire. Actions intended to defeat or co-opt a single group produce unintended and secondary 'ricochet' effects on other groups. Ruler initiatives can upset the balance of power among dissident actors, which alters the strategic interaction between government and opposition and helps determine who will win if the conflict ends in rebel victory or a power-sharing arrangement. If pressure leads to inter-group cooperation, the conflict may be lengthened as the resistance is strengthened. If ruler initiatives increase competition among groups, violence may escalate. If repression includes killing leaders then the second-generation replacements may be more extreme. Splintering is likely to produce an overall increase in number

of groups, thus heightening competition and escalation. Defeating resistance within the boundaries of one state may displace the conflict to neighbouring countries or globalise the conflict in an integrated world. A defeated ISIS, for example, may return to conspiratorial violence and transnational terrorism outside of Syria and Iraq.

Within the Sunni jihadist resistance sector, which is a mix of civil war rebels and transnational terrorists, there is overall agreement that forms of rule that are not truly Islamic, in the sense of re-establishing a strict interpretation of the religious principles of the early days of Islam, are illegitimate. Tanisha Fazal (2018) terms them ‘religionist rebels’. Enemies may be Muslims who are deemed apostate, but democracy and secularism in particular are objectionable. Jihadists are opposed to all intervention by non-Muslims in Muslim countries, such as Afghanistan, Iraq, Syria, and Mali. This includes individual states as well as the United Nations or other regional organisations. Jihadists believe in the eventual restoration of the historical Caliphate, which will unite the worldwide Muslim community or umma. They believe that violence is justified and necessary to defend Muslims against non-believers and apostates.

However, the jihadist universe is also divided. One source of tension concerns justifications for resistance: the Al Qa’ida line is that the ‘far enemy’ consisting of the United States and the Western liberal order should take precedence (Gerges 2005). Others think that overturning local enemies—the governing states in the countries in which the groups are located—should take priority. Before moving to jihadist violence, some Islamist movements have tried contestation; others have moved directly to terrorism and insurgency. Another point of division concerns unity within the movement; to Al Qa’ida, for example, maintaining jihadist unity is paramount, whereas other jihadists, particularly the Islamic State, are more antagonistic towards fellow Islamists and jihadists. The extent of sectarianism against Shia Muslims, or even Sufis, also varies.

There is further disagreement over how strict Islamist rule should be, once imposed. In addition, jihadist resistance actors also disagree in terms of how far to escalate, since escalation of violence can take different forms at different intensities. Is it permissible in terms of religious doctrine to kill non-combatants? Fellow Muslims? To commit and publicise atrocities such as burning alive enemy soldiers or beheading civilian hostages?

Other splits and fissures are similar to those that characterise any resistance movement. These concern strategy—how best to respond to the enemy and win the struggle—and the balance of power within the resistance. Which group will prevail if resistance becomes rule? Who will reap the rewards of the struggle?

The data available on the website mappingmilitants.stanford.edu provide detailed illustrations of the shifting practices and justifications within

jihadism.¹ For example, Al Qa'ida started as a merger of Egyptian jihadist revolutionaries with the Bin Laden organisation that originated in Afghanistan to resist Soviet occupation. Initially, the organisation was hierarchical and centralised. Its unprecedentedly lethal attack on the U.S. homeland in 2001 provoked an American declaration of war on terror and the invasion of Afghanistan by U.S. and allied military forces. Following the defeat of the Taliban, Al Qa'ida relocated to Pakistan and expanded into a global franchise structure by co-opting local affiliates or forming its own external branches (Tawil 2010; Mendelsohn 2016; Moghadam 2017). The most important affiliate is Al Qa'ida in the Islamic Maghreb (AQIM), which has expanded beyond its origins in Algeria and joined with local groups such as separatist Tuareg rebels in Mali. The development of jihadist resistance in North Africa and the Sahel is analysed in the first case study in this chapter.

The organisation that became the Islamic State, or ISIS, was originally independent; led by a Jordanian, it moved into Iraq after the 2003 American invasion (Warrick 2015). It first allied with Al Qa'ida, then broke away to become its greatest rival. In Iraq, the predecessor of ISIS stimulated the formation of counter-alliances among other Islamists, including inciting the so-called Anbar Awakening when Sunni tribal leaders decided to support the Western coalition in part because of the brutality and sectarianism of Islamic State practices. After 2013, the Syrian civil war presented an opportunity for further jihadist expansion. ISIS engaged in violent rivalries with almost all other groups, including fellow jihadists fighting the Assad regime. Prominent among these was the Al Qa'ida affiliate, which subsequently split from Al Qa'ida over the question of local versus transnational justification for resistance. The Syrian conflict is the subject of the second case study.

CASE STUDY I: JIHADISM IN ALGERIA, NORTH AFRICA, AND THE SAHEL

A network of Islamist and jihadist groups evolved from attempted democratic participation in the existing political system to civil war within Algeria to cross-border expansion into the Sahel region (in addition to the group profiles on the mapping militants website, see Hafez 2000; Martinez 2003; International Crisis Group 2004; Filiu 2009; Hasan, Hendriks, Janssen, and Meijer 2012; Chivis and Liepman 2013; Willis 2014; and Mémier 2017). Its centre is Al Qa'ida in the Islamic Maghreb, or AQIM. The Algerian government responded to the Islamist challenge with both coercive and conciliatory strategies that largely defeated jihadists at home, leading to internal divisions, alliance with Al Qa'ida, and shift of operations outside the country initially to

Mali and then to the Sahel region. An affiliate of the Islamic State in Syria-Iraq also appeared in 2014.

From contestation to civil war (1989–1999). The jihadist resistance got its start in 1992, when the government cancelled parliamentary elections that the Islamist party, the Front Islamique du Salut (FIS), was poised to win. The government banned the FIS and imprisoned its leaders, thus opening the door to more extreme and violent groups. In itself the FIS was a loose and diverse coalition, which quickly disintegrated under pressure. Government repression made the new Groupe Islamiste Armée (GIA) an attractive option for regime opponents who were disappointed with the results of contestation. The FIS in turn created its own armed wing, but in 1994 the GIA unified most of the armed opposition in a formal pact, probably in reaction to suggestions of peace talks between the regime and the FIS. At this juncture, some dissatisfied FIS leaders defected to the GIA rather than compromise. Hafez (2000, 578) describes divisions within the resistance and within the ruling state elite:

The unification of the armed groups under the GIA, as well as the wording of the unification communique, sought to deprive the FIS of any legitimacy in the field, thus making it difficult for the latter to criticize credibly GIA actions. The unification of armed groups under the GIA also meant that the bargaining chip of armed struggle fell into the hand of those who did not wish to bargain. This lack of control over the military field enabled those [within the regime] opposed to dialogue with the FIS—commonly termed eradicators—to argue, not without warrant, that a deal with the FIS would not bring an end to violence. The FIS leadership recognized this reality and sought to respond to this new challenge by forming the Islamic Salvation Army, the AIS.

The GIA was launched with strong links to international jihadism via the participation of Afghan war veterans, although its primary aim was to overturn the Algerian political order, not engage in the global struggle against the United States and Western imperialism promoted by Bin Laden. In 1994 and 1995, the GIA launched a campaign of terrorism in France, ostensibly to punish France for supporting the Algerian state. At home targets included foreigners as well as ‘apostates’ broadly defined, including FIS members and local religious leaders. These practices led outside jihadi groups such as the Libyan Islamic Fighting Group and Egyptian Islamic Jihad to disavow the GIA.

The GIA’s extremism also incited a destructive ‘total war’ from the regime (Martinez 2003, 170–71), and in September 1997 the armed wing of the FIS agreed to a ceasefire with the state and disbanded. Thus, the resistance was divided over whether to continue violent escalation, return to contestation, or exit. In 2000, internal dissatisfaction with the brutal practices of the GIA prompted the formation of a new organisation, the Groupe Salafiste pour la

Prédication et le Combat (GSPC), which renounced anti-civilian violence. It came to dominate the jihadist scene (Hafez 2017).

Incorporation into Al Qa'ida in 2006. Two factors drove the GSPC into a transnational alliance with Al Qa'ida, a 'public partnership in terror' (Filiu 2009, 222). One was the American invasion of Iraq in 2003, as the war against an infidel occupier of Muslim lands provided ideological justification and inspiration for a new generation of volunteers. Second was pressure from the Algerian regime. The post-Iraq war influx of recruits was welcome, since jihadist ranks in Algeria suffered as a result of the state's offer of amnesty or rehabilitation. The 'national reconciliation' process that began in 1995 accelerated in 1999 and 2005. Thousands of militants are thought to have disbanded. These initiatives were initially directed at the armed wing of the FIS but in the end extended to all armed groups. The Algerian government granted around 5,000 individual amnesties, although it did not offer major prisoner releases or lift the state of emergency (Hasan et al. 2012, 85–86). The official U.S. designation of the GSPC as a 'foreign terrorist organization' may also have contributed to blocking its reintegration in Algeria (Martinez 2003, 172).

Thus weakened and isolated, in 2005 the GSPC entered into year-long negotiations to formally join the Al Qa'ida franchise (Mendelsohn 2016, 130–31). Apparently, opposition to the French headscarf ban motivated Al Qa'ida to seek to incorporate the GSPC. Many French Muslims have Algerian family backgrounds, and Al Qa'ida wanted local support in order to launch terrorist operations in France. Possibly Al Qa'ida was also attracted by the financial resources of the GSPC. For its part, the GSPC needed an alliance because of the success of the Algerian government's simultaneous military offensive and offers of amnesty. In September 2006, the application was approved. The GSPC leadership formally pledged allegiance and was renamed Al Qa'ida in the Islamic Maghreb or AQIM, although its leadership and strategic focus remained Algerian. There was thus tension from the outset between transnational and local justifications for resistance, but AQIM gained new stature within the global jihadist universe.

Splintering and geographical dispersion post-2011. The evolution of AQIM and its associates after 2011 was characterised by weakness in Algeria itself, factional in-fighting, cross-border displacement of a powerful faction under Mokhtar Belmokhtar into Mali, alliance with local separatists to challenge the Malian government, military defeat at the hands of intervening French forces, and further organisational realignments including reintegration of the Belmokhtar faction with the central AQIM leadership. Not just military coercion but peace negotiations between Mali and local separatists pressured the jihadists and created incentives for transnational terrorism across the Sahel region.

Over time, under continued military pressure from the Algerian government, the central leadership of AQIM located in the mountains of Kabylia and

its southern units under the command of Mokhtar Belmokhtar grew apart. In December 2011, the southern command broke off or was expelled, although it is not clear whether it became completely independent or acted as a recalcitrant subordinate.

Following the Arab Spring and the overthrow of the Qaddafi regime in 2011, Libya's collapse into civil war produced insecurity as well as a supply of arms that spilled over into northern Mali. These circumstances, which were surely unanticipated by the NATO forces that defeated Qaddafi, opened an opportunity for cross-border expansion that Belmokhtar was well equipped to exploit, having acquired control of regional smuggling routes and funds gained from the lucrative practice of kidnapping Westerners. Belmokhtar also benefitted from the weakness of Mali's rulers and long-standing local dissatisfaction with the regime. Belmokhtar allied with local Tuareg separatists and other indigenous Salafist Islamist groups to take control of northern Mali. In January 2013, as the resistance pushed towards Bamako, and at Mali's request, France intervened with ground forces and reclaimed the territory that Belmokhtar and allies had seized. A UN peacekeeping mission also deployed shortly thereafter. The United States had established a regional combat command in Africa, known as Africom, in 2007. After the French intervention, it supplied reconnaissance and airlift support to French forces, which were also aided by troops from Benin, Nigeria, Togo, Burkina Faso, Senegal, and Chad. When the military threat receded, the Malian government entered into negotiations for a peace accord with non-jihadi separatists, with whom it had negotiated in previous violent separatist uprisings.

This double pressure, military and political, stimulated complex organisational realignments in the multiparty resistance. It resembles a classic case of cooperation under threat (McLauchlin and Pearlman 2012). Belmokhtar's group, Al Mourabitoun (itself a merger of two dissident AQIM factions, Belmokhtar's 'Those Who Sign in Blood Brigade' and the Mouvement pour Unification et le Jihad en Afrique de l'Ouest [MUJAO]), rejoined AQIM in December 2015. This move may have reflected Belmokhtar's vulnerability to American and French air strikes as well as the fact that his group had not gained the official recognition it sought from Al Qa'ida. It may also have been a response to the conclusion of a formal peace agreement in Mali in 2015, which excluded the jihadist factions to focus on local separatist rebels. Yet, at the same time Al Mourabitoun was a valuable asset for AQIM. Belmokhtar enjoyed historical legitimacy as a leader, and he had preserved some of his fighting capacity by retreating into Libya under French pressure.

The AQIM reintegration process in fall 2015 and spring 2016 was marked by a series of deadly terrorist attacks across the region on restaurants, hotels, and beaches frequented by tourists including in Mali, Burkina Faso, Niger, and Ivory Coast. The timing of the attack on the Radisson Blu Hotel in

Bamako (November 2015) was significant in coinciding with the meeting of the official committee responsible for the implementation of the peace accord from which jihadists and even their local allies were excluded. AQIM thus assumed the role of 'spoiler' when the prospect of a return to contestation opened (Kydd and Walter 2002; Pearlman 2008/09).

This expansion of jihadist violence made AQIM and its allies a pan-Sahel problem requiring more cooperation from regional states as well as their external patrons. Consequently, in February 2016, the five Sahel countries formed a regional force to combat terrorism.² The G5 Sahel force is composed of troops from Mali, Niger, Burkina Faso, Chad, and Mauritania. Thus, unification and escalation of resistance provoked greater cross-national coordination on the part of counterterrorist forces representing a complex and fractured system of rule.

In March 2017, a video announced the establishment of a new organisation, the Group for the Support of Islam and Muslims (or JNIM, for *Jamaat Nusrat al-Islam wal Muslimeen*). The Ansar Dine group, which was formed in December 2011 largely by Tuareg Salafists and led by former Malian diplomat Iyad Ag Ghali, was promoted as its centre. Ansar Dine was already an AQIM ally, instrumental in the takeover of northern Mali. The new JNIM structure linked AQIM central, Al Mourabitoun, and a smaller group, the Katibat Macina or Macina Liberation Front (a Fulani ethnic group). Shortly afterwards, a Conference of National Accord in Mali recommended negotiating with Ansar Dine, a suggestion that proved extremely divisive within the country as well as objectionable to France (Bensimon 2017; Thurston 2018).

Thus, despite change of name, isolation in Algeria, successive organisational ruptures, setbacks due to French, UN, and American intervention, and exclusion from peace accords, AQIM remained at the centre of an enlarged and heterogeneous West African cooperative venture (Bencherif 2017). For example, in March 2018, JNIM claimed credit for attacks on the French Embassy in Ouagadougou, Burkina Faso, in retaliation for French strikes that killed several senior JNIM leaders in northern Mali.

Adding to the complexity of intra-jihadist rivalries, the ISIS declaration of a caliphate in Syria and Iraq in 2014 inspired the formation of the Islamic State in the Greater Sahara (ISGS). Its founder was a renegade Belmokhtar associate who split from Al Mourabitoun in the spring of 2015. Although a small and marginal player, the Islamic State in the Greater Sahara was responsible for the deaths of four American soldiers in Niger in late 2017, which led to a re-evaluation of American strategy (Cooper and Schmitt 2018).

Despite plans to reduce military troop commitments in Africa, in March 2018 an American strike killed a high-ranking AQIM commander in Libya, where Al Qa'ida had made inroads after ISIS was driven out of its stronghold in Sirte (Schmitt 2018; Walsh and Schmitt 2018). This was the

first U.S. attack on Al Qa'ida targets in Libya, having previously targeted the Islamic State. In effect, driving Islamic State militants out of Libya may have created space for Al Qa'ida to move in.

CASE STUDY II: AL QA'IDA, THE ISLAMIC STATE, AND CIVIL WAR IN SYRIA

The Syrian civil war, beginning in the wake of the Arab Spring in 2011, engaged an extraordinarily large number of non-state armed groups (Lister 2015, as well as the Syria conflict map in mappingmilitants.stanford.edu). It provoked the direct military intervention of an array of outside powers supporting diverse local actors. The United States, the United Kingdom, France, Russia, Iran, and Turkey all opposed ISIS and Al Qa'ida, but the United States, the United Kingdom, France, and Turkey mostly supported the democratic or non-jihadist resistance (with the exception of disputes over the Kurds, supported by the United States but opposed by Turkey). Iran and Russia as well as Hezbollah and Iraqi Shia militias supported the Assad regime. Turkey's primary concern was and is curbing Kurdish separatist ambitions. The history of the highly destructive conflict is complex. ISIS, the most extreme of the jihadist actors in Syria and Iraq, initially won significant victories, including the establishment of a caliphate linking Syria and Iraq. Its practice of deadly transnational terrorist attacks was one of the catalysts for external military intervention and escalation of the conflict.

Civil war onset and jihadist involvement 2011–2014. When war in Syria broke out in 2011, the Islamic State of Iraq (ISI) seized the opportunity to expand across the border to establish an outpost, the Al Nusra Front. The Assad regime's release of Islamist prisoners in spring 2011 had prepared the ground for this expansion. In addition, the Assad regime had at times supported ISI, for example, by assisting the movement of fighters across the border into Iraq. Possibly, the regime was trying to prevent jihadist resistance at home by diverting it to Iraq. By 2011, ISI had been severely damaged by American and coalition military pressure in Iraq, but the U.S. withdrawal coupled with the Iraqi government's security deficiencies and continued exclusion of Sunnis from ruling structures gave it a second chance. At that time, ISI was still nominally allied with Al Qa'ida (although the split may date to 2006).

According to Lister (2015, 65), the arrival of an Al Qa'ida branch discouraged the United States and Europe from arming any of the anti-Assad rebel factions, even though the Nusra Front's links to Al Qa'ida central isolated it from the mainstream of the Syrian opposition. Prominent in the resistance was the anti-Assad and non-jihadist Free Syrian Army (FSA), composed

largely of Syrian army officers who defected at the onset of the civil war. The FSA was aided by Turkey, the Persian/Arabian Gulf states, and private networks of donors, but having multiple patrons made it hard for the organisation to coalesce. FSA disunity thus advantaged the more cohesive and experienced Al Nusra Front. Its prowess as an anti-Assad fighting force had to be reckoned with.

In April 2012, a UN ceasefire plan failed, and in light of the Assad regime's indiscriminate brutality the 'catastrophic' failure of the international community to aid the resistance was 'fuel to the fire' of jihadists (Lister 2015, 72), who were able to justify escalation in terms of Western passivity and blindness to Sunni suffering. Both rulers and resistance moved towards extreme practices and justified violence by reference to the cruelty of the adversary. Over the summer of 2012, more and more jihadist groups mobilised, as the conflict became a magnet for involvement including that of fighters from abroad (e.g., Chechens from the Turkish diaspora). By the end of 2012, the disciplined and well-armed Nusra Front was becoming indispensable to the anti-Assad resistance, while the much larger non-jihadist FSA was even more divided. As Hezbollah and the Iranian Revolutionary Guard as well as Iraqi Shia militias entered the conflict to support Assad, sectarianism became even more pronounced, again benefitting extremists on both sides. Even more jihadist groups appeared, often joining in loose coalitions (Jacobsen 2017). Despite their ideological differences, Syrian nationalists and jihadists coordinated military activities through tactical 'operation rooms'.

The U.S. designation of the Nusra Front as a foreign terrorist organisation in December 2012 provoked even committed nationalists to leap to its defence, showing that rivalries could be overcome when an important resistance player was threatened (Gordon and Barnard 2012). Apparently, the United States wished to prepare the ground for international recognition of the non-jihadist Syrian opposition by demonstrating that American aid provided to the resistance would not flow to Al Nusra. In early 2013, a covert CIA programme began providing weapons and money for salaries to non-jihadist opposition groups in order to enlist them against both the Assad regime and extremists.

In April 2013, the Islamic State of Iraq declared that the Al Nusra Front was under its command, not that of Al Qa'ida. Al Qa'ida's leadership objected, the Nusra Front refused to cede to ISI, and the Islamic State-Al Qa'ida split was now public. Some Al Nusra fighters defected to the Islamic State. Zawahiri, Bin Laden's successor, tried to use the powerful Ahrar al-Sham group in Syria to mediate, unsuccessfully. Ahrar al-Sham was formed in December 2011 with the goal of establishing an Islamic state in Syria but not pursuing global jihad.

The spillover of the Syrian conflict into Lebanon further linked nationalists and jihadists. The flow of foreign fighters increased as fighting intensified. In May, pro-regime paramilitaries in Tartous massacred a series of Sunni civilians, which united an opposition that might have split along the lines of the ISIS-Al Nusra divide. As Iran and Hezbollah advanced, more and more FSA militants responded to the threat by shifting to the side of Al Nusra. ISIS remained largely distrusted and isolated.

U.S. efforts to provide covert assistance exclusively to non-jihadist resistance groups were complicated by lack of knowledge of events on the ground as well as inability to monitor sponsored groups. Congress approved nonlethal assistance in 2013 and the Defense Department started a train-and-equip mission for vetted resistance groups in 2014. DOD abandoned its effort in 2015, and the CIA assistance ended in the summer of 2017 after a cost of about \$1 billion (Mazzetti, Goldman, and Schmidt 2017).

In the summer and fall of 2013, the American failure to retaliate for the Syrian government's use of sarin gas, despite having drawn a 'red line', coincided with more power shifts within the opposition. It now appeared certain that the United States would not intervene directly against Assad and that the resistance had to fend for itself, or at least rely on other donors who could or would not intervene decisively. ISIS became more assertive in killing off its rivals in the north and east of the country, while coordinating with other rebels in Aleppo and Latakia. In general, however, ISIS was divisive, and hostility towards ISIS contributed to the formation of a counter-alliance, the Islamic Front. (ISIS consistently declared all non-ISIS Islamists to be apostate.) Al Nusra joined with Ahrar al-Sham and other Islamic Front groups to drive ISIS out of Raqqa in January 2014. At the same time, the most powerful Islamist groups repudiated the pro-Western resistance coalition, which was now located outside Syria. Al Nusra became more extremist as a response to U.S. aid to its nationalist rivals, although its violence remained less ruthless than that of ISIS, showing that there are limits to escalatory outbidding (Crenshaw 2014). Nevertheless, ideological disputes and even internecine violence did not preclude occasional operational collaboration and coordinated offensives on the battlefield (against Hezbollah, for example).

The ascension of the caliphate, June 2014–September 2015. As it grew stronger in Syria, the Islamic State also mounted significant pressure against the Iraqi regime, taking control of Fallujah and Ramadi in early 2014. In June 2014, after a surprisingly quick takeover of the city of Mosul, the Islamic State declared the establishment of a caliphate in the parts of Syria and Iraq that it occupied. With these victories, ISIS became a global rival to Al Qa'ida. Foreign jihadist organisations, such as Boko Haram in Nigeria, signed on. As noted in the previous case study, ISIS established a rival to

AQIM in the Sahel. Branches sprang up in Egypt and Afghanistan. Probably the most important outpost was in Libya, where in February 2015 ISIS became notorious for the brutal killing of 21 Coptic Christians. This act in turn provoked Egyptian strikes against ISIS in Libya.

Western countries interpreted the rise of the Islamic State as a significant threat. The United States joined by Sunni allies Bahrain, Jordan, Qatar, Saudi Arabia and the United Arab Emirates commenced air strikes in Syria in September 2014. France, too, joined in. Previously the United States had only bombed targets in Iraq, at the request of the Iraqi government. Yet ISIS continued to grow, seizing Palmyra in Syria and Ramadi, the capital of Anbar province in Iraq, in May 2015. At its height it governed millions of people, controlled significant oil resources and smuggling routes, and attracted thousands of foreign fighters from around the world.

The United States also began air strikes against Al Nusra (DeYoung, Sly, and Ryan 2014). The air campaign deepened loyalty among Syrian Islamists and increased Al Nusra's hostility towards the American-supported resistance (Free Syrian Army and Kurds). Consequently, Al Nusra began a successful military campaign against selected U.S.-backed groups, including even those pledging to attack only ISIS. At the same time, perhaps paradoxically, the fact that Al Nusra was targeted stimulated general resentment within the resistance. In March 2015, Al Nusra and an umbrella organisation centred on Ahrar Al-Sham cooperated in taking the city of Idlib, in northern Syria, from the Assad regime, and by June the government had been pushed out of the province. Their joint victory did not extend to cooperation in governing, however, and Ahrar Al Sham also continued to oppose Al Nusra's connection to Al Qa'ida's global agenda.

At the same time, Kurdish Peshmerga forces began to push back, retaking Kobani in northern Syria by January 2015. Kurds in the north of Syria had largely mobilised in self-defence against the regime in 2012. In October 2015, an alliance dominated by the Kurdish People's Protection Units (YPG), known as the Syrian Democratic Forces, was founded to oppose both Assad and Islamist extremists. The United States began to provide air support in order to defend Kobani against ISIS but did not arm the YPG until May 2017, although special operations forces were committed earlier.

Turkey opposed American assistance to Kurdish forces, whom they accused of supporting separatist terrorism in Turkey, and in summer 2015 formed an alliance with Ahrar Al-Sham, increasingly an important political as well as military resistance player. Turkey's main aim was not so much to defeat Assad or ISIS but to block the Kurdish resistance forces. As noted, AAS had initially cooperated with Al Nusra, but relationships soured, in part because AAS frequently took the lead in talks and negotiations between the

resistance, Russia, Iran, and Turkey, especially after Russia's intervention. AAS increasingly sought to portray itself as more moderate than rival Al Nusra and thus an acceptable ally to the West. Another advantage for Ahrar al-Sham was the damage done to ISIS command and control systems by American decapitation strikes against the leadership.

Russian intervention on behalf of Assad 2015. In September 2015 Russia intervened, at the request of the Syrian government. In retrospect, this was a decisive turning point in the war. By 2018 Assad's victory was assured.

Russian air strikes against both jihadists and the non-jihadist opposition united jihadist factions and fuelled extremism and escalation. The opposite occurred on the non-jihadist side of the resistance. In December 2015, non-jihadist opposition groups opened negotiations with the Assad regime. There were five ultimately unsuccessful ceasefire attempts in the 2016–17 period, although partial 'de-escalation zones' in different parts of the country reduced some violence. Al Nusra and ISIS were excluded from the talk offers, since they were considered terrorist organisations and thus not legitimate negotiating partners.³ In other words, neither the Assad regime and its patrons nor the outside supporters of the non-jihadist resistance believed that Al Nusra and ISIS could ever accept the rules of the game. Disagreements over the ceasefires led to persistent armed confrontations between Al Nusra and the non-jihadists, particularly the Free Syrian Army.

Russian intervention was also followed by the opening of a campaign of ISIS terrorism against outside powers. In October 2015, ISIS organised the mid-air explosion of a Russian plane over the Sinai Peninsula, killing 224 people. Russia responded by increasing its troop levels in Syria. In November, ISIS coordinated a series of deadly attacks in Paris, killing 130 people. France had initiated air strikes in Syria in September, although planning for the Paris attacks had commenced before then. Indeed French intelligence warnings of terrorist plots were probably a factor in the decision to escalate. After the Paris attacks, coalition forces stepped up the tempo of air strikes in Syria. In March 2016, the same ISIS network conducted three attacks in Brussels. In January and March, there were bombings in the centre of Istanbul. In December, there was an attack on a Christmas market in Berlin. ISIS also urged its followers to act on their own, and a number of attacks against civilians in anti-ISIS states were apparently inspired by this appeal.

In addition to widening the gap between jihadists and non-jihadists, the shifting patterns of escalation and negotiation also split the non-ISIS jihadist camp. In July 2016, after intense internal deliberations, Al Nusra claimed to have ended its affiliation with Al Qa'ida central. It renamed itself Jabhat Fatah al-Sham (JFS or Front for the Conquest of the Levant). Lister (2017, 24) describes the move as a reaction to impending de-escalation of the

conflict, which would mean a return to contestation or even incorporation into the ruling order by much of the resistance:

JFS found itself additionally challenged by intensified diplomatic attempts to deescalate the conflict in Syria; to isolate JFS from the Syrian opposition; and to shape a more meaningful political process that leveraged the important inclusion of armed opposition groups. For JFS and JN before it, sustaining broad spectrum opposition dependence upon, and thus acceptance of, their role in Syria was expressly linked to the preeminent military contribution that the group could bring to the battlefield. With conflict deescalating and politics growing more central, JFS found itself gradually ceding its hard fought-for advantage and leverage over broader opposition dynamics.

JFS thus came into conflict with other powerful opposition groups such as Ahrar al Sham, although operational coordination of military activity continued. In sum, divisions with the overall resistance represented not just a struggle for power but disputes over what type of normative rule would result from the struggle—a negotiated compromise with secular rule or the imposition of Islamist rule, and, if the latter, how strict.

In 2016, the Syrian government began to make sporadic progress against the resistance. In March Palmyra was retaken. In December, with Russian and Iranian help, the regime captured Aleppo, while ISIS retook Palmyra.

In January 2017, as both American coalition air strikes and opposition negotiations with the Assad regime proceeded under the auspices of Russia, Turkey and Iran, the former Al Nusra rebranded itself again, merging with four smaller groups as well as a hardline faction that defected from Ahrar al Sham (Hamming and Ostaeyen 2018). The new entity, presented as a complete merger of the old groups, was named Hayat Tahrir Al-Sham (HTS, Liberation of the Levant Organization). To reinforce its image of independence, the nominal leader was a former AAS leader, one of whose first public statements was a rejection of negotiations. On the other side of the split, several small armed groups joined Ahrar al-Sham after being attacked by HTS. In July, after intense fighting, AAS surrendered to HTS in Idlib, by mid-2018 the last stronghold of resistance forces in Syria.

By fall 2017, Al Qa'ida central and HTS were involved in a public dispute over the break, with Zawahiri contending that HTS/Al Nusra's reasoning was faulty: it was futile to believe that separating from Al Qa'ida would reduce American pressure (Joscelyn 2017; Lister 2018).⁴ Disputes arose between Al Qa'ida loyalists and an HTS leadership that cooperated loosely with Turkey. Turkey continued to press for resistance unity; and in August 2018, Ahrar al-Sham and allies and Free Syrian Army groups joined in a National Liberation Front. This move excluded HTS, Al Qa'ida loyalists, ISIS, and the Kurdish resistance (Hussein 2017). These developments cast doubt on the proposition

that extremists possess an innate advantage in both competition with other resistance groups and in the conflict with rulers (Walter 2017).

A major factor in this jockeying for position was the steady decline of the rival Islamic State caliphate project, which had lost most of the territory it once controlled. Iraqi forces recaptured Mosul in July 2017. In October, ISIS lost Raqqa to largely Kurdish units. Major combat operations by the Global Coalition to Defeat ISIS ended in 2018.⁵

Lister (2015 and 2017) argues that Al Qa'ida aimed for integration into the local dynamics of Syria in order to secure safe rear bases to support terrorist attacks on the West. This position was consistent with its franchise approach to incorporating local groups into a global mission. ISIS, on the other hand, wanted to destabilise the state (or states) and control territory in order to establish a counter-state. The Al Qa'ida/Al Nusra strategy of integration with local non-jihadist allies helped shield it from American air strikes. Many opposition groups condemned the strikes despite suspicions about Al Qa'ida's internationalist and jihadist ambitions (Lister 2015, 388). ISIS over-reached by provoking sustained conventional military offensives from all the intervening powers—the United States and allies, Russia, Turkey, and Iran. No matter what stance the outside powers took on the fate of the Assad regime, they agreed that the caliphate, its totalitarian practices of rule, and its sponsorship of transnational terrorism could not be tolerated.

CONCLUSIONS

Jihadism is an inherently transnational form of resistance. Concepts of revolution and protest based on assumptions limited to the level of the nation state are no longer adequate to explain the phenomenon. Although some jihadist groups focus on the overthrow of local governments, those allied with the two major organisations, Al Qa'ida and the Islamic State, oppose the international state system dominated by Western powers. Even groups with local ambitions are suspect because of the intransigence and absolutism of their ideology, which is their normative justification for rule. Their rejection of the concept of the nation state is considered to be intrinsic and unchangeable. They are thus not included in compromise settlements or peace agreements. In fact, Islamist groups that claim to restrict themselves to contestation rather than escalation are distrusted (such as the Islamic Salvation Front in Algeria in the early 1990s, and the Muslim Brotherhood in Egypt).

Even locally oriented groups easily transfer their operations across porous state borders when their home bases are threatened, and transnationally oriented groups are expansionist by nature. Both Al Qa'ida and the Islamic State intervened in Syria, and the Algerian Al Qa'ida in the Islamic Maghreb

expanded into Mali and then the Sahel region. The Islamic State caliphate deliberately erased the boundaries between Syria and Iraq. Weak states are part of the problem, as their rule lacks both legitimacy and capability. Transnational terrorism and civil wars now overlap inextricably. Civil war can motivate terrorism, and terrorism can provoke international intervention in civil conflict.

Resistance to rule goes well beyond opposition to the nation state to target international institutions. Al Qa'ida regards the United Nations as an adjunct to American power and thus an enemy. The UN peacekeeping mission in Mali is one of the most dangerous in its history. When AQIM became a franchise of Al Qa'ida, one of its first actions was an attack on UN headquarters in Algiers, which symbolised AQIM's adoption of Al Qa'ida's transnational order of justification.

Because the jihadist threat to states and to the state system is transnational, so too is the response from defenders of that order. Although much of the American response to the 9/11 attacks was unilateral, the United States increasingly recognised the value of allies and led efforts at international cooperation as well as expanding its counterterrorism operations in 76 countries.⁶ France has taken an active role in the Middle East and North Africa, particularly in operations to protect the Malian state. Coalitions of national forces as well as regional organisations and the United Nations are active in counterterrorism around the world.

The result is a multiplicity of actors on both sides of the resistance-rule divide. Interactions among actors on the same side shape the outcomes of complex conflicts that are far from simple and binary. Independent jihadist groups react to each other and form alliances with local actors (with orders of justification that stem from local grievances). Even when these alliances are expedient and tactical, they thwart government initiatives to either defeat or co-opt resistance. When governments or international coalitions pose existential threats to resistance groups, they are capable of forming strong coalitions to ensure their survival. The exclusion of jihadists from peace agreements makes them unstable. The diffuse and fragmented nature of jihadism at both local and global levels makes it more difficult to control. Destruction of the Islamic State caliphate, for example, has by no means eradicated the threat. The justification that it embodied survives.

In terms of this volume's overall questions, this multiplicity of actors on both sides—rule and resistance—complicates the notion of orders of justification: there are tensions and splits on the side of resistance, just as there are on the rule side. At the same time, studying these trajectories through the lens of 'escalation' exposes the dynamics of interaction not just between single actors, but between split and multifaceted orders of justification that divide resistance and rule. It thus becomes possible to integrate a wealth of research

and case studies into a larger framework, linking causal and normative questions in the study of global order and resistance.

NOTES

1. The website provides detailed profiles of the individual groups mentioned in this chapter, as well as diagrams of the relationships among them.
2. Algeria has assisted Mali since 2009, and in April 2010, Mali, Algeria, Mauritania, and Niger set up a joint counter-terrorism command.
3. Thus contradicting the finding of Thomas (2014) that governments are more likely to deal with groups that use terrorism in civil wars.
4. See also “Tahrir al-Sham: Al Qaeda’s Latest Incarnation in Syria.” 28 February 2017. BBC Monitoring. At <https://www.bbc.com/news/world-middle-east-38934206>.
5. There are 77 partners in the Global Coalition: see <http://theglobalcoalition.org/en/home/>.
6. See Brown University, Watson Institute Costs of War Project, <https://watson.brown.edu/costsofwar/>.

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Chapter 8

The Dynamics of Resistance and Rule in High-Capacity Authoritarian States

Hank Johnston

This chapter analyses dissident actions in high-capacity authoritarian states.¹ These are complex societies with extensive security and control apparatuses, large militaries, and developed structures of state and party administration. Examples are China, Russia, Iran, Mexico (before democratisation), and Egypt (during Mubarak and today), to name a few. Their political institutions not only govern, but also have especially strong social control functions, such as mobilising support, gathering information, quelling and co-opting challenges, and monitoring the internal dynamics of state agencies. States vary in the degree to which their systems of rule pursue these functions. In some cases, state institutions are less extensive, such as in Libya and Yemen because of lower state capacity.² In others, the institutions of direct rule are highly developed and intrusive, such as in North Korea and Belarus. Some states have been in the process of building high-capacity structures of control, as in Hungary; others are dismantling them, as in Tunisia.

We examine how clusters of dissident resistance adapt to the constrained and less open political environments of high-capacity authoritarian states. Although less overt at first, and sometimes different in form, we examine how dissidence develops in iterative adaptation and ongoing interaction with structures of rule. Their novel configurations constitute distinct patterns found in many repressive states—shaped by a subjectively constructed normative system of what does and does not work to collectively express dissent, a system forged in a dynamic relation with systems of rule in authoritarian states (Johnston 2012). This constrained dissident repertoire is not a fixed set of actions, but rather an evolving bundle of practices in constant interaction with the system of rule. Our approach questions what superficially appears to be the absence of dissidence in authoritarian states, which could be construed as a form of non-political, non-contentious exit. The forms of dissidence

we identify contrast with the common tactical configurations found in open political regimes, where the *modern social movement repertoire*—marches, rallies, demonstrations, petitions, meetings, and so on—make up the familiar template for protest and claim making in liberal Western state regimes (Tilly 1995, 2008).

To trace elements of dissidence and its effects, we take a dynamic approach to its various forms and its unfolding. An important development in recent social movement theory has been to recognise the dynamic and relational processes of political contention, broadly defined, and of the mechanisms universal to social movement mobilisation. Originally introduced as an expansive program to identify the ‘robust processes’ that operate in all episodes of political challenge (McAdam, Tarrow, and Tilly 2001; McAdam and Tarrow 2011; see Diani 2003 for a review), it is fair to say that researchers today increasingly recognise that dynamic and processual perspectives on mobilisation give important insights into collective action and its impacts (Alimi, Bosi, and Demitriou 2012; Bosi, Demitriou, and Malthaner 2014; Della Porta and Gbikpi 2012; Soule and King 2008). Studies of mobilisation in repressive regimes have long recognised dynamic and processual elements. Authoritarian-state elites, and the security agencies that do their bidding, closely monitor expressions of resistance, more so than contestation in the liberal West. The other side of the coin is that oppositional activists are acutely aware of the threats posed by state repression. Scholars of ‘the repression-mobilisation nexus’ fundamentally recognise that the regime and its opposition are in a dynamic relationship (Hoover and Kowaleswki 1992; Lichbach 1987; Moore 1998; Soule and Davenport 2009; Rasler 1996; Clarke 2011). This is a ‘dark dance dynamic’ in which each subjectively monitors the other and weighs their actions based on subjective perceptions (Johnston 2012). One cannot be understood without the other.

Following the methodological call of a sociology of critique, this chapter takes a fine-grained perspective on state-social movement dynamism by focusing on the ‘orders of justification’ on both sides of the action dynamic. For the state, it moves to a more specific focus than Koopmans and Kriesi’s (1995) ‘prevailing strategy’ of social control, namely, a map of what groups are tolerated and what groups are repressed. Our approach poses questions about how the multiple levels of state administration and the different security agencies perceive the resistance, its organisation, and its actions, and vice versa. On the one hand, recognising these multiple levels complicates the assessment of systems of rule by bringing into the analysis the numerous ways and different locales in which security agents come into contact with opposition activists. Sometimes they arrest them. Sometimes they beat them. Sometimes they turn their backs, distracted by other matters. Sometimes they may even facilitate them, depending on context, locale, and interests within

the field of play. On the other hand, an additional dynamism is introduced by recognising the diversity and creativity that activists employ in their dissident actions, avoiding social control and taking advantage of interstices and free spaces created by the complexity of social control administration and conflicts of interest therein. The social science of resistance and rule in authoritarian regimes must recognise this complex dynamic of strategic interaction, one that is often missed by aggregate measures of a state's repressive capacity.

In Western democracies, it is taken for granted that political and administrative elites compete strategically. Divisions among them occur, which open or close channels of access, and give rise to competing arenas in the implementation of policy. In social movement studies, these ongoing strategic openings and closings get 'frozen' as elements of political structure, political opportunities and threats which typically are focused at the level of political elites. This loses the dynamic interplay among state actors and misses the dynamic character of the rule and resistance relationship. Moreover, analyses typically focus on the higher levels of elite political and policy actors, rather than the lower-level dynamics where repression is actually applied and subjectively experienced by dissident actors. In authoritarian regimes, even though the stakes are no less important and the strategic interactions and adjustments among state players are no less determining, dynamic approaches have not been widely applied in their multiple levels to systems of rule. We can confidently say that they have not been applied to resistance in high-capacity authoritarian regimes (hereafter HCAs). We begin our analysis, therefore, with a deconstruction of social control and rule as a counterbalance to the movement-centric analysis typical of social movement studies, and the de-emphasis on the strategic action within the complexity of systems of rule in social movement studies generally.

REPRESSION AND RULE

There is a long-standing recognition among researchers that different repressive strategies affect the mobilisation of collective protests and/or their suppression (Cingranelli and Richards 1999; Davenport 2005; Regan and Henderson 2002), but studies often analyse the protest-repression relationship with aggregated variables such as size of street demonstrations as reported in mass media, and measures of repression, quantified as number of deaths or injuries at a protest or expenditures on security. Although these kinds of aggregate data can tell us a lot, our approach is to capture the multifaceted and dynamic nature of the repressive apparatus in HCAs and its engagement with the dissident actors—often missed by quantitative studies and regression

analysis. As a variable, ‘repression’ is a high-level abstraction that subsumes different strategies pursued by different agencies of social control at different levels. Focusing on deaths, injuries, or arrests at protest events captures only part of the picture. Moreover, there are strategies of ‘positive social control’ such as co-optation, clientalism, and opportunities for enrichment for those who dance to the regime’s tune—often via complicity in corrupt practices—that are important in minimising reticence and dissatisfaction among sectors of the citizenry. These are used as ‘carrots of control’ in addition to ‘the stick of police repression’, the more widely recognised dimension of social control, but we suggest that these carrots can play significant roles in channelling opposition. Also, as we will discuss in this section, there are grey areas where complicity and resistance vary contextually and coexist in conflicting ways in the same actor. Finally, in the dynamic unfolding of rule and resistance, it is important to recognise that social control is often ineffectually applied, and that there can be conflict among various agencies of social control and enforcement. How the mix plays out can tell us a lot about the trajectories of dissidence in authoritarian states.

A distinguishing characteristic of all HCA regimes is their highly developed and multifaceted organisation of social control. HCAs must organise violence, preemptive action, and surveillance at numerous and functionally diverse levels. To take one example, it was reported that in al-Assad’s Syria, prior to the civil war, there were no less than 18 different branches of police and security in the major cities. As in democracies, it is common that there are overlaps in mission, competition, divergent goals, and conflicts over resources and jurisdiction among security agencies—only, it is plausible to assume that in HCAs, because of the absence of rule of law and open governance, these are compounded and intensified. State actors pursue specific organisational interests and strategically interact along these dimensions—hence the utility of conceiving this play as occurring in a *social-control field*. We suggest that this complexity and level of conflict are relevant to the resistance to rule, because they create interstices in the social-control field where counter-hegemonic discourse can thrive. The social organisation of these spaces represents the rudimentary mobilisation structures where forms of unobtrusive resistance can occur (more on this in a later section).

There is a spatial dimension to the complexity of HCA rule. For practical reasons, social control functions are organised by national, provincial, and municipal levels of police and state security forces. Overlaid upon these are national-level secret police, military intelligence units, various departments of internal surveillance, networks of spies for the state and ruling party, special militias, and party enforcers. Also, the national armed forces often have domestic social control functions in HCAs, and different branches can have their own security and intelligence services. National militias, special riot

divisions, and reserve volunteer forces function as additional, scaled-down loci of the means of violence in the authoritarian state. It is not uncommon that the military is divided into special units, elite divisions, and republican guards chosen for loyalty to the president. Finally, an informal but common feature of HCAs, bands of thugs, ruffians, vigilantes, and local militias, and even foreign mercenaries are commonly employed. These individuals are often gangsters and/or party members known for their brutality, physical intimidation, and violence. They are used as agents of enforcement and fear, especially during periods of strikes and unrest, or to terrorise individual citizens whose actions pose threats to political elites. Let us see how this complexity of rule gives rise to cracks in its application so that, dynamically, social actors can escalate their resistance—that is, an escalation from private exit strategies of quiescence to collective action against the state in ways often missed by social movement studies.

The National Level

In social movement studies, divisions and conflicts among national political elites have been recognised by McAdam, Tarrow, and Tilly (2001) as a key mechanism that opens opportunities for movements against authoritarian rule. Goodwin (2001) notes that elite conflict helps define situations in which political revolutions occur. Amenta and Young (1999) note that it shapes the implementation of policies, which has strong effects on perceptions of legitimacy. Slater (2010) identifies elite defections to be at the heart of the cross-class coalitions in successful democratic movements, as in the Philippines. In social movement studies, it is fair to say that national military enters the analysis much less frequently, although it has been a focus in the comparative politics of Latin American transitions (Geddes 1999). Patterns of rule by military juntas have been analysed regarding the development of oppositions, with the finding that they are more likely to transition to democratic rule than strong-man dictatorships, which tend to be more repressive (Geddes, Frantz, and Wright 2014).

When considering the unfolding of resistance and rule in HCAs, we suggest that a closer examination of empirical footprint of the military is critical. Military force is often mobilised to repress protests in HCAs—an uncommon occurrence in democratic regimes. However, we suggest that the division between the military and special units and militias or elite security units gives rise to spaces of opportunity for the opposition. During the Arab Spring protests in Egypt, the army refused to fire on protesters, but the ruling party mobilised security forces and hired thugs to disrupt protests on Friday, 29 January 2011. In the next two days, it was the army that stood between protesters and the *mukhabarat* and armed supporters of the regime. The

military's refusal to repress the protesters and the disaffection of the general staff played key roles in the fall of the Mubarak regime.

Refusal as a critical mechanism in regime overthrow was also what occurred in Serbia in 2000 and Tunisia in 2011. In contrast, Qaddafi regime brought in mercenaries from Chad to enforce order in Tripoli and avoid the risk of military defection. This was a move that reflected insecurity about the loyalty of different units. It led to the disaffection of troops stationed in the eastern part of the country, where violence escalated and the opposition gained its initial foothold.

When the army is used to repress protest actions, the order to fire on protesting youth, with whom young military conscripts can identify, carries the risks undermining the chain of command and encouraging desertions. This was a key mechanism in the intensification of Syrian protests and the descent into civil war in that country. In northern town of Jisr al-Shoughour, lower-level desertions had been reported for weeks in 2011 as the regime mobilised the army against the protesters. A large military operation against this Sunni stronghold meant that many Sunni conscripts faced prospects of being ordered to fire on townspeople whom they knew. Scores refused, and some officers defected to aid the townspeople in their resistance (Zoeph and Shadid 2011). The desertion of the military is widely recognised as a process that undermines regime stability and can bring about regime dissolution (Chenoweth and Stephan 2011; Katz 2004; Nepstad 2011). When the Polish People's Army mobilised martial law, it took care that its advanced troops were seasoned veterans and not influenced by Solidarity. Anticipating potential breeches of loyalty is a key reason for the multilayered organisation of military force in HCAs: special units, praetorian guards, militias, and mercenaries. To analyse the complete playing field of those who administer regimes of rule in HCAs, all these social actors and their variable loyalty come into play. Analyses of 'national political elites' and divisions among them take into consideration all these players, their resources, and their strategic goals.

The Provincial and Municipal Levels

In times of mass protest escalation, the army is often called out, but in less dramatic times the provincial and local police and ruling-party officials are the main points of contact for most citizens in HCAs. Compared with the military and militia's violence against protesters at mass protests, there is a lower magnitude of violence here, but one that has far-reaching consequences regarding regime dissatisfaction, the illegitimacy of the ruling elite, and the development of sustained resistance movements. City- and state-level police are poorly paid, which often means that among officers on patrol, opportunities for bribes and protection shakedowns augment income. Those higher in

the police hierarchy often take a percentage of shakedown money and fines. It is not uncommon that they are involved in more elaborate corruption. One pattern that has been common in China is the unethical seizure of land by municipal officials—often enforced by police allies. Compensation to common citizens in towns and villages is minimal. The officials then resell the land or develop it at great profit, which gives rise to resentment and anger among the local populace, and frequent protests. These protests and petitions against seizures do not go unrecognised by sectors of the party elite, who call for crackdowns on corruption, and set in motion strategic plays within the field of social control between the local-, provincial-, and national-level elites (Chen 2012). This is the current strategic interaction occurring at various administrative levels in China, as the new General Secretary Xi Jinping seeks to control widespread official corruption and bribe taking (Buckley 2013).

Local police known as City and Urban Administration and Law Enforcement Bureaus—*chengguan* is the label used among Chinese citizens—are widely distained. One confrontation that went viral on social media can be taken as an example of widespread dissatisfaction with the local-level enforcement and small-scale bribe taking of which we speak. In many ways, foretaste of Mohamed Bouazizi's police beating and self-immolation, which sparked the Arab Spring in Tunisia in 2010, several *chengguan* confronted two street entrepreneurs, Xia Junfeng and his wife, in May 2009 for not having a business license to sell grilled meat. On a corner in the city of Shenyang, *chengguan* officers verbally abused the two vendors, dismantled their unlicensed cart, threw their meat skewers to the street, and beat Xia Junfeng. In the ensuing struggle, the vendor stabbed two *chennguan* with his carving knife. His guilt was not in dispute, but discussion of his trial and eventual execution (in 2013) massively trended on Chinese social media. Numerous blog posts charged that he had been unfairly condemned to death, and compared his treatment to Gu Kailai, the wife of the disgraced Chinese leader Bo Xilai. She was accused and convicted of the murder of a British citizen but, widely attributed to her high party connections, her death sentence was suspended. The intensity of internet traffic comparing these two cases attests to how injustice at the local level has powerful resonance among common citizens, and how they reflect attribution of complicity at the national political level.

In fact, the frequency of bribes, shakedowns, and corruption reflect a paradox inherent in HCAs. Outwardly, such regimes appear quite stable: the Soviet Union lasted 70 years; apartheid South Africa 50; Cuba 55; Communist China 65; to name a few; and reasons for this stability is the combination of the 'carrot and the stick' for social control. The stick is the coercive repression at various levels, which we have been discussing. The carrot is the force of self-interest as a powerful stabilising factor at all levels of the field of

social control, and, more generally, the field of state and party administration. Using the stick by itself is a resource-heavy and costly strategy to maintain state security that undermines legitimacy of the regime. Long-lived HCAs take advantage of the ‘carrots’ of corruption, bribes, and shakedowns to build dense networks of complicity among functionaries and party members, ensuring their loyalty. But it is a form of stability that comes at a high price among the general population, and in the long run is destabilising.

Among many police, security agents, spies, and military officers, self-interest and discipline work to mitigate hesitancy at following orders that cross lines of acceptability. For other state officials, self-interest itself is sufficient to restrain dissent. At middle levels, the distribution of jobs, contracts, favours for family members, and the social capital of connections and leverage become powerful tools for mitigating overt political opposition. At the lower levels of state authority, many citizens find employment in the state-controlled aspects of economy (state-owned industries), administration (the various functions of the high-capacity state, such as health, education, welfare), and social control apparatus (police, militias, and army). This creates a large pool of citizens whose interests either lie in the status quo or whose perceptions of the state and perhaps a predisposition to dissent are complicated by various pulls and pressures in different directions. At the upper levels of HCA power, self-interest can bridge division among elites as much as it can drive it through competition for wealth and power.

DISSIDENCE IN HCAs

The take-away point of the last section is that authoritarian regimes are not monolithic and hermetically sealed systems of social control (Arendt 1968; Shi and Cai 2006). Rather, acts of dissent—usually small and limited at first—take place where social control breaks down and/or where islands of freedom can be claimed creatively. These free spaces are fundamental to micro-level acts of dissidence that, we suggest, are not uncommon in HCAs. While such acts do not pose direct challenges to the regime, their limited character nevertheless has public resonance far beyond the actual threat they pose because they proclaim a counter-hegemonic narrative and that it is out there, held by others and alive and well. To put it another way, small actions of the dissidence communicate—not widely but, we suggest, widely enough for early stages of dissident escalation—that there are others who share your dissatisfaction. If you privately harbour anti-regime sentiments, others share them too. Their willingness to take risks to make them known publicly is a key mechanism of escalation in HCAs.

That is because these actions serve the purpose of ‘triggering’ a change in the prevailing discourse, a central concept in Gamson, Fireman, and Rytina’s (1982) classic analysis of how social quiescence is transformed into collective action. Triggering is a parallel concept to the classical social-psychological concept of risky shift, which traces how the surface tension of group conformity can be broken by open discussion as opposed to conformist pressures fuelled by silence. For the shift to occur, often the outspokenness of just one or two members is sufficient. Gamson, Fireman, and Rytina’s (1982) focus-group exercises demonstrated that outspoken group members are critical to fomenting rebellion in small group settings. Applied more broadly to repressive contexts, our fieldwork has identified patterns of social groupings whose actions erode public quiescence. The collective actions of these groups comprise a key element of early escalation by bringing more participants into more recognisable forms of collective action as the escalatory process gains momentum.

How can the analyst account for those few groups willing to speak out in HCAs? In any given population, it is fair to say that there are some citizens whose character, commitment, and/or embeddedness in a network of social relations enable them to manage their fear (socially) and take greater risks (collectively) for their principles. In Hungary, 1956, there were students who first raised their voice of dissent, which found wide resonance. In the late 1970s in Poland, workers and small groups like KOR and ROPCiO increasingly challenged deteriorating economic conditions, leading to the independent Solidary union in the summer of 1980. Also, in the Soviet Union, dissident intellectuals, artists, and writers began to voice their criticisms in the late 1970s. The atmosphere of state censorship and the unjust and unequal application of the law were especially stifling of their creativity, principles, and moral commitments that drive their work.

Studies of dissidence in Eastern Europe show that prominent actors are usually part of larger networks comprised of individuals from intellectual, artistic and scientific communities (Joppke 1995, 13; Flam 1996). They gather in private homes periodically to discuss, ideologise, and strategise challenges to regime policies. In repressive states, this is obviously risky behaviour. In some cases, well-known dissident actors can draw upon international reputations for shelter because the regime wants to avoid the media attention that their arrests would surely attract. However, it is important to note that there are many others who are members of dissident networks who cannot rely on their notoriety for protection and often are at great risk. In China, the circle that aided the escape from house detention of blind lawyer Cheng Guancheng has been harassed, beaten, and arrested on dubious charges. One member has disappeared with no word to his family members of his whereabouts.

Typical activities of these kinds of actors are the drafting of open letters and petitions—for example, Charter 77 in Czechoslovakia, and Charter 2008 in China—defending activists' actions, disseminating information about arrests and illegal police activities, proposing new laws and democratic reforms, challenging official history and economic theory, and passing information to foreign media or giving interviews. Thirty years ago, samizdat publications (underground newspapers and journals) were important because the resistance narrative could only assume political importance in so far as it was disseminated to the larger public. Today, in China and Russia, where public mass media are mostly controlled by the state, it is through blogs and social media that dissident information is spread. This intensifies the transnational dimension—a key theme in this volume—into what appears to be exclusively domestic contention. Platforms of social media are transnational phenomena characteristic of the globalised economy in the twenty-first century, and the interplay between transnational media influences and domestic politics is an important area of research, as the present collection of research aptly points out. Notably, foreign social media campaigns as seen in Russian and Chinese intervention in domestic politics—especially in the United States and European Union—bring an additional dimension to the transnational arena.

During a series of citizen mobilisation in China spanning multiple cities between 2007 and 2009, social media played a crucial role in linking dissidents to one another and to wider communities. At protests in Xiamen and Panyu (near Guangzhou), a network of dissident actors kept one another informed by live tweeting events (Xiamen had an almost minute-by-minute update going through most of the multi-hour protest) and posting photos and videos to *Flickr* accounts during both protests. Ai Weiwei was present at the Xiamen event and a number of less famous dissidents attended both the Xiamen and Panyu protests. Dissidents who were not present retweeted and discussed the unfolding events real-time. While the Chinese state has taken steps to limit the degree to which such social media outlets can be used for dissident purposes, during this period there was mostly free access and dissidents still find ways around the limitations the state imposes to keep their networks active. By doing so, they keep their tightly connected and active network visible and influential.

Dissident Actions: Symbolism

Another highly risk-tolerant group is composed of students and youths. This generational pattern is common, partly because of their social location and freedom from family responsibilities—'structural availability' is the term used in social movement studies. To this we suggest an element of cognitive availability as well, by which unique cognitive processing patterns of youths younger than 25 years of age make them more fearless and passionate—an

understudied dimension in social movement studies. Young activists are noteworthy because they are more willing to take risks for seemingly small symbolic acts of defiance against the regime—sometimes with subtle symbolism and great creativity.

A poignant example comes from the period of repression of the Polish Solidarity movement after martial law in late 1981. The Orange Alternative was a resistance group composed mostly of students and young people who used humour and sarcasm to break the veneer of fear, with an emphasis on parodying the absurdity of communist rule (Espionart 2017; Gavroche 2013). During martial law, the police (People's Militia) patrolled regularly to paint over the political graffiti, leaving buildings and walls in cities a patch work of white-washed blotches, over which activists of the Orange Alternative painted their simple *krasnale*—dwarfs or gnomes (with orange hats)—as depicted in figure 8.1. The police detained the artists, but still the artwork



Figure 8.1. No Freedom without Dwarfs!

Source: Wrocław, Poland

spread through all major Polish cities, and dwarfs in the thousands appeared as reminders of the resistance. The Orange Alternative group reached its apex in 1988 when it organised marches called the ‘Revolution of the Dwarfs’ in Wrocław and other cities. Cries of ‘No freedom without dwarfs’, ‘Every militiaman is a piece of art’ and ‘Join us’ were chanted by an estimated 10,000 participants. Was this a protest demonstration? Was this a threat to the regime? The point obviously is that there is a subtle ambiguity here—strong on symbolism of absurdity—that reduced the risk and increased participation. As a counterpoint to militia’s threats and violence, good-natured collective actions such as this and similar ‘happenings’ functioned as triggers against despondency and quiescence.

Such actions remind the broader population that (1) there is an opposition out there that is willing to take risks; and (2) with guile and creativity, oppositional statements can be made public. In HCAs, the repertoire of symbolic actions can take numerous forms: the placement of flowers, flags, crosses, candles, and so on, in symbolic locations. For example, flowers appeared at the gates of the Gdansk shipyard to commemorate the anniversary of the deaths of striking workers, and in Tallinn, Estonia, flowers appeared on the anniversary of the republic at the site of a statue of a national hero, which was demolished by the Soviets in 1940 (Johnston 2011, 122). The painting of political graffiti (and dwarfs), usually a collective action rather than an individual one, is also a display of opposition. Political graffiti were common sights in Latin American authoritarian regimes, in Egypt during the Arab Spring, in the Iranian democracy movement in 2009, and in Syria before the civil war.

These examples take advantage of public locations, many of which have significance for the democratic opposition, but symbolic acts of opposition can also take different forms using different media. In China, criticisms of official corruption often appear instantly on the internet. Nepotism and the abuse of power were immortalised in the name ‘Li Gang’ after a young man involved in a car accident, for which he was at fault, tried to scare off the gathering crowd by shouting ‘my father is Li Gang’. The phrase went viral and became a symbolic expression of the abuse of official power and the growing wealth gap. Despite both threats of repression and by taking advantage of curious mixes of censorship and openness online, dissident actors—and even everyday net users—are able to creatively circumvent official oversight and maintain an occasionally influential online public (Johnston and Carnesecca 2014).

Double Mindedness and Double Dealing

There is a quality of public discourse in HCAs that is captured by an often-repeated phrase: ‘We could never say that publicly’ (Johnston 2006). Our interviews with activists in Eastern Europe, often commented on the ‘double-mindedness’ of everyday talk at work and in official functions such as neighbourhood, school, or party meetings. A typical comment was that, ‘one had to remain silent about one’s true feelings’, reflecting the first part of Kuran’s book title, *Public Lies and Private Truths* (1995). Socialisation in HCAs means learning to speak carefully and often in code. Guarding your words and monitoring reactions are guiding principles of public discourse. Only among trusted friends and in circles of acquaintances considered safe, with careful vigilance to who is participating, one can speak the truth, the second part of Kuran’s title.

These discursive strategies permeate most official organisations, but also give rise to a form of social organisation that, while not widespread, was

nevertheless often encountered in our fieldwork. There are certain kinds of groups that on the surface appear as official and legitimate, but which play a role in oppositional triggering activities by their *double dealing*. Official status serves as an excuse to carve out spaces where double-minded speech can be transcended under the protection of official cover. Members gather, talk, and sometimes take part in activities that push the limits of what the regime may define as acceptable discourse. These groups use public buildings, file official budgets and political reports, but their activities frequently have an implicit oppositional character. People who are private opponents of the regime flock to these activities as locales where they can 'speak their minds'. The key point is that, while the majority of the population remains quiescent, these groups and organisations serve as free spaces of guarded oppositional talk where the double-speak of public discourse is suspended temporarily. These findings also indicate that Kuran's concept of preference falsification requires an important qualification, namely, that although it may be the prevailing rule for public discourse for many, there is a segment of the population for whom it is not. Oppositional talk, we suggest, is a function of specific social contexts and speech situations (Johnston and Mueller 2001). It is the most fundamental manifestation of 'street politics', and 'weapons of the weak' as noted by Bayat (2003) and Scott (1985).

In our fieldwork in several former authoritarian regimes, respondents had no trouble identifying groups and organisations known for their veiled oppositional milieu. Social and recreational groups sometimes perform this role (folk-dancing groups, ethnographic study groups, folk music groups, local historical societies, and drama clubs). It is also common that religious organisations are covert centres of veiled political activity (churches in the Philippines, South Korea, El Salvador, Nicaragua, GDR, Lithuania, the Ukraine, and, of course, in Poland, where the Roman Catholic Church played a central role in the development of the Solidarity movement; Buddhist temples in Tibet and Myanmar; Sufi orders in Chechnya, and the Muslim Brotherhood in Egypt's political conflict, and the outbreaks of Syrian violence in 2000). Finally, intellectual and artistic groups are often sites where dissident discourse thrives (jazz circles, literary salons, book clubs, theatre groups, cinema societies, and language study groups). Like the dissident networks mentioned in the last section, they cluster here because members' creativity and/or inquisitiveness are stifled by the authoritarian state.

CONCLUSION: THE DYNAMICS OF ESCALATION

A crucial period in the analysis of resistance to HCAs is when the social-psychological processes of preference falsification and conformist

exit-by-silence begin to break down for wider segments of the population, leading to the escalation of dissident collective action.

This is a relationship among state agents and dissident actors, and how both sides strategically react to each other affects the trajectory of the resistance-rule relationship that develops. On the one hand, a common path of escalation is that the resistance begins to manifest tactical elements of more familiar reportorial forms, namely shifts from the small and symbolic acts of dissidence we have been discussing so far to more open and public contestation. However, from the subjective perspective of the participants, what we have found in a variety of repressive regimes is an interesting ambiguity and complexity of these actions that introduces nuances to make their placement along the dissidence-contestation scale less straightforward. We close this chapter with an exploration of what this complexity means in the development of counter-hegemonic resistance.

A common pattern is that, before the mass mobilisations of citizen resistance, such as protests in Tunis, late 2010, in the Tahrir Square protests, Egypt, 2011, or Tiananmen Square in Beijing, 1989, which were full anti-hegemonic calls for regime change, numerous sequences of smaller public actions occurred in prior years. In the context of authoritarian rule, these represented the first tentative ventures by submerged groups into the public arena. Interestingly, these earlier actions seem to tread a thin line between calling for reforms within the established context—*contestation* to use the terminology of this volume—and anti-hegemonic resistance calling for regime change and a new political and social order. These first public protest mobilisations are typically focused on specific issues—environmental, labour, corruption, neighbourhood NIMBY grievances, household and family claims, and women's demands—and are not mass anti-regime protests. They are transitional actions of escalation, and seem to be characterised by a tension among the dissident actors: demands are focused and contained within the system, as calls for environmental protection, but because they are voiced within in the context of a closed and repressive system, they also carry implicitly and *in a double-minded way* challenges to regime's legitimacy—a metamessage that is recognised by participants because these are the first open ventures into the public arena. In a sense, the double-minded and creative discursive strategies that characterised the dissident actions that we have analysed in this chapter are carried over to these initial steps of escalation, such that unvoiced anti-hegemonic dissidence underlies the voiced and public reformist nature of the protests. There is a delicate symbolic balance in this.

A propos of our field focus, these protests also manifest ambiguity and tension among the actors in the authoritarian state. This occurs, in part, at the policy level because, by permitting public protests to occur, the regime

acknowledges—at least to a minimal degree—popular sovereignty, which may be affirmed in the ideological discourse of rule but in the practice of rule, denied and negated by unfair elections, breakdown in the rule of law and corruption. At the elite level, it is common that hardliner factions in the regime will call for full repression for reasons of party ideology and state security, while liberal cliques counter that tolerance and concessions are ways to bolster the regime in the long term. Small concession may be granted for reasons of international politics, pressure from international non-governmental organisation and multilateral organisations, or to provide a domestic safety value to reduce and/or redirect anti-regime protests. Moreover, among the middle-level state players we have identified in this report, this tension also is felt in the streets, because state militias and security services are neither accustomed to large demonstrations nor to exercising moderation and restraint. On the other side, there is often a strong self-limiting quality to the public demonstrations that recognises this. Collective actions, by and large, remain overwhelmingly peaceful and carefully avoid direct challenges to the state or calls for its replacement. Scholars of Chinese politics note how activists' public actions are limited by 'red lines' that are not to be crossed. It is a delicate balance to manage collective actions such that they can push officials to be more responsive but not elicit brutal repression (Chen 2012; Dickson 2016; Moss 2018). There is a fundamental strategic dilemma of escalation.

Nevertheless, it is common that, as part of the escalation dynamic, repressive regimes liberalise, granting small concessions in response to early dissident contestation (Chen 2012; O'Brien and Li 2006; Stern and O'Brien 2012; Su and He 2010). Security services inform political elites about the depth of citizen anger. Officials recognise that flexibility can bolster regime legitimacy, which often leads to the legalisation of some groups that had been previously double dealing. Strategically, from the perspective of security services, this can increase opportunities for their control and surveillance (Lucas 2003; Robertson 2010), but also runs the risk of establishing legal foundations for the opposition to function. Outspoken civil society groups often raise citizen expectations for government performance and policy change. The unfolding of these relationships tames what had been anti-hegemonic (and impractical) dissident resistance—calling for regime change—into more bounded and narrow reformist orientations—a negation of hegemonic discourse. But we bring our chapter to an end with a note of caution: as Spires (2011) observes, what analysts see from afar is not always what participants see and mean in the streets. Thus, our discussion closes with some thoughts about the subjective experiences of the players during escalation.

China is an authoritarian regime where this escalatory dynamic has been unfolding over the past quarter century since the crushing repression of

Tiananmen Square in 1989. In the city of Xiamen, there were large protests in 2007 against the construction of a petrochemical plant that lasted several days. Organisers called for participation as ‘concerned citizens’ looking out for the well-being of the city and the nation. They did not cross any ‘red lines’ by challenging the central leaders or the dominance of the communist party. Protest participation was characterised as a coded ‘going for a stroll’, a tactic used elsewhere in China intended to decrease risks during periods of escalation under the guise of a simple afternoon walk—a walk, that is, undertaken as a mass collective action. Dissident claims were framed within regime-defined legality, a discursive moderation accompanied by a tactical escalation. Such ‘rightful resistance’ has emerged as an important tactic to voice dissent against various levels of state administration (O’Brien and Li 2006; Ho 2008). Moreover, strategic field factors shaped this emergence. Local officials, on the one hand concerned how their handling of the movement might jeopardise their position vis-à-vis the central government, and on the other, how it might backfire among protesters, equivocated in their responses to the movement.

The result was that the movement’s tactical boldness increased as officials hesitated, communicating an incapacity to respond. Protests grew, and increasing numbers of participants (which reached 10,000 during the height of protests) then mitigated the risks of new participants and made policing the protests less certain, less efficient, and more haphazard.³ As numbers increased, the façade of ‘afternoon strolls’ faded and the message of contained contestation became more vocal. As more protesters posed greater challenge to authorities, deliberate care was taken among participants to remain within the parameters of accepted discourse. The targets were articulated as incompetent local officials, corruption, and lack of adherence of ‘proper procedures’, not an anti-hegemonic critique of party rule and the state. It is not surprising that this inverse dynamic between larger numbers and a more constrained message as a mitigating factor to risk is replicated elsewhere as dissident actions become more public. It is a practical and prudent tactical adjustment, and it seems to be followed scrupulously in China, where direct criticisms of party and state are severely repressed but also where, surveys suggest, citizen grievances are more contained than global (Dickson 2016). Still, a plausible hypothesis is that there was an acute awareness among the protesters in the street of the ‘red lines’ that constrain these actions—and moving red lines at that.

To close, we note that, from the subjective perspective of activists, this shift from dissident resistance to more open contestation suggests that the long-term advantage in this game seems to lie not with the authoritarian state but with the creative and adaptable opposition. According to a former intelligence analyst of the Cuban government, who—like our Soviet censor—became a dissident, ‘pushing for change in Cuba is likened to the punishment

of Sisyphus, rolling a stone up a hill only to watch it roll to the bottom. But sometimes, the stone comes to rest in a different position' (quoted in Burnett 2013, 6).

These words were similarly reflected in a statement by an anti-Francoist dissident we once interviewed—but the basic logic holds. He used the metaphor of a wagon going up a hill. With each small advance, activists throw boards behind the wheels so that the gains are not lost. 'Palos a las ruedas', he said. As the cart is moved slowly, the boards prevent it from moving backward. Small concessions by the state, strategically conceding space to the challenging group, build over time. Officials see the trend, giving room to doubts, as we discussed, as more citizens are drawn into gradually legitimated reform-oriented contestation, rather than calls for toppling the state. The free spaces carved out by activists are fundamental to these steps. Of course, the state can crush bounded contestation too, but it is more difficult, and when it does not, such spaces serve as the base camps of yet more activism. Because the actions that emanate from them do not pose direct challenges to the regime, they have a resonance much broader than the regime could ever imagine.

This is because the public performance of larger acts of contention proclaims to more and more non-engaged citizens that there is a viable course to challenge the state. For all these reasons, the more that HCAs states tolerate these forms of public contestation, the more they run the risk of more public and broadly supported contestation in the future, which can give rise to anti-hegemonic discourse of the regime-toppling sort.

This proverbial slippery slope from the regime's point of view is exactly what happened in Tunisia, Egypt 8 years ago and in Poland 30 years ago. Moreover, in the field of play between the various agencies of social control and the creative resistance in HCAs, the long-term advantage would seem to reside with the activists, a suggestive hypothesis for further research. Social science has certainly analysed these more recognisable collective action forms of protest mobilisation as repressive states crumble, but the focus of this chapter has been on the less apparent foundations that activists lay before open contestation publicly appears. The symbolic and double-entendre collective actions discussed in these pages represent those first whispers that, indeed, the Emperor has no clothes, thereby planting the seeds from which broad-based social movements grow in repressive contexts.

NOTES

1. Earlier versions of this chapter were presented at the panel 'Dissidence and Repression in Autocratic Regimes', at the conference 'International Dissidence', Frankfurt, 2–4 March 2017, and at Kennedy School of Government, Harvard

University. The analysis of dissidence in autocratic states and how it is related to strategic adjustments on both sides of the resistance-rule equation was enriched by discussions during these panels.

2. This chapter does not analyse social movements in low-capacity repressive states. Such regimes are characterised by sultanistic governance by a corrupt and predatory ruling clique (Linz and Chabai 1991). Outbreaks of protests in low-capacity states, when they occur, are often local and reflect patterns of the premodern repertoire. Because civil society is less developed, and state repression often arbitrary and ruthless, social movements—even defined broadly (as in this essay)—are uncommon. Organised movements, when they do occur, often take the form of armed insurgencies aimed at the seizure of the state, not policy reform.

3. Similar mixed messages were given by officials to Wukan villagers, who protested corrupt property confiscations in December 2011. ‘Mass incidents’ in the modular repertoire (marches, rallies, strikes, occupations, and sit-ins) have increased significantly in China: less than 10,000 per year in the mid-1990s to about 180,000 in 2011 (Chen 2012).

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Chapter 9

Escalation Through Cooperation: How Transnational Relations Affect Violent Resistance

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and Christopher Daase

The interaction between rule and resistance is usually analysed with a focus on the strategic interplay between resisters, their antagonist (such as the state), and the audiences both are competing for. However, conflict actors are also embedded in relations that reach beyond this (domestic) triad. As states interact with other states, resisters also relate to foreign actors, non-statist, and statist. These international and transnational relations, as in forms of cooperation, cause dynamics of their own that influence the interaction between rule and resistance. From this perspective, conflict interaction can also be analysed with a focus on cooperative interaction across borders.

In this chapter, we examine how transnational dimensions of resistance influence escalation: a mode of resistance that violently negates orders of rule. In particular, we are interested in mechanisms that can lead, in the context of cooperation, to an intensification or broadening of resisters' violence. Far from being 'new' as often assumed (Tarrow 2005; Della Porta 2014), transnationalisation in resistance has a long history. The (militant) anarchists in late nineteenth and early twentieth centuries were undeniably transnational actors (Turcato 2007), as well as leftist terrorists in the 1970s and 1980s drew on transnational ties (Álvarez and Tristan 2016). Altogether, 55 per cent of armed rebel groups since 1945 had transnational linkages (Salehyan 2009, 5). History thus offers us a broad stock of cases to understand transnational mechanisms of escalation.

Although scholars increasingly study why and how militant—oftentimes jihadist—groups cooperate (Karmon 2005; Bacon 2013; Moghadam 2017), it is still unclear how transnational relations affect violent actors and their actions. A common assumption is still that such linkages are naturally beneficial for the respective partners and boost escalation. However, there are empirical indications that cooperation can also have negative consequences for one or both partners or may contribute to de-escalation (Bapat and Bond 2012; Byman 2014;

Bacon 2015), thus shifting practices towards the more moderate resistance mode of contestation. It is thus crucial to have a look beyond the causes and forms of cooperation and to analyse their effects on resistant practices.

While the subjects of both cooperation and conflict necessitate a relational perspective, actors' behaviour cannot be explained without a substantial perspective. The latter underlines the salience of an actor's substance, that is, their behaviour is mainly explained by their properties, such as ideology, organisational structures or resources (Crenshaw 1987; Weinstein 2006; Fettweis 2009). It thus runs the risk of de-contextualising violence and ignoring factors of interaction. The former, in turn, puts a premium on an actor's relationships, that is, their behaviour is mainly explained by dynamics between the actor, their antagonist and/or their social environment (Cronin 2009; Malthaner and Waldmann 2014; Della Porta 2013). It thus tends to analyse conflict interaction within the constraints of a nation state, disregarding transnational influences. We will work around these shortcomings by integrating both perspectives for our analysis.

In this integrated perspective, it is assumed that actors' properties change under the influence of transnational cooperation and thus their practices in (domestic) conflict interaction. Accordingly, (de-)escalation can be induced by transnational cooperation if (1) a *diffusion* of radical ideas takes place, changing an actor's perception on which group of persons should be targeted; (2) a *distribution* of resources takes place, changing the means an actor uses to pursue their goals; and/or (3) an *integration* of organisational structures takes place, changing the actor's ability to act in a coordinated way. These are the transnational mechanisms of escalation we will explore here more deeply.

The study draws on three empirical cases covering most of the phenomena known as the 'four waves of modern terrorism' (Rapoport 2004). Concretely, we will have a look at (1) anarchist violence in the late nineteenth and early twentieth centuries, (2) national liberation in Mozambique from 1964 to 1974, and (3) jihadism in Northern Africa since the late 1990s. To allow generalisable propositions, the case studies will be structured in a unified way, thereby employing methods of process tracing asking for the same mechanisms. For this purpose, we first introduce the conceptual framework guiding the analysis. At the end, we discuss how the defined mechanisms can help to understand escalation in the interaction of rule and resistance.

MECHANISMS OF ESCALATION: A GUIDE FOR ANALYSIS

Referring to the literature of civil war, terrorism, and social movement studies, explanations for resisters' violent action can be grouped into two clusters.

The first exhibits a focus on the substance of actors, explaining their propensity to act as informed by their properties (Sageman 2004; Piazza 2009; Wood 2014). While undoubtedly valuable, those *substantial* explanations tend to neglect dynamics of interaction causing variance in conflict behaviour. Such dynamics are, in turn, taken for granted in *relational* explanations, analysing violent action as a competitive interplay between resisters, their antagonists and/or the audience(s) (Malthaner 2012; Beck and Werron 2013; Lindekilde 2014; Asal, Conrad, and White 2014). Indeed, perspectives considering that the entities in a conflict triad influence each other's actions have greater potential for explaining behavioural variance. However, such analyses are usually confined to the relations of a 'closed polity' (Gleditsch 2007, 294), neglecting the fact that interactions often transcend nation states' borders.

Fortunately, transnational perspectives are increasingly addressed in the literature, expressed by a growing interest in the causes and forms of cross-border cooperation between (violent) resisters and its effect on actors' lethality and longevity (Checkel 2013; Phillips 2013; Horowitz and Potter 2013; Bakke 2013). Some of these aspects are relevant for us, but they must be complemented with new ones for two reasons: First, we do not analyse why and how cooperation takes place, but how and with what effects; second, we try not to quantify the effects of cooperation, but to understand the mechanisms of escalation by tracing the process between cooperative conditions and conflictual outcomes. To accomplish this, we have to integrate substantial and relational perspectives, since the 'black box' of mechanisms can be unpacked by anatomising how cooperative relations affect the properties of resisters and thus their practices in conflictual relations (see figure 9.1).

Putting a premium on variation, we try to avoid reification. This considers that resisters commonly labelled as 'armed groups' or 'terrorists' are not violent per se—and not solely violent (Tilly 2004). Rather they can exhibit strategic changes in the course of their evolution; as well as violent tactics

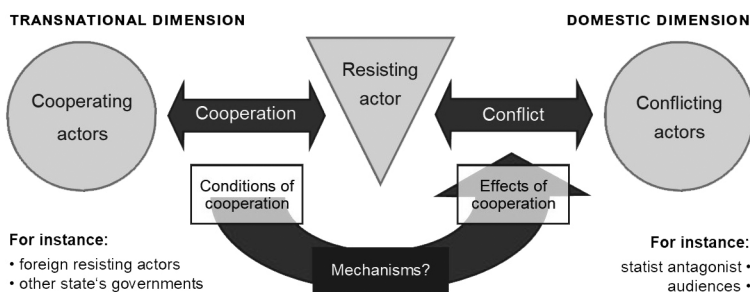


Figure 9.1. What We Are Asking For: How Transnational Cooperation Affects (Domestic) Conflict

may be just one option an actor has chosen—among others, also non-violent ones—out of the repertoire of action. Accordingly, we speak of escalatory resistance when resisters' practices contain (temporarily) the use of political violence, that is physical force 'to affect or resist political, social, and cultural changes' (Bosi and Giugni 2012, 85). Moreover, escalation has to be understood not just as a mode of resistance, but also as a process, since it takes place in a relational field with multiple actors. Resisters, for instance, not only fight a state but also aim to mobilise 'a third, purportedly interested party' to gain support and legitimacy (Münkler 1992, 167). Thus, the actor may not only react with violence to the antagonist's (violent) actions but may also increase or decrease their violence depending on the stance of the audience. From this perspective, the mode of resistance can oscillate, more or less, between contestation and escalation.

Escalation *as a process*—that is, 'increase(s) in the intensity or scope of conflict' (Morgan et al. 2008, 8)—have thus to be understood relationally since asymmetric conflicts generate dynamics due to interactions within the conflict triad. However, actors' substantial properties should also be considered since they constitute a mutual relationship with those interactions. On the one hand, they 'act as filters for strategies' and inform an actor's interactions; on the other hand, they can change in the process of interaction (Meyer and Staggenborg 2012, 10). For an extensive understanding of escalation processes, it would therefore be necessary to analyse the relations between all conflict actors against the backdrop of their respective properties. For reasons of analytical clarity, however, we focus on resisters' properties and interactions, examining their *contribution* to escalation. Concretely, we pay attention to relational influences changing the actor's properties in a way that triggers an intensification of violence (vertical escalation) or its spatial broadening (horizontal escalation) (Morgan et al. 2008, 18; Zartman and Faure 2005, 7).

Simultaneously, these influences cannot be confined to the (domestic) conflict triad, since resisters' properties change due to transnational interactions too, thus causing a variance in their employment of violence (see generally Kaiser and Marcks 2016). It is this process where we locate the transnational mechanisms of escalation. More concretely, the changing properties of a resisting actor are understood as a hinge between cooperative and conflictual dynamics, meaning they now merit further specification. Here, of course, various properties could be plausibly classified as filters for the effects of transnational cooperation. However, to keep the analysis manageable, we focus on just three variables: ideology, resources, and organisational structures.

(1) *Ideology* is a key property since it structures the options for action and contains information for whom someone fights and who is perceived as legitimate target of violence (Sanín and Wood 2014; Biene, Kaiser, and

Marcks 2017). Depending on ideology, a target mode can be either selective or categorical as well as directed against a near or far enemy (Goodwin 2006, 2030–31; Drake 1998, 56). (2) *Resources*, in turn, as money, weapons, and manpower, but also intangible ones as expertise and information, are means both enabling and constraining action (McCarthy and Zald 1977; Freeman 1979). It stands to reason that it depends on the availability of certain resources whether violence can be intensified or spatially broadened (Cragin et al. 2007). (3) *Organisational structures*, finally, crucially affect actions (Meyer and Staggenborg 2012, 16). The degree of geographical expansion may influence the possible radius of violent action, while the ability to use violence intensively depends on the degree of functional differentiation (Schneekener 2006, 44).

As for cooperation itself, we define it as a situation in which at least two actors interact to achieve a mutually acceptable goal (Keohane 1984, 51; Bacon 2013, 13). For cooperation to take place, it is thus necessary that two parties deliberately collaborate in one way or another. This collaboration can take place in three domains: (1) *Ideational cooperation* is given when resisters deal with the ideas of others, declare solidarity with each other, propagate common claims, or embrace another's cause. (2) *Material cooperation*, furthermore, takes place when resisters trade weapons with each other, transfer money and other goods, or send fighters for support. (3) *Institutional cooperation*, in turn, manifests itself in routines of exchange, the use of shared logistics, the coordination of joint actions, or the establishment of joint decision-making structures.¹

We assume that in every domain a specific mechanism is potentially active that can influence a property (see figure 9.2). Accordingly, escalation can take place in three ways: (1) A *diffusion* of ideas changes an actor's ideological perspective on who should be targeted. This mechanism leads to escalation if it transforms a selective targeting mode to be more categorical and/or

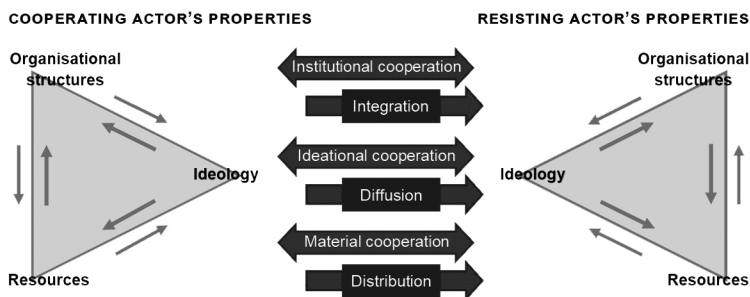


Figure 9.2. Domains of Cooperation and Mechanisms of Escalation: How Properties Become Affected

if it includes more distant targets. (2) A *distribution* of resources changes an actor's capacities to pursue their goals. This mechanism leads to escalation if it increases the intensity of applied violence and/or if it means that attacks are thus directed to more distant targets. (3) An *integration* of organisational structures changes an actor's opportunities to act in a coordinated way. This mechanism leads to escalation if it launches more destructive strategies and/or if it expands the scope of violence.

For a more in-depth exploration of these mechanisms, we will conduct three longitudinal studies on past and present cases of violent resistance that differ in their substantial properties, geographical location and conflictual context. In doing so, we will draw on the method of process-tracing, that is, the 'analysis of evidence on processes, sequences, and conjunctures of events within a case' (Bennett and Checkel 2014, 8). We will do this in the form of a 'structured, focused comparison' (George and Bennett 2005, chapter 3), allowing us to identify 'potential causal configurations' (Blatter and Haverland 2012, 200) and to put forward generalisable propositions that can be applied across cases. In this way, we should be able to learn more about the mechanisms that are located between the outcome (escalation) and the alleged condition (cooperation).

ATTACKS WORLDWIDE: THE CASE OF ANARCHIST TERRORISM

The first study deals with anarchist violence in the late nineteenth and early twentieth centuries. This phenomenon—a series of assassinations and attacks—is considered 'the first wave of modern terrorism' (Rapoport 2004), insofar as violent resistance took on a transnational dimension for the first time in history. It is closely connected to the 'propaganda by the deed', often understood as a violent strategy that had a considerable influence in anarchist discourses and continued to have an effect till the 1930s. Alone '[f]or the period 1878–1914 (excluding Russia) more than 220 people died and over 750 were injured as a result of real or alleged anarchist attacks throughout the globe' (Jensen 2014, 36). This transnational dimension also led states to fight it through international cooperation.

However, even if it was perceived by the public as a transnational conspiracy, '[t]here were . . . no systematic terrorist campaigns' performed by anarchists (Laqueur 2006, 14–15). Rather, the attacks were perpetrated mainly by individuals, so-called 'lone wolves' or 'free riders', in their local context. This makes anarchist terrorism a special case. Although there was hardly any material or institutional cooperation, escalation took place in transnational ways. This happened through the spread of a certain pattern of violence that

was identified with anarchism. Thus, to explain the global severity of anarchist terrorism, the transnational embeddedness of its actors with regard to their ideas and identities has to be clarified.

Originally, anarchism was established as a political movement in the context of the First International (1864–1878), thereby promoting labour unions and creating transnational structures. Following the harsh repression of this radical current of the labour movement, the anarchists were ‘forced to flee from public into the clandestine corner’ (Rudolf Rocker quoted in: FVdG 1919, 12), causing their transnational structures to rupture. A second turning point came in 1878, when several (attempted) assassinations occurred. Although just one of them can be classified as anarchist, many anarchists started to count such deeds as a legitimate or commendable method. Consequently, in 1881, an international congress in London—assembling the by now internationally fragmented anarchist scene—explicitly suggested ‘the study and application of [technical and chemical] sciences as methods of defense and attack’ against the ruling institutions (quoted in Cahm 1989, 158).

In doing so, the congress declared ‘propaganda by the deed’ the leading strategy of anarchism. This formula originally just meant the idea to ‘give [people] an understanding of socialism through action’ (Brousse 1877), but became, at this point, predominantly taken to mean that violent action ‘would inspire the working class . . . to undertake similar acts . . . , coalescing into a general insurrection’ (van der Walt and Schmidt 2009, 130). This was advocated transnationally by a number of anarchist publications, such as Stepniak’s *Underground Russia* (1883). Also prominent were some German (exiled) anarchists who favoured assassinations (Karl Heinzen), provided instructions for them (Johann Most), or even arranged them (August Reinsdorf).

A third turning point in the 1890s followed, when prominent anarchists turned away from the ‘insurrectionist’ strategy, including Most (1892) and Stepniak (1896), because of the repressive effects the public association of anarchism with ‘the individual bomb plotter’ had on the movement (Pelloutier 1972 [1895], 321). Especially in France, anarchists consequently turned back to the union tradition of the First International, making anarchism the leading force in the French labour movement. This success caused a broad transnational exchange on strategic experiences that resulted in a wave of ‘syndicalism’ accompanied by a stronger transnational cooperation that finally led to the founding of a new International in 1922.

However, with the strategic (re)turn to ‘mass anarchism’, the terrorist approach did not fade away. The insurrectionist strategy was continued by, for instance, Luigi Galleani in the United States, who advocated the use of bombs (e.g., Galleani 1905). His adherents were held responsible for the heavy attack on the New York Wall Street in 1919. Further, there was the

Culmine group around Severino di Giovanni that advocated insurrectionism in Argentina in the late 1920s and perpetrated bomb attacks, for instance, on the U.S. embassy. These onslaughts resemble a more intense form of violence than the typical anarchist assassinations. However, although perpetrated by groups and not individuals they were far from being organised transnationally—a predicate reserved for mass anarchism.

From this storyline, it is possible to make some observations on the relationship between transnational cooperation and escalation. Around the second turning point, ideational cooperation—in the form of transnational discourses channelled by anarchist print media—enabled the diffusion of ‘propaganda by the deed’. This was solidified through institutional cooperation, albeit low-level, when a common congress resolution pushed the movement onto the insurrectionist track. Insofar as anarchists actually skipped to this violent strategy, in practice this means a vertical escalation, and insofar as it happened in different countries a horizontal escalation as well. However, around the third turning point, transnational cooperation had a de-escalating effect—vertically and horizontally. The intensified institutional cooperation enabled processes of learning, fostering the rejection of a violent strategy in many countries and supporting the diffusion of the syndicalist idea that was closer to the mode of contestation. In contrast, those who declined to participate in the integration of organisational structures not only maintained ‘propaganda by the deed’ but even escalated violence vertically.

These observations are certainly not sufficient to explain the broad dynamics of the ‘anarchist wave’. While it may seem obvious that the phenomenon of assassinations is the practical implementation of violent ideas anarchists advocated, channelled through transnational structures and modern means of communication, there are indications that this widespread assumption (exemplary Kassel 2009) is a fallacy. As suggested earlier, most ‘anarchist’ assassins not only had fewer or no connections to organised anarchism (lone wolves), but many of them only referred to anarchism to give their deeds a greater meaning (free riders). Furthermore, ‘propaganda by the deed’ was only promoted for a short period by prominent anarchists, yet the wave of assassinations continued for some decades.

Therefore, a look at the behaviour and confessions of perpetrators could be illuminating.² Against usual assertions that anarchist terrorism exhibited a categorical character, using ‘senseless’ and proactive violence, in the hope of achieving spectacular effects (Waldmann 1998, 49; Gelvin 2008, 574), the vast majority of attacks were highly selective. This selectivity arose from the fact that most assassinations were perpetrated reactively, directed against specific individuals of the ruling apparatus made responsible for (bloody) repressive acts in social conflicts (Marcks 2019). Thus, it is not plausible to conceptualise (all) the perpetrators as agents of the advocates of violence

since their motive of spontaneous revenge does not reflect the strategic calculus behind 'propaganda by the deed'.

In conclusion, an alternative explanation reads that many assassins were inspired by the image of anarchism generated in the media. The spread of the assassination pattern can, therefore, be described as indirect diffusion. This diffusion was possible due to the actors' perception of rule. Based on a transnational class identity, they saw themselves in a common struggle with their equivalents in other countries against the ruling order and emulated their pattern of action for their own context. This unilateral affiliation is not cooperation in the common sense of the word but appears functionally as such. Consequently, a virtual alliance deriving from such a spread of action patterns can be perceived by the public as a transnational conspiracy.

NATIONAL LIBERATION IN MOZAMBIQUE: THE CASE OF FRELIMO

The second study analyses the armed struggle for national liberation in Mozambique from 1964 to 1974. Representing the 'anti-colonial' wave, it concentrates on the central resistance actor: the Frente de Libertação de Moçambique (Frelimo). From the start, transnational cooperation played a key role in the evolution of its armed struggle. As early as the 1950s and 1960s, student groups abroad, solidarity networks, and various international organisations and conferences served as a platform that enabled leading representatives of the movement to organise their struggle. Simultaneously, the struggle developed from a peaceful contestation into an armed conflict with the Portuguese forces. This escalation ended in 1975, when Frelimo established itself as the ruling party of independent Mozambique.

In contrast to other colonial empires after World War II, political organisations could hardly evolve inside the Portuguese colonial societies due to the harsh repression by the fascist regime and its secret police (Munslow 1983). Mozambican nationalism was thus only expressed through cultural activities and associations. They were carried by a small elite—mainly so-called *assimilados*³—that tried to (re)construct an 'African' identity and culture. Although these local forms of cultural contestation were preconditions for the establishment of nationalist resistance, its actual formation took place through two distinct but parallel processes on the transnational level.

On the one hand, in the late 1950s, Mozambican migrant workers in South Africa and Mozambique's neighbouring British colonies—today's Zimbabwe, Zambia, Malawi, and Tanzania—formed workers' unions that were inspired by their Anglophone counterparts as the Tanganyika African National Union (TANU). Three independence movements that developed out

of such unions (MANU, UDENAMO, UNAMI) later merged into Frelimo, founded in 1962 in Dar-Es-Salaam (Henriksen 1983, 17–28; Munslow 1983, 66–78; Reno 2011, 52–68). In particular, the contacts established with TANU authorities facilitated Tanzania's support of the struggle in Mozambique. Under President Julius Nyerere, a founding member of TANU, Frelimo could use Tanzanian territory as a sanctuary as well as a civil and military training ground throughout its struggle. This cooperation was further facilitated on the local level by a transnational (ethnic) identity among the Makonde people, tied by kinship, a common language and cultural practices that transcended the borders established by colonialism (Cahen 2012).

On the other hand, the formation of the liberation struggle was induced by the fact that many *assimildos* went abroad to study at European and American universities (Mondlane 1969; Munslow 1983). It is not by chance that Frelimo's first president, Eduardo Mondlane, was a professor of anthropology in the United States, worked for the United Nations, and had studied in South Africa, Portugal, and the United States. He represents the type of cosmopolitan intellectual one can find in most anti-colonial movements. He gathered a group of Mozambican 'expatriates' around him who had been forced to quit their studies in Portugal since they were persecuted by secret police. During their years abroad, they had formed strong ties with activists from other (Portuguese) colonies and leftist European students (Martins 2001, 25–38; Mateus 1999, 65). In this milieu, activities led to a conflation of anti-colonial and anti-fascist resistance and thereby to a feeling of a joint struggle against the regime in Lisbon (MacQueen 1997, 19).

The formation and socialisation of this milieu clearly produced ideational cooperation, especially among the major movements in the Portuguese colonies (MPLA in Angola, PAIGC in Guinea-Bissau), but also with Franco- and Anglophone governments and movements. These networks were further institutionalised in 1961, with the installation of the Conference of Nationalist Organisations in the Portuguese Colonies (CONCP) in Rabat. This umbrella organisation brought international recognition and legitimacy for its members by coordinating their joint struggle and representing them at international conferences and organisations (Martins 2001, 130–39; Mondlane 1969, 212–14; Jesus 2006). Hence, institutional cooperation took place that went along with a partial integration of organisational structures.

Interestingly, members of this transnational milieu secured almost all the leadership positions in Frelimo, thereby marginalising their internal competitors. This allowed them to not only promote and establish a certain ideology of national unity within colonial borders, but also assured material support throughout later episodes of the struggle. For instance, weapons were distributed first from China and later also the Soviet Union to Frelimo. Its members received free civil and academic training in places as diverse as the United

States, the Soviet Union, Yugoslavia, China, and even Israel. Moreover, they were trained in joint military training camps in Algeria and Tanzania with Chinese military instructors. Processes of political socialisation hence led to ideational cooperation, enabled certain elements to take over the leadership, secured material cooperation in the forms of money and weapons, and resulted in the adaptation of certain strategies and tactics.

Five moments of escalation can be identified in the whole process. First, the very foundation of Frelimo was clearly a transnational process. The unification of smaller and relatively weak organisations as a unitary movement turned armed resistance from a utopian into a realistic option. Second, the Frelimo leadership was increasingly influenced transnationally by organisations such as CONCP and recruited mostly from a transnational milieu. This also favoured armed resistance, as it was mainly promoted by this milieu in opposition to traditional leaders opting for a peaceful transition (Opello 1975; Derluguian 2012). Third, civil and military training abroad created capacities that enabled and prolonged the armed struggle. Fourth, transnational pressure by CONCP and other African leaders seeking to involve the Portuguese army in yet another armed conflict accelerated the decision to start war in 1964. Fifth, the choice of a prolonged rural guerrilla war can be traced back to the experiences of Vietnam and Algeria transmitted via transnational networks. This choice even led to an integration of the political movements under the military wing of Frelimo in 1970, accompanied by a shift towards Marxist-Leninist ideology (Kruks 1987).

Unsurprisingly, the distribution of resources led to a vertical escalation throughout the conflict, as Frelimo started to use anti-aircraft weapons coming from the Soviet Union. Moreover, it contributed to a horizontal escalation, as the cooperation with Zambia allowed Frelimo to transfer weapons and troops through Zambian territory and open a new front in Niassa province. On the other hand, transnational cooperation also had a de-escalating character in the sense that the nationalist identity was complemented by a socialist and therefore explicitly non-racial one (Lourenço 2010, 81–84; Bragança and Wallerstein 1982, 15–20, 107–14). This more nuanced perception of rule may explain why Frelimo exclusively exhibited violence against military targets or infrastructure, but never resorted to a categorical targeting of white Portuguese or other civilians.

These moments of escalation were certainly not incentivised solely by cooperation. The decisions have to be seen mainly as a reaction to other actors, particularly of the Portuguese antagonist. However, the case of Frelimo proves that distribution enhanced its ability to pursue goals more vigorously (vertical escalation) and to broaden the operational scope (horizontal escalation). Further, integration pushed Frelimo to apply violent means, if not generally, then at least earlier than initially intended. Finally, it is suggested

that transnational cooperation might also be a de-escalating factor, since diffusion helped to produce a relatively selective targeting mode, at least preventing a (further) vertical escalation.

JIHADISM IN NORTHERN AFRICA: THE CASE OF AQIM

The third study deals with the organisation that, since 2007, has gone by the name of Al Qa'ida in the Islamic Maghreb (AQIM). This group, founded in 1998 as Groupe Salafiste Pour La Prédication et le Combat (GSPC), operates in Northern Africa and forms part of a transnational network that is identified with the Islamist wave. We consider three major changes in its development from 1998 to 2007: the restriction to guerrilla warfare in 1998, the 2003 turn to kidnapping for ransom, and the shift to suicide terrorism in 2007.

The GSPC has its roots in Algerian jihadism, a militant Islamist current strongly influenced by developments in Central Asia. In the 1980s, between 1,200 and 2,000 Algerians travelled to Afghanistan and Pakistan to join the jihad against the Soviet Union (Tawil 2010, 70). Even though most of these 'Algerian Afghans' did not fight, they internalised the burgeoning idea to confront not only 'infidel' occupiers but all 'apostate' governments (*ibid.*, 36–43). Those who returned applied this ideology back home. After the 1992 military coup, the bulk of them joined forces in the Groupe Islamique Armé (GIA) (Hafez 2000). Thanks to the 'Afghan' contacts, the GIA was embedded in jihadist networks spanning from 'Londonistan' to Afghanistan and providing it with legitimacy and resources. However, due to its excessive use of *takfir*—the verdict of (alleged) disbelief—and its often categorical use of violence, it lost national and international support at the end of the 1990s.

In 1998, hundreds of fighters led by GIA commander Hassan Hattab broke away and founded the GSPC. The new group rejected *takfirism* and pledged not to kill civilians (Guidère 2007, 63–65). Instead, it exhibited a nationalist-jihadist ideology committed to fighting the Algerian government. Indeed, in its early years, the GSPC exercised relative selectivity in targeting. Although its attacks caused civilian deaths, most operations targeted police and (para-) military forces. Some argue that Osama bin Laden supported the GSPC's foundation financially and logistically, thereby fitting it into this course (Tazaghart 2012, 72–80). However, it seems more likely that the GSPC was already in line with the ideology of Al Qa'ida (AQ) after rejecting the GIA's target mode (ICG 2004, 16). As a result, it was certified by leading jihadists in London, allowing it to take over the GIA's support networks in Europe (Steinberg 2005, 193). Thus, it was not transnational cooperation that incentivised de-escalation by diffusion. Rather, it was an ideological change

towards de-escalating policies that enabled ideational and material cooperation with transnational supporters.

In 2003, a change in the GSPC's strategy took place when a southern brigade abducted 32 European tourists. Instead of articulating political claims, the fighters demanded a ransom, thus manifesting a new method to generate income (Daniel 2012). Following this, the GSPC extended its activities in illicit trade and kidnapping to Northern Mali, Niger, Chad, and Mauritania (Pham 2011, 246; Guidère 2014). The roots of this 'criminal turn' date back to the year 2000, when Hattab—weakened and encircled in Northern Algeria⁴—decided to integrate Saharan criminal networks into the GSPC (Harmon 2010, 19; Black 2009, 10). These networks became crucial for acquiring income, weapons, and recruits (Guidère 2014, 5); and they enabled the usage of sanctuaries abroad, contacts with other criminals, and the control of illicit trade routes. Thus, the integration of organisational structures broadened the operational scope, allowed for new strategies, and ensured the distribution of resources.

Finally, in 2006/2007, a third change took place. First, the GSPC attacked a bus carrying employees of an Algerian-U.S. joint venture—the first time it acted to kill foreigners (Steinberg and Werenfels 2007, 409). Next, two car bombs were detonated in Algiers. This was not only the first coordinated attack by the GSPC, it was also the first suicide attack in Algerian history. As the organisation continued to employ such methods, these incidents initiated a vertical escalation that only became fully comprehensible in the context of 9/11 and the 2003 Iraq War.

Straight after 9/11, the Algerian government seized the opportunity to link its fight against the GSPC to the 'war on terror' and was supported by the United States and its allies, thus piling the pressure on the organisation. This fostered perceptions in the GSPC that the 'infidel' West were fighting Islam, aided by 'apostate' Arab governments. The idea was not new, but had hitherto been overshadowed by a nationalist orientation. Now it diffused more resonantly within the ranks of the GSPC, indirectly through (jihadist) media accounts and directly through returnees from Afghan camps and emissaries within its network with AQ, leading to internal rifts between GSPC's nationalist and pan-Islamist wings (Guidère 2007, 69–72; Harmon 2010, 15).

The following Iraq War was a rallying cry for jihadists across the globe and ultimately pushed the GSPC down the path of transnationalisation. In August 2003, its nationalist wing was already overruled and Hattab replaced as emir by the pan-Islamist Nabil Sahraoui. He immediately lauded bin Laden, apologised for the GSPC's reluctance to support AQ after 9/11 and pledged to do better (Guidère 2007, 78). In 2004, Sahraoui declared war on all Western foreigners in Algeria (Steinberg and Werenfels 2007, 409). Through these acts of ideational cooperation, the group's ideology increasingly framed the

struggle as a transnational one. This approximation towards AQ was further accelerated by Sahraoui's death and the installation of Abdelmalek Droukdel as his successor. In a first step, he hailed the deeds of jihadists fighting the Russian 'occupation' in Chechnya, who responded with sending solidarity addresses to Algeria, thus granting the GSPC credentials from the global jihadist community (Guidère 2007, 101). Subsequently, he turned towards Al Qa'ida in Iraq (AQI) after its inception in 2004.

The connection to AQI had multiple consequences. First, the GSPC was able to recruit Algerians, Tunisians and Moroccans enraged by the Iraq War, training them in Algeria or sending them to AQI camps (Tawil 2009, 1). Second, the ideational cooperation with AQI yielded legitimacy for the group at home and abroad, while the growing transnational identity of Algerian jihadists reinforced the diffusion of AQ's ideology (Guidère 2007, 22). Third, the GSPC acquired organisational skills and emulated AQI tactics, such as the preparation of suicide attacks, the improvisation of explosives and the coordination of attacks. Fourth, this 'public partnership in terror' (Filiu 2009, 221) put the GSPC on course to join AQ (Tawil 2009, 1). This began in 2005 with a call to all Muslims to follow bin Laden and their first attack outside Algeria for the cause of global jihad (Guidère 2007, 103), leading to AQI's recognition of the GSPC as 'the leader of the jihad in the Maghreb' and the proposal to include it into AQ (*ibid.*, 112). Finally, on 11 September 2006, AQ announced the 'blessed union' with the GSPC, calling it 'a bone in the throat of the American and French crusaders' (quoted in Pham 2011, 240). Two days later, Droukdel pledged allegiance to bin Laden, and in January 2007 the new name AQIM was made public.

In conclusion, the three changes in GSPC/AQIM's violence are products of multiple, interacting mechanisms set off by transnational cooperation. While some mechanisms show short-term effects, others have lasted for years. Moreover, cooperation effects depend on specific circumstances (as the transformative events of 9/11 and the Iraq War) and conditions (as severe repression and internal conflicts).

FROM COOPERATION TO CONFLICT: COMPARING CONCLUSIONS

The aim of this chapter was to analyse how transnational cooperation can contribute to escalation. In developing an analytical framework, we have drawn on literature accounting for the variation of conflict behaviour. By arguing that processes of escalation are products of both the dynamics of interaction (domestic and transnational alike) and actor's properties, we integrated substantial and relational perspectives into a true transnational one.

From this perspective, resisters' properties—ideology, resources and organisational structures—are understood as a hinge for transmitting the dynamics of cooperation into the relational field of conflict, that is, the interaction of rule and resistance. This occurs because the properties of an actor shape their action in the conflict context, and simultaneously, they can change due to cooperation—thus causing a variance in the use of violence (see figure 9.3).

At the heart of this framework is the concept that in different domains of cooperation (ideational, material, and institutional), three different mechanisms can be activated that influence an actor's properties. The three mechanisms are the diffusion of ideas, the distribution of resources and the integration of organisational structures. Three case studies were used to explore specifically how those mechanisms can trigger a horizontal and/or vertical escalation: anarchist terrorism in late nineteenth to early twentieth centuries, Frelimo's liberation struggle in the 1960s and 1970s, and the jihadist struggle of the GSPC/AQIM in northern Africa at the turn of the millennium. As these are cases of escalation that differ considerably in their geographical and historical setting, the comparison of the empirical results points to generalisable configurations which can tell us more about how transnational cooperation affects (violent) conflict interaction.

First, the comparison shows that transnational material cooperation is a common practice in asymmetric conflicts that activates the distribution of resources like weapons, money, or recruits. While these resources can secure the existence of resisters—as in the case of GSPC/AQIM—and allow them to employ established strategies and tactics, they can also trigger escalation. The case study of Frelimo indicates that the distribution of weapons and provision of sanctuaries allowed the anti-colonial movement to pursue strategies and tactics it had developed before but was unable to implement. Moreover, as exemplified by the case of the GSPC/AQIM, a perpetuated distribution of resources—often accompanied by organisational integration—can facilitate processes of diffusion. For instance, it sets off sub-mechanisms of diffusion,

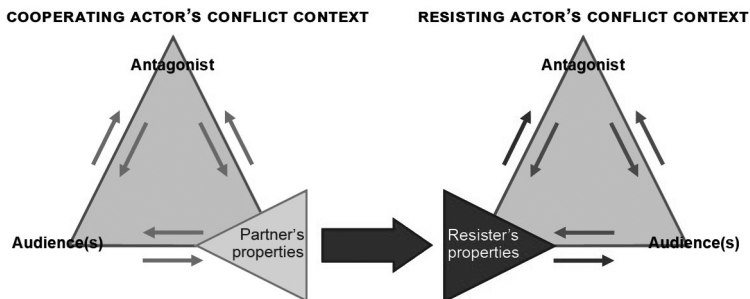


Figure 9.3. From Context to Context: Cooperation's Influences on Conflict

as learning or persuasion, when material cooperation leads to increasing dependencies and thus a loss of autonomy.

Second, institutional cooperation can activate the integration of organisational structures. How this process unfolds and what consequence it brings about depends on the ideological affinity between the cooperating partners. While the proposition that integration expands the operational scope of resisters by enabling horizontal escalation, as in the case of the GSPC/AQIM, is very plausible, the answer to the question how it sets off sub-mechanisms of diffusion is more complicated. For instance, the actual ways diffusion takes place seem to depend on the degree of integration. While little to no integration only allows for the emulation of tactical and strategic ideas, a higher degree of integration enables learning, persuasion, or even coercion to occur. Whether such processes lead to escalation or de-escalation depends on the ideology of the partner: While a certain ideology might set in motion the launch of an armed struggle (Frelimo) or its escalation (GSPC/AQIM), it can also incentivise restraint by promoting more moderate strategies of contestation (anarchist terrorism). Likewise, it can curb violent resistance by complementing a nationalist ideology, usually correlating with more categorical targeting, with ideological elements, like socialism, favouring selective targeting (Frelimo).

Third, our results show that ideational cooperation activates diffusion processes that can significantly affect violent action. The case studies point to two scope conditions facilitating such processes. The first condition is a situation of weakness, as when the GSPC/AQIM was suffering repression, lacking societal support and on the verge of collapse around 9/11. Moreover, diffusion depends on some degree of self-identification by resisters with their distant 'partner' and their ideas. In the case of anarchist terrorism and GSPC/AQIM, it is a complementary perception of rule that fulfils this necessity. Anarchists considered themselves to be in a joint struggle against a common enemy. In the absence of direct links, diffusion mainly took place via the emulation of a dominant pattern of action (assassinations) and its application to other (local) contexts. However, the character of diffusion changes if direct links are present, as in the case of material or institutional cooperation. In such cases, diffusion can take place through learning or persuasion as happened with the GSPC/AQIM allying with AQ. In the case of increasing dependencies, diffusion may also be characterised by coercion. Whether diffusion triggers escalation or de-escalation depends on the ideology, including the strategic framework, of the actor that is transmitting the ideas. Furthermore, an actor might be influenced by parallel processes of diffusion at the same time. In the case of Frelimo, a nationalist ideology took hold of the movement that one would expect to lead to a more categorical targeting

mode, but at the same time, transnational socialisation and material dependencies on the 'Eastern Bloc' led to the diffusion of a socialist ideology that tends to favour selective targeting.

Fourth, our analysis revealed both the role of alternative processes and transformative events. To begin with the latter, transformative events have a major impact on violent resistance because they affect the context in which resisting actors act. For instance, while 9/11 led to an increase in (international) repression of the GSPC/AQIM and changed the resisters' perception of rule, the Iraq War enraged the organisation's domestic constituency and offered the opportunity to both recruit and cooperate materially and institutionally across borders. In the case of anarchist terrorism, it was severe repression by the state(s) against the whole anarchist movement that allowed the idea of 'propaganda by the deed' to flourish transnationally. Different forms and degrees of (violent) state repression thus played a major role in all cases. The behaviour of the antagonist is therefore a crucial part in processes of escalation that cannot be excluded.

However, the strategic, tactical, and methodological forms violence takes are basically informed by the properties of resisters. Properties such as ideology, resources, and organisational structures can change due to transnational cooperation that enables the diffusion of ideas, the distribution of resources, and the integration of organisational structures. Moreover, the concrete effect of one of these mechanisms is dependent on whether and how it interplays with one or both of the other mechanisms. Above all, ideology proved to be the key property. It informs not only the methods of cooperation but also how resisters acquire and employ (altered) resources or use (modified) organisational structures.

NOTES

1. For a similar classification of cooperative domains—distinguishing between ideological, logistical, and operational cooperation—see Karmon 2005.

2. This cursory look is based on a sample of information on about 150 (proto-) anarchist assassinations in the period from 1878 to 1934, including motives, causes, affiliations and commitments.

3. The strategy of assimilation was developed to 'civilise' and incorporate a small native elite that was given the opportunity to enjoy higher education and occupy lower-ranked positions in the colonial administration. It was officially introduced in 1921 in the Portuguese colonies (Munslow 1983, 63).

4. Even though GSPC was the strongest Algerian jihadist group, in the early 2000s it suffered from repression, defections and a lack of societal support (Guidère 2007, 66; Steinberg and Werenfels 2007, 408).

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Part III

EXIT

Introduction to the Section by Victor Kempf and Philip Wallmeier

In September 2011, a bunch of hippies and dropouts began to occupy Zuccotti Park at Wall Street, New York City, thereby sparking the so-called Occupy movement. Their way of protesting against neo-liberal capitalism was confusing for many commentators. While activists of the so-called ‘inner movement’ persistently refused to articulate political demands that address established institutions, it was nevertheless obvious that how they assembled and created ties to each other was deeply political in character. The refusal of capitalist competition and the desertion from political representation, that has been typical for many experimental forms of life since the 1960s, was transposed into a collective experience of resistance against what they refused. For a moment, the culture of withdrawal lost its harmless face by exposing its conflictual relation to both the logics of capitalism and the forces of the state.

However, it remains highly disputed in political science whether practices of refusal, withdrawal, and exit—like alternative communes, ecovillages, or the rediscovery of ‘the commons’—are to be considered forms of political resistance. Whereas the resistant nature of contestatory and escalatory forms of activism is beyond doubt, the view prevails that acts of withdrawal mostly amount to an individualised and dispersed escapism, thus lacking any dimension of resistance and even collectivity.

In this section, we want to challenge this dominant view by asking if and how practices of refusal and withdrawal can be conceptualised and enquired as forms of resistance. Even though largely ignored by social movement and resistance studies, there have been promising attempts in contemporary political theory to conceptualise refusal as resistance we can build on. Generally speaking, there are two traditions of thought that are most relevant for us. One is centred on the distinction between ‘voice’ and ‘exit’ that was prominently introduced by Albert O. Hirschman in 1970. While ‘voice’ refers to

the collective articulation of demands towards authorities, 'exit', in contrast, entails leaving or escaping from an unfavourable situation. While Hirschman maintains that both options are *a priori* equally rational, he claims that the exit may sometimes be the more radical response to social or political problems because it ends the conversation. Another line of thinking starts from the Jewish notion of 'exodus'. In his reading of the biblical story of exodus, Michael Walzer is able to uncover its political meaning that lies at the core of all revolutionary movements in history.

According to Walzer, 'Leaving Egypt' was not a move beyond politics and towards God. Even though this messianic meaning is prevalent in the theological narration of exodus, the story is also about a this-worldly endeavour towards new forms of community and political subjectivity. From this perspective, the exodus is tantamount to radical resistance through the invention of alternative forms of life. Famously, Antonio Negri and Michael Hardt use the term 'exodus' in a similar vein. For them, inherent to the movement of exodus is a moment of 'constituting power' that establishes radically new forms of sociality. With reference to the work of Gilles Deleuze and Felix Guattari, the movement of seemingly dispersed singularities that flee from something in a chaotically and disorganised way is decoded as a rhizomatic intersubjectivity that resists rigid 'apparatus of capture' exactly by being rhizomatic, unstructured, spontaneous, and floating.

However sophisticated and advanced, the theoretical notions of exit or exodus leave us with open questions that call for both empirical scrutinising and further conceptual clarification.

- **Collectivity:** How is it possible to interpret acts of refusal that often occur individually as part of broader social interrelations? Can we make sense of them as expressions of new political subjectivities beyond traditional forms of collective organisation? What is political about acts of refusal, what makes them an object of political science instead of being only relevant from the perspective of art and literature that is more sensitive to the idiosyncratic?
- **Conflictuality:** In which way are practices of refusal that always consist in leaving a certain situation also resisting practices? Which kinds of obstacles have to be overcome by those who refuse? In which struggles are those who refuse immersed? Why is withdrawing resisting instead of being only one possible and permissible choice among others in a liberal society that tolerates any kind of behaviour as long as it does not conflict with the law?
- **Interaction with Rule:** How do practices of refusal interact with structures and actors of rule? Since those practices are defined as consciously refraining and escaping from any kind of interaction with rule, this question seems at first sight somehow misplaced. However, we think that this refraining

from a dialectical relation with rule should also be analysed carefully in order to understand the motifs and modes of refusal properly. Additionally, while refraining from this interaction, the refusing actors often remain captured and caught by structures of rule, ideological discourses, cultural patterns, and so on. In this sense, trying to refrain from interactions with rule may itself be a conflictual interaction that should be analysed in order to avoid romanticising refusal as something pure and detached.

Our section is composed of four chapters that reflect on practices of refusal as resistance.

Philip Wallmeier and Maik Fielitz reconstruct the U.S. communal tidal wave in the 1960s as a radicalisation of mostly young people who were increasingly dissatisfied with the opportunities of 'voice' offered by the political system and thus chose 'exit' as their way of protest. While highlighting 'exit' as an alternative path of 'radicalisation' that is often disregarded, Wallmeier and Fielitz also argue that the communards in the 1960s remained rather individualised and dispersed, thus pre- or unpolitical in character.

Ferdinand Stenglein's chapter offers ethnographic insight into the life-world of alternative communes in contemporary Germany. He focuses on how communards attempt to escape the capitalist logics of property and value through developing new forms of individual and collective subjectivity. In doing so, Stenglein especially enquires the ethical dispositions that becoming a communard requires and how those dispositions conflict with the constitution of bourgeois subjectivity.

Rina Ramdev discusses Arundhati Roy's activism and self-understanding, focusing especially on the activist's claim to be a 'mobile republic' and to secede individually from India. Through an in-depth engagement with Roy's political writing, she teases out the possibilities and paradoxes of an individual's decision to secede. Which political community is Roy then part of and which right and norms can she thus invoke?

Victor Kempf asks how to theorise practices of anti-capitalistic refusal properly. He focuses on Antonio Negri's and Michael Hardt's Workerist notion of 'exodus' and discusses both the strength and the shortcomings of this concept: While this concept makes visible the collective and thus political dimension of practices that are often dismissed as individualised forms of escapism, the Workerist idea of 'exodus' is nevertheless unpolitical because it neglects the antagonistic character of withdrawing from neo-liberal capitalism. Kempf argues that therefore the Workerist notion is unable to grasp the conflictual interaction with rule that deeply affects the subjectivity of anticapitalistic refusal.



Chapter 10

Withdrawal as Dissident Politics

Philip Wallmeier and Maik Fielitz

One often hears that people turn to radical or revolutionary political action when they become stuck in an unbearable situation and see no (politically) legitimate channel to make their voices heard. Because they see ‘no other way out’, as the sociologist Jeff Goodwin (2001) puts it, people turn to political violence. This prevalent understanding of what radicalises attitudes and actions, however, obscures another, equally radical—though not necessarily apparent—reaction when conventional expressions of opposition are impeded: withdrawal¹ from a political order, its institutions, and its ways of life. This alternative entails building communities apart from state control and capitalist constraints. Often dismissed as escapist, this form of resisting political rule was long viewed as non- or even anti-political, as it allegedly avoids conflict and foregoes confrontation with a political system (see Mouffe 2009). Beside radical violence, we introduce non-violent withdrawal as a form of dissident resistance.

This is not an entirely new proposal. Michael Walzer argues in his political interpretation of the Exodus story that withdrawal, not violence or attacks on the state, is deeply woven into the grammar of what we call revolutionary political action. The Jewish Exodus from Egypt, according to Walzer (1985, 124), is *the* paradigmatic story of revolution. The Jews were stuck in dire conditions without any (politically) legitimate way of criticising their subjugation, but they did not resort to violence. Rather, they left Egypt behind and wandered through the desert. Beyond this biblical story, there are many other examples of people and groups withdrawing from the political arena to realise their ‘radical’ or ‘revolutionary’ ambitions. These range from the Zapatistas in Chiapas and the occupations in the *Zone à Défendre* in north-western France to the back-to-the-land communes in the 1960s in the United States, which are the focus of this chapter. Walzer helpfully reminds us that

people faced with oppression also have the option to leave, to desert, and to withdraw. Often enough withdrawal is not escapism or acquiescence, but a mode of radicalised critique in its own right.

This is also mirrored in Albert Hirschman's (1985) famous dichotomy of reactions to social and political hardship: one can either speak up collectively (voice) or leave quietly (exit). While the former has received abundant attention in studies on social movements, radicalisation, and terrorism, this chapter examines how some people radicalise by withdrawing from institutions and the state. In order to provide an empirically rich account, we draw on insights from the sociology of critique and analyse a relatively prominent example of withdrawal as radical critique: the American communards of the 1960s and 1970s.

This is an important undertaking for two reasons. First, from a diagnostic point of view, analysing exit as a radicalisation of critique reveals that strong discomfort with the status quo may be more widely shared than the frequency of publicly visible outbursts of physical violence and mass protests suggests. Second, from an analytical point of view, this essay may serve as a helpful reminder to those who understand 'radicalisation' solely in terms of political violence in the form of extremism or terrorism. If 'radicalisation' is to be understood as a radicalisation of critique—a turn from politicising single issues towards more systemic critique—it must also be explained as part of a dynamic interaction between rule and resistance. Attempts to understand why people opt for dissident violence or dissident withdrawal are well advised to consider these more systemic reasons.

In order to explicate why some radicalise by withdrawing from institutions and the state, the first section of this chapter opens with a conceptualisation of withdrawal based on Hirschman's distinction between voice and exit. We then recast the concept of radicalisation to encompass both options. Building on this conceptualisation, we then describe the methods and data underlying this study. We probe our conceptual apparatus and scrutinise its implications by engaging with a prominent example of withdrawal as radical resistance: the 1960s communes in the United States. We analyse the communards' practices of justification and reconstruct how this resistance relates to structures of rule. We conclude with lessons about the character of withdrawal and argue for a more nuanced understanding of radicalism and radicalisation.

CONCEPTUALISING WITHDRAWAL AS DISSIDENT POLITICS

In the social sciences, radical political action is generally equated with disruption as a means of articulation. One perennial touchstone is Albert

Hirschman's differentiation between voice and exit, which has been applied to various forms of uprising throughout the world. Hirschman (1985, 3–5) refers to voice and exit as two activist reactions to discontent. He defines voice as 'any attempt to change, rather than to escape from, an objectionable state of affairs, whether through . . . appeal to a higher authority . . . or through various types of actions and protests' (ibid., 30). In public discourse, voice was later applied to dissidents in communist dictatorships who shook the Iron Curtain as well as to the activists of the Arab Spring who vexed their authoritarian rulers. Exit, by contrast, entails leaving or escaping from an unfavourable situation and has occasionally been applied to flight and emigration.

For Hirschman, exit and voice are equally rational and can both be effective in dealing with an unfavourable situation. According to his framework, they differ in three dimensions. First, exit is an individual action carried out privately, while voice is often collective and carried out publicly. Second, voice aims at improving an unfavourable situation, while exit is not (necessarily) thus motivated. Third, voice needs to describe and define what it criticises, while exit needs not be specific (Hirschman 1986, 77). This differentiation already suggests why social scientists tend to gravitate towards voice while the exit option is forgotten and neglected (cf. Snow 2004). Disciplines dealing with popular unrest and social change are based on the primacy of language and speech, they focus on critique addressed to a broader public, and they ignore 'silent' bodily activities that are—consciously or not—classified as private gestures irrelevant to broader phenomena of resistance (see Wallmeier 2017, 149–50). In contrast to this understanding, we look at exit strategies from the actors' perspectives. It should come as no surprise that an understanding of withdrawal as dissidence and a radicalisation of critique requires us to conceptually revisit exit.

In order to grasp how exit can represent a radicalisation of critique, we follow Christopher Daase and Nicole Deitelhoff's (2018) differentiation between opposition and dissidence. According to them, opposition criticises specific policies from within a political order by using the means and channels conventionally available; dissidence, by contrast, criticises a political order in its entirety from without by using unconventional means. Building on this differentiation, we emphasise in this chapter that, not only do disruptive and terrorist actors exercise dissident modes of resistance but so do people who withdraw and thereby aim to overcome their 'complicity' with any practice that feeds the prevailing political order. Movements attempt to break with the (supposed) logic of a political system by seceding from and refusing conventional politics (be it violent or non-violent). From this perspective, radicalisation can then be understood as a change in the practices and orientations of resistant actors. They shift from opposition to dissidence.

This understanding parallels the dominant understanding of ‘radicalisation’. Radicalisation evolved as a key concept in the social sciences after 9/11 and 7/7. Immersion in extremist ideology and the adoption of violent means are considered the two main characteristics of radicalisation (Khosrokhavar 2017). While this concept provides a useful lens to understand, in Neumann’s (2008, 4) words, ‘what goes on before the bomb goes off’, its singular focus on violence skews the view of political change. Not only does this lens see political change primarily in terms of security, it sees ‘radicalisation’ only as people and movements turning from contestation to violence. The turn from contestation to withdrawal, however, appears in such literature as the *opposite* of radicalisation. While ‘exit’ commonly denotes *de*-radicalisation of members of terrorist or violent groups (cf. Köhler 2017), this usage is problematic because it overshadows the radical and often revolutionary ambitions that accompany some acts of withdrawal. We, however, are interested in ‘radicalisation’ as a turn to ‘radicalism’. Building on Schmid (2013), radicalism has two main characteristics. First, radicals advocate sweeping political change because they find the status quo (or existing changes already underway) unacceptable. Second, the means to bring about systemic transformation can be non-violent or violent, but they are unconventional in the context of the particular circumstances and political situation. A radical movement, in the terminology of this book, always practices ‘dissident resistance’ (see the introduction to this volume).

This reconceptualisation allows a more precise articulation of the difference between oppositional and dissident forms of resistance as well as of the similarities between militant dissidents and dissidents who withdraw. While oppositional actors often focus on specific injustices and individual issues, dissident actors are disillusioned by the entire system and formulate a holistic critique in response. They refuse to make demands towards institutions and the state because they view these as part of the problem, not the solution. Dissidents do not seek dialogue with the state because their action is informed by a comprehensive renouncement of conventional modes of conflict resolution. Violence is one means to refuse complicity with existing rules. Withdrawal employs different means but the same logic. By moving beyond the prevailing political order, withdrawal is another way of refusing complicity with existing rules and even goes beyond the militant solution. Withdrawing dissidents tend to regard ruling and violently resisting actors as two sides of the same coin; they are considered mutually constitutive. The withdrawal we have observed is, thus, a double secession: it tackles the rule of the state and capitalism by defying its norms and institutions while simultaneously dismissing militant repertoires as mere theatrics because militants are not willing to overcome the violent logics of the political order. In order

to illustrate this understanding of withdrawal as dissident politics, we analyse a prominent case: the communes of the 1960s.

METHOD AND DATA

We aim to understand the 1960s communards' practices as a radicalisation of critique by building on the sociology of critique, especially as articulated by Luc Boltanski (Boltanski and Thévenot 2006; Boltanski and Chiapello 2007). Following Boltanski, we understand the formation of critique as a process on two levels (Wallmeier 2017, 150–53). On the first, personal, level, critique is acted out bodily when actors' lives can no longer continue as before. This shift is often prompted by indignation. In a second step, however, the individual must generalise her suffering, translate her personal sense of indignation into a problem of general concern. This means that the critic must refer to societal ideas, norms, and values of some kind in order to convince others that her particular indignation is not just an unfortunate private incident or tragedy, but rather part of a general social or political pattern. By referring to societal norms and values, actors can establish a collective capable of practicing resistance. In this framework, an 'oppositional' critique would reference norms and values that are institutionalised in the circumstances in a politically legitimate way. A radical critique, on the other hand, would criticise the situation with reference to norms that are foreign to those circumstances and perform this critique in an unconventional or seemingly illegitimate way. Radicalisation refers to a shift from one kind of critique to the other.

We reconstruct the practices of critique of the 1960s communards through an in-depth analysis of the magazine that served as the major medium of communication in the scene: *Communities Magazine*. First, we read the magazine while focussing on how critique is expressed and on information about the communes. Relevant passages were highlighted (until 1975, issue 20 of *Communities*). Second, we revisited the highlighted passages to assess their importance for the justification of the communards' actions.² The result is a reconstruction of the worldview and understandings of communards based on an interpretation of their own justifications. Building on this analysis, we interpret how their justifications of resistance relate to the ruling order. This allows us to establish whether and how to characterise these practices and communities as radical critique—dissidence, not opposition.

Although the use of printed documents in a praxeological reconstruction might seem unorthodox, praxeological accounts need not aim to describe people's actions, contrary to popular perception. Rather, they are 'an approach that wants to reconstruct meaning' (Bueger 2014:21). That is, praxeological

accounts do not focus on actions because they are interesting per se, but because actions allow for a reconstruction of otherwise implicit meanings and meaning-making. However, since actions provide only an indirect route to reconstructing meaning, we follow Bueger (2014) and Reckwitz (2008), who argue that praxeological accounts can also start from written documents.

COMMUNES IN THE 1960

To paint a fuller picture of the communal movement in the 1960s, we first briefly sketch the political background of the 1940s and 1950s in the United States. Although small today, the Communist Party of the United States of America (CPUSA) was the political home of the radical left and the workers' movement during World War II. The party held that capitalism was an oppressive system and that the organised workers' movement was the 'fulcrum of social change' (Brick and Phelps 2015, 19). However, when the CPUSA greeted the Nazi-Soviet Pact out of 'solidarity' with the USSR despite its own anti-fascist position, it was gradually exiled to the political margins. Whether the communist programme would lead to social justice and peace seemed increasingly questionable. The historical import of this change cannot be underestimated. Many turned away from the CPUSA and towards the democratic party or more moderate unions in its wake. Radical forces became politically homeless. Hence,

a new style of radicalism began to stir, dedicated to antiwar principles; skeptical that the modern state, as an agent of total war, could make a better world through welfare provision; and committed to nonviolent disobedience against racial segregation. The late 1940s saw the initial shoots of a reorientation of radicalism that would not become visible to most of the American public until the flourishing of the new left in the 1960s. (Brick and Phelps 2015, 20)

This was the political context in which the post-war baby boomers came of age. In the mid-1960s, more than half of the U.S. population was under the age of 25; the total number of students rose from 1.7 million in 1946 to 6.7 million in 1965 and 8 million in 1970 (Gilcher-Holtey 2008, 52). Many of these new students came from lower- and middle-class families. After the Great Depression, World War II induced an economic upswing and rising demand for goods and services—'Suburbia' was built. These social and economic changes went hand-in-hand with cultural changes in U.S. society. By the 1960s, the end of the Japanese War and new immigration laws had led to an influx of Asian religions. A critical view of U.S. society, popularised by Beat Generation writers as early as the late 1950s, countered a dead,

alienated, and inhumane American society with mystical experiences, sex, and drugs. Increasingly, television brought distant events from Washington and Chicago—the civil rights movement—as well as the Six-Day War in Israel and especially from the war in Vietnam directly into the homes of millions of Americans. The news media assumed a new role in shaping the public perception of these wars, as a communard recounts:

Every day and every evening television, radio, newspapers, and billboards would bring the war into our living rooms, into our minds, and into our souls until the image of burnt Vietnamese babies was indelibly branded into our consciousness—impact unparalleled. (23, 28)

In this context, three events triggered the emergence of the 1960s communes. First, the Gulf of Tonkin Resolution heralded broad involvement of U.S. forces in Vietnam. Second, the Freedom Summer murders led to a new wave of mobilisation and anger. Third, the U.S. administration launched a momentous programme to combat poverty that guaranteed food stamps to those in need (cf. Zablocki 1980, 51). While the Freedom Summer murders and the Gulf of Tonkin Resolution angered the youth, food stamps allowed the mostly very young communards without work experience to live outside of their parents' homes.

The Communal Scene

Defining a commune as 'a group of likeminded persons who withdraw from the dominant culture and seek to create a micro-culture in which people live together and share resources while striving for common goals' (Miller 2010, 14), it is impossible to adequately estimate the number of communes that emerged in the 1960s and 1970s. The trend, however, is obvious: while there were only a few dozen communes in the United States (and worldwide) in the early 1950s, towards the end of the 1960s there must have been tens of thousands with half a million to a million people involved in communes in the United States alone (Miller 1999, xiii–xx).

At first glance, these huge numbers seem to indicate that the 'communal wave' of the long 1960s³ should be understood as a social movement, a collective performance of critique through 'voice' in the public realm. Such an understanding, however, misconstrues the communards' critique. Instead, 'the communal tidal wave' (Miller 1999, xii) was a simultaneous withdrawal of masses of people *as individuals* from conventional arenas of political participation, the nuclear family, and the labour market. These individuals were alienated from mainstream society and gravitated towards a somewhat nebulous idea of something different. Next we present three kinds of evidence to

substantiate this claim. First, communards were often unaware of each other; second, the communal scene was disorganised and marked by a fluctuation of people and ideologies so that, third, no stable collective emerged. This is also why we do not speak of a 'communal movement' (as others have, e.g., Schehr 1997) and rather use terms such as 'communal scene' and 'communal wave'.

First, communards only realised the magnitude of their collective, though separate, activity when the wave had long since crested. People joining communes came from small towns and big cities, from the East Coast, the South and the West, and communes were so hidden and geographically scattered that it was impossible for any individual to thoroughly grasp what was happening. Still ten years after the first big countercultural communes had emerged, a prominent communard argued that 'if you've heard of a commune, it's not typical' (Jerome 1974, 6). While there were underground newspapers through which those interested in communal living coordinated their actions, these magazines had relatively small circulations. In the mid-1960s, people were experimenting with communal living across the United States while being 'largely unaware of each other' (Miller 1999, 65).

Second, individual communes were—barring exceptional cases—not collectively organised according to shared normative principles. Rather, individual communards depended on their individual fortunes: the internal organisation of communes was assumed to emerge 'organically' when people trusted 'the flow'. The result was that, in contrast to most of the earlier communal societies, the communes of the 1960s and 1970s were generally far from financially self-sufficient. Most communards spent little and lived off government resources, donations from rich benefactors or received what was called 'love money' from their parents (Berger 1981). Even though individuals often shared what they had, communards depended more on their individual good fortune and 'the flow' than on collective organisation.

Third, the communal scene of the long 1960s was marked by constantly changing people and ideologies. While the terms 'commune', 'family', and 'tribe' suggest small, static, closed groups, communards in fact lived together in flexible constellations. In stark contrast to traditional tribes and the modern nuclear family, membership in communes changed constantly. It was often difficult to distinguish between people who were part of a group and those who were 'only visiting'. Visitors would extend their stays for long durations while 'new residents' would suddenly disappear. Sometimes the distinction between resident and visitor was explicitly rejected. Most so-called 'hippie communes', for example, made free movement their mission. All comers could stay as long as they pleased. As people moved through space and changed groups, they also tried out different and often contradictory worldviews. Only very few people in the 1960s experienced the communal

adventure by living *one* ideology at *one* place with *one* specific group. Rather, the communal scene was a loose and spatially fluid network of people and ideologies.

Since one of the dominant ideals in the communal scene of the time was to 'go with the flow', to 'live authentically', and 'to be in the moment' (cf. Berger 1981), it should come as no surprise that communards wrote very little about what they were doing in this early phase. They were often hesitant to reflect upon what many thought could only be lived and experienced directly, as this would imply distancing and objectifying. This reluctance to the cold, objectifying gaze also translates into strong distrust of science and scientists (cf. Abrams and McCulloch 1976). Despite these strong reservations, a trend of interpreting and specifying what communes were about began in the late 1960s and early 1970s. *Communities* magazine, the first larger magazine by and for communards, is a product of this emerging discourse about the meaning of communes.

Criticising and Justifying the Communal Scene from Within

In *Communities* magazine, a scene-specific medium, the communards describe the intolerability of their situation in the United States and their role in society. Packing up the bare essentials to leave family, home, education, prospects, and career opportunities behind is not described as a rational, thought-through plan. Rather, they emphasise the indignation that pushed them out of 'mainstream society': 'We had to leave. We couldn't take it any longer' (3, 17) and '[we] dropped out of the insanity' (1, 54) are just a couple of typical utterances. This also exemplifies why it is difficult to reconstruct the communards' justifications for their actions. 'Dropping out' was not a rational decision but rather something that just felt right, and communards considered 'the mainstream' to be so systematically corrupted that it did not deserve any justification.

Still, there is a way to discern communards' reasons for their political action indirectly: By studying those texts increasingly produced by *internal* critics of the communal scene, those within the movement who attempted to pin down 'what it is' and 'what it should be'. The first issue of *Communities* included an apt example, and this text is paradigmatic for three reasons. First, the article is the very first one to appear in the newly established journal. Therefore, the editors may have attempted to constitute the communal wave as a movement through the text, to distinguish the movement from an outside Other and move it in a certain direction. Second, the article lucidly reflects how the withdrawal of people into communes can be considered a process of radicalisation. Describing his own reasons for moving to the country, author Chris Elms explains that he was part of a group who 'couldn't handle

the intellectual meetingitis, the sectarian in-fighting, the elitism of the New York political scene. We needed a vacation from the heavy political trip' (1, 2). His reasons for withdrawal all reduce to disenchantment with oppositional politics and justify his consequent flight from the city. The article makes evident that student demonstrations of the time were provoked less by troubled and alienated experience than the one—as Veysey (1978, 454) puts it—'expressing itself in quiet withdrawal to rural America'. Third, the author of the article is neither a scholarly observer nor, as he puts it, 'another of the city radicals, addicted to smog and unable to tell a winter squash from a zucchini' (1, 2). Instead, he is keen to tell the reader that 'the milk I drink is from our own goats, the zucchini from our own organic garden, the bread made at home from wheat we grind, the heat from wood we cut and burn. We are country folk' (1, 2). The article is a reflection on the movement *from within*. It is an inner dialogue titled: *flight from responsibility—the new suburbanites*. As such, it helpfully explicates reasons for withdrawing and the criticism this praxis evoked from within the scene. The essay is a very useful resource to understand how communards justified their withdrawal from the dominant social order in the late 1960s and early 1970s to each other.

First, along with many others, Elms argues that communes are a reaction to 'the consumerism basic to our society' (1, 2). As he puts it: 'U.S. capitalism is a sinking ship and the communal movement provides a place for people to jump ship' (1, 3). Put simply, the author justifies the movement to communes as a reaction to a crisis, an attempt to salvage whatever was still salvageable.

Second, the author also claims communes hold promise for the future. For Elms, those 'who live communally provide alternatives to the isolation, the competition, the narrow nuclear family, the acquisitiveness of our materialistic unhuman order' (1, 2). This list of complaints already shows that the communards were not reacting to a specific policy or a particular problem, but to an entire way of life. This way of life was problematic because of disparate and seemingly unrelated problems relating to interpersonal interaction (isolation, competition), questions of freedom and autonomy in one of the primary socialising institutions (the nuclear family), as well as what is generally valued in society ('materialism'). The communards considered this way of life 'unhuman'; that is, detrimental to human flourishing in general. Withdrawal into communes is then justified because of its positive function for the wider society—it represented an alternative.

Third, Elms argues that moving to communes not only represents an alternative to the dominant way of life, but it also withdraws reproductive energy from the destructive mainstream. As he puts it, the communards 'come partly clean by deserting our expected positions as managers, technicians, and teachers in a corrupt and dying system' (1, 2). This demonstrates both that, from the point of view of the communards, the entire 'system' is 'corrupt'

and that any participation in reproducing this 'corrupt' system is 'dirty', something that makes people guilty, that sullies ordinary people in the course of their everyday activities ('teachers' and 'technicians') in addition to 'politicians' and 'evil capitalists'. Since taking part in reproducing this corrupt system induces guilt, withdrawal is justified as a moral imperative.

Fourth, Elms points out that withdrawal is not only a reaction to a 'corrupt system', but also to the dominant reaction against this system. He argues that people withdraw from the urban political scene because '[p]olitical people are fucked up, on ego trips, over-intellectual, elitist etc. [because they are] products of our sick system' (1, 3). This explanation again makes apparent that 'withdrawal' is not only a reaction to the 'corrupt system', but also to the resistance that this 'sick system' produces. From the communards' perspective the dominant system is in crisis along with the primary mode of contesting it. Withdrawal attempts to sketch an alternative to the destructive system and the dominant mode of critique. This also reveals why the 1960s communards did not bother justifying their actions to 'the mainstream'.

Fifth and last, Elms makes an argument about the function of this kind of action: 'Politics is all a power trip. By getting involved, you are just putting energy into a bum trip. Better to live the good life and your example will make the world a better place' (1, 2). Elms calls this the 'let-our-light-shine theory' (1, 3). From this perspective, communes help to bring about a different social order. Since they provide examples of how things can be done better, rather than criticising or fighting, communes escape the system's 'corrupting' logic. This 'let-our-light-shine theory', as Elms points out, coincides with the dominant sentiment in the scene that, beyond setting a better example, '[t]here is nothing we can do' (1, 3).

The communards justified their withdrawal as a reaction to a system in decay, with themselves as the alternative withdrawing reproductive energy from the system. They were also reacting to the corruption of other kinds of resistance and contestation, giving hope for a better future by setting an example.

As should be apparent from the title of Elms's piece, these justifications were problematised in his text, as were they in the communal scene more generally. However, the diagnosis of the sick system (justification 1–3) is barely debated among communards. Criticism and debate usually only focused on whether and how this 'sick system' could be changed. Elms, for example, criticises that the 'let-our-light shine theory' cannot work as long as examples of a better life are not materially reinforced. He further questions whether the exclusivity of the communal scene (mostly 'white and middle class' (1, 2)) can lead humanity to a better future. He concludes that the communal scene needs to engage more in local politics and to strengthen its ties with urban radicals.

It should be noted that Elms' position, like all positions on what *should* be done, was heavily disputed in the movement. Another internal critic, who disagreed with Elms' notion of the new society, argued that the new society promised in communes already 'looks remarkably like the old one with long hair: . . . celibacy and promiscuity instead of satisfaction and pleasure in a total relationship; a priori community instead of a posteriori fraternity; legislated openness; and an honesty that merely replaces slyness as the new manipulative force in the same power game' (2, 43). In opposition to Elms, this critic does not want more structure, more political engagement, and a better strategy, but more 'flow', more 'spontaneity', more 'authentic connections'.

Taken together, this internal debate indicates that the communal scene of the long 1960s was unified in its condemnation of the 'system' (society was regarded as 'sick' and 'in decay') but split when it came to the question of what to do. The following section outlines how withdrawal into communes constituted a radical critique despite its ideological heterogeneity and individualism.

The Radicalisation of Critique

The communal wave of the 1960s was a reaction to a system that seemed to corrupt even its own challengers. Chris Elms, author of the article analysed above, fled the city because activism there appeared meaningless and even counterproductive. Disappointed by the political options available, the communards did not believe in criticising specific institutions. As described earlier, the communards justified their actions solely for each other, not the wider public. Hence, such flight constituted what Boltanski calls individual 'existential tests', which are 'experimental performances driven by an experience of indignation, which in their transgression often entail moments of joy' (Boltanski 2011, 107). As he points out, they express experiences that are 'difficult to formulate or thematize' (Boltanski 2011, 107) and feelings of indignation that are suppressed since the status quo yields them no established format or category. The attempt to reconfigure certain categories by calling their own groups 'families', 'communes', or 'tribes' and by calling themselves 'witches', 'hippies', 'gurus', or, in the example of Elms, 'country folk', testifies to the fact that there was no consensus terminology or common language to describe the phenomenon. Rather, there were multiple, often contradictory, interpretations. This criticism did not build upon a common vocabulary; it engaged in common activity. The communards' existential tests allowed for a moment of exteriority and (at least implicitly) referred back to the limits of what could be said and done under the political conditions of the 1960s. They questioned the entire situation—the norms, conventions, and even the terms in which situations were conventionally understood and described. The communal critique of the 1960s is best understood as

a radical problematisation of the conditions under which critique could be articulated and of the legitimate instruments available at the time to form collectives. Those rejecting mainstream society saw no way out, so they sought to transcend it entirely.

CONCLUSION

The dominant understanding of radicalisation as a turn to violence obscures an equally radical reaction to disenchantment with the dominant political system: withdrawal. In order to examine this misrepresented and often invisible form of resistance, we have conceptualised withdrawal as one form of dissident politics and analysed the communal wave of the 1960s. We have introduced the exit option as a reaction to discontent and shown that some forms of withdrawal can be understood as a radicalisation of critique. According to our distinction between opposition and dissidence, the former criticises forms of rule from within using conventional means, and the latter criticises rule from without using unconventional means. Radicalisation is then a shift of critique from an oppositional logic to a dissident logic. Building on this typology, withdrawal is a radicalisation of critique when it breaks with the logic of the political system it opposes and refuses to play by the rules of that game.

In this framework, the movement of people to communes during the long 1960s is a prominent case of this kind of radicalisation. The 1960s communes show that great discomfort with and alienation from the dominant political system does not necessarily lead to violence. It can also lead to individual acts of withdrawal. The communes of the long 1960s did not display ideological purity, stability, or internal homogeneity; nor were they a collectively organised, publicly visible social movement. Rather, the communal scene was marked by economic disorganisation, heterogeneous ideologies, and a constant fluctuation of people. Even though communards acted in similar ways at similar times, their critique was never grounded in common normative principles (beyond the general consensus to oppose the political system), and it was not carried by an overarching collective. Rather, it was a disorganised mass. Coordination among communards was not achieved with a common strategy or principles, but by the movement of bodies through space. Whenever a conflict arose among communards, everyone was free to leave. Hence, the communal wave of the 1960s should be primarily understood as a mass exodus of individuals from traditional politics, from hierarchical family relationships and from the labour market. The communal critique was a radical reaction of individuals to the sentiment of being trapped in an unbearable situation without any apparent and (politically) legitimate channel to make their voices heard. Instead of a violent dissident movement out to

capture the state and its institutions, the communard scene took the form of a nascent dissident community in withdrawal. This study implies that scholars interested in radicalism should widen their scope to include not only violent movements, but also actors who are so dissatisfied with the status quo that they reject dominant arenas of political interaction.

NOTES

1. In this chapter, we use the terms ‘withdrawal’ and ‘exit’ interchangeably. While exit is the opposite of voice, withdrawal stresses the *process* of leaving and distancing oneself from political communities and normative orders.

2. All citations below followed by two only numbers refer to the issue and page number of *Communities*.

3. The ‘long 1960s’ is used as a peridioidisation to denote that the years between 1957 and 1975 should be considered one period of high activity for many social movements and activists (cf. Hall 2008).

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Chapter 11

Exiting Private Property— On the Interstitial Terrain of Becoming Communards

Ferdinand Stenglein

Over the past few years, we are witnessing a revival of the political concept and idea of the commune. As the Friends of the Classless Society recently wrote: ‘If we speak of the commune instead of communism, then not because of the contamination of the latter . . . , but to show a hidden thread of subversion that extends from the pre-industrial Paris of 1871 into the presence of high-tech capitalism’ (Freundinnen und Freunde der klassenlosen Gesellschaft 2018). Thereby, this collective of authors is not alone in refurbishing the idea of the commune by connecting back to the epochal Commune of Paris. Like it is the case for other recent neo-Marxist exegeses of the commune idea (Badiou 2006), the ‘Friends’, however, fail to make these ‘hidden’ threads of the commune explicit themselves. Thrown into the dustbin and smiled at by self-proclaimed ‘serious’ political theorists throughout the twentieth century, these hidden threads principally consist of anarchist and libertarian thought and practice. Accordingly, it just seems logical, that along with the implicit anarchisation of Marxist thought in the past two decades, also the commune is back. From practices of workers’ autogestion, over-paradoxical bottom-up ideas of the state and rebellious, transnational, anti-state political systems to urban protest movements and squats, to call oneself, be or build a commune is definitely in vogue.

However, rather than solving problems (Roos 2016), the commune as idea and concept poses problems. If the commune is the process or the form where ‘we’, the people as communards, ‘build the good life on our own’, as Bertolt Brecht (1968, 47) has the communards of Paris sing, than we can make sense of the previously mentioned plurality of its usage. However, in this way, the concept of the commune also becomes empty and no more than a name for a whole series of interconnected and unsolved riddles. The commune then, in fact, is—as Karl Marx (2009 [1871], 34) once claimed—a

‘sphinx’. ‘If this utopian creature really is able to ‘tantaliz[e]’ . . . the bourgeois mind’ (ibid.) is more than doubtful. Who is the ‘we’? What is the good life? What would it mean to build life on our own? What would it mean to collectively self-rule? And even more: What could it possibly mean to practice and conceive of the commune as a process of the abolition of rule (The Invisible Committee 2014)?

Thus: ‘What is the commune, that [f*****] sphinx [. . .]’ (Marx 2009 [1871], 34)

Of course, by this chapter the mysteries of the commune will not be resolved. Instead, some of the earlier mentioned ‘hidden and subversive threads’ of the commune will be engaged. Maybe this can help to shed new light on the riddles posed by the commune idea and may contribute to its utopian vision.

Concretely, within the following contribution, practices of numerous Intentional Communities selected from a German-based network of communes, each of them with up to 80 adult members and some of them existing for more than 30 years, will be discussed. As the homepage of the communes’ network (Kommuja 2018) informs: ‘We oppose power structures. We want to change societal relations and we want to detach ourselves from the prevailing thinking in terms of allocation and possession’. The communes of the network are not only oriented in libertarian and anti-authoritarian ethics, but the selected communal groups in particular must be understood as practical and far-ranging attempts to irrevocably dissolve private property. In attempting to constitutively dissolve private property between communards, these communes go far beyond the bulk of Intentional Communities, among which the more radical ones ‘only’ share incomes (cf. Firth 2019, 498). As long-term practices, those communes also go beyond the situationist approach of communes in the 1960s and 1970s (see Maik Fielitz and Philip Wallmeier in this volume).

Accordingly, here and now, on a small scale, but permanently, existing social relations shall be changed and—parallel to other pivotal issues—especially logics of property and exchange be challenged. These communes’ practical approach to community thus not only resonates strongly with ideas prominent in writings of Peter Kropotkin (1995 [1913]) and Gustav Landauer (2010 [1907]; 1978 [1923]), but also with the contemporary (re)emergence of critical scholarship on the question of property and the commons (cf. Redecker 2018a; Bhandar 2018; Loick 2016; Moreton-Robinson 2015).

Based on several month-long ethnographic stays and a gathered dataset of interviews (INT#, all transl. by FS), field notes (FN#), published and unpublished documents, I will reconstruct the communards’ practices of (private) property here by three fragments: First, in relation to the state and the legal order; second, in relation to the money- and property-based economy; and

third, in relation to the communard subjects themselves. The rationale applied for this reconstruction is thereby based on contemporary practice theory and an anarchist understanding of change and resistance (see the next two sections). The overall discussion at the end of the chapter puts into focus the communes' spaces in regard to their more general potentials. This discussion thus connects to the core idea of David Graeber's (2007, 310) utopian extrapolation. According to this idea, the task at hand is to '[tease] out the tacit logic or principles underlying certain forms of radical practice, and then, not only offering the analysis back to those communities, but using them to formulate new visions'. In the light of a seemingly pathological global misery and the high importance of regimes of (private) property for this globalised society, I think that especially new visions that go beyond the rule of private property are desperately needed.

Lastly, independent of my normative interest and my scholarly capacities, this contribution certainly is itself a performative element of the communards practices.

EXITING AS INTERSTITIAL STRATEGY

In his book *Anarchy in Action*, Colin Ward (1996 [1973], 20) writes: 'But once you begin to look at human society from an anarchist point of view you discover that the alternatives are already in the interstices of the dominant power structure. If you want to build a free society, the parts are all at hand'. In drawing on previous ideas of anarchists—especially the by now famous ideas of Landauer, who argued that rule should be challenged by people intentionally and immediately 'contracting' other relationships (Landauer 1910; cf. Gordon 2008, 38)—Ward develops a transformative perspective of social change. Thereby, Ward principally adopts Landauer's idea of resistance. Resistance in this line of thought is conceptualised as the intentional attempt to practically anticipate and prefigure other social relations through an exodus in the here and now (Redecker 2014, 96). This idea—also promoted by other classical anarchists—where resistance is conceptualised as the immediate attempt to prefigure desired, non-authoritarian future social relations, has become one of, if not the central, topos for anarchist approaches to resistance today. This is generally referred to as an approach of prefigurative politics.

In difference to Landauer, who promoted an idea of exiting as a 'radical break' (Landauer quoted in Wolf 1993, 80 translated by F.S.) and thus rather with a secessionist appeal,¹ Ward conceptualises the possibility of transformation as emanating from the *interstices* of existing orders. By referring to the concept of interstitial spaces located within the existing power relations,

Ward lays the groundwork to conceive of exiting not as an attempt of secession, not as a retreat to an external place or as a radical exodus, but rather as a process of exiting *within* and *in between* the orders of rule. This does go hand-in-hand with the insight that there is neither a place outside of rule, nor that rule is total.

In the past years, several (post-)anarchists and also neo-Marxists have implicitly or explicitly deployed this idea of resistance. Within the cracks (Holloway 2010) of or as gem-forms within (Sutterlütti and Meretz 2018)² and at a certain ‘distance’ from the existing power relations, other social relationships shall be practised (Critchley 2007; Newman 2010). Through an expansive process emanating from these interstices, counter-hegemonic institutions in society shall be built and lastly challenge existing power relations on a grand scale (Wright 2010, 212). Erik Olin Wright (2010, 229) calls this approach to resistance an *interstitial strategy of resistance*.

The Political Communes discussed here can be seen as such a strategy. As the short passage cited earlier indicates, beyond ascribing this perspective to them, communards at least implicitly and in fact some communards explicitly locate themselves within this anarchist tradition. However, research on the communes of the Kommuja network in the past years all have applied other epistemologies (cf. Notz 2006; Grundmann 2011; Kunze 2009). Thus, a reassessment of their practices starting from within anarchism not only from an academic perspective seems to be overdue.

APPROACHING THE INTERSTITIAL TERRAIN

The topical metaphor of cracks and interstices conveys a rather static idea of the conception of interstitial spaces. A crack in ice or rock once formed is hard to close again and has relatively clear edges. Further, the image of cracks suggests that there is an empty space opening that only waits to be filled. Both associations are misleading in regard to how an interstitial terrain must be conceived of.

Firstly, power relations must be conceived of as being highly dynamic and unfolding geometries of power extending through time *and* space (Massey 1992, 2005). They are constantly in the making, thus constitutively open, but likewise limited by their history and spatial present. There are no voids opening within those power-geometries of space-time. Rather, orders of rule are spatio-temporally unfolding and dynamically varying terrains of possibilities for social processes, here conceived of as practices. ‘For a power-geometry is precisely a product of relations, and relations are social processes, and very much alive. In that sense power-geometries precisely exemplify the conceptualisation of space as always under construction. The spatial as imbued with

temporality' (Massey 2009, 22). So, in the making of space-time, conditions for practices are shifting. An interstitial crack when thought from such a perspective, is not simply there or simply opening up, but a volatile, contextual, and relational bundle of possible 'alternative' practices. Thus, the emergence and perpetuation of interstitial practices depends on both: the changing conditions of those power-geometries that extend through and far beyond the interstitial space-time itself, and the allegedly alternative practice unfolding within the possibilities of this space-time geometry. Accordingly, geometries of power are dynamically limiting and enabling interstitial space-times, unfolding as practices that form those 'cracks' through time and space. Interstitial space-times are thus not void and sharp-edged, but full, overflowing, partly chaotic and partly structured relational contexts.

Secondly, how does one conceive of the emergence of an 'alternative' practice in this relational context? Echoing other political theorists, post-anarchists have tended to overemphasise discourse and the flow of meanings in conceptualising the interstitial (Newman 2010). Here a practice-theoretical approach shall be applied. As Andreas Reckwitz (2003, 292 translated by F.S.) formulates: 'From the perspective of a theory of practices, the social aspect of a practice consists in a repeatability of similar activities across temporal and spatial boundaries, which is enabled through a collectively incorporated practical knowledge'. Based on being repeated and incorporated over a longer period of time and through space, along this praxeological perspective thus patterns of practices form the social—form a certain overflowing field of a geometry of power. Based on this idea, the simplest approach of understanding alternative practices is to conceptualise change as the repeatedly exercised, bodily incorporated and materially bounded recombination of patterns of practices (Redecker 2018b, 69). According to this, the emergence of the 'new' depends on long and hard processes of recombining and transferring elements of the 'old'. This also implies that social constellations of power cannot simply be exited, but rather change must be exercised over a longer period of time. A radical change in this context would mean that certain anchor practices, practices that bind many other practices (Redecker 2018b, 93 *passim*), are replaced. The success of such a—be it radical or more profane—process of recombination cannot be predicted. Those rearrangements must prove themselves to be expedient in the given spatio-temporal conditions of power (Redecker 2018b, 270). That also means that the 'new' in the unfolding interstitial space-time is not intelligible as the 'new', but a simultaneous concurrence of 'old' and 'new' elements.

So both aspects together allow us to approach the insecure and precarious terrain of interstitial space-time. This space-time must be conceived of as transfers and recombinations of patterns of practice, being at the same time an

expression of the ‘old’ and something potentially, but still unintelligibly and precariously ‘new’. From such a perspective, a radical exit is not practicable. Rather long processes of shifting ‘prepare’ a move from one constellation of rule, which lastly is bounded in certain anchor practices, to another such constellation.

As Redecker (2018b, 272) says with Brecht, the revolution is thus made in the everyday, ‘the troubles of the plains’. More fiercely one could say, revolution is made in the everyday melee of and within solidified patterns of practice. Revolution takes place in the permanent manoeuvring within a felt, embodied, partly reflected and largely unintelligible terrain. An intentional interstitial strategy of resistance from such a societal perspective of transformation is thus only one possible element eventually leading to a radical shift of a constellation. A retrospective analysis of the French Revolution shows that (radical) social change often takes place discontinuously in the most diverse contexts—including contexts that intuitively would not be considered to be incubators of a radical break (Redecker 2018b; cf. Mann 1993).

Based on this—admittedly simplified—understanding, in the following I will firstly focus on the interplay of the conditions of the power-geometry within which communards’ ‘alternative’ practices evolve and focus on their viability. Secondly, I will exemplarily highlight aspects of how communards’ practices shift and recontextualise established patterns of practice. In doing this, I reconstruct instances of rule and resistance.

FRAGMENT ONE: BETWEEN THE ORDER OF PRIVATE PROPERTY

One of the principal roots of the present-day communes of Kommuja lies in the squatting and commune scene of the late 1960s and early 1970s. In contrast to these communes and squats that mostly did not exist for long while facing severe repressions by the police and often being noncommittal in nature or overburdened by their social dynamics (cf. Kommune 2, 1971), the newer generation of Political Communes of the Kommuja-network explicitly aims at establishing long-term and everyday life models of challenging rule and in particular capitalism (Kommuja 2014; Kollektiv Kommunebuch 1996).

Communards, who initiated the establishment of the Kommuja-network at the end of the 1980s, did consider the precarity of being directly threatened by state violence when squatting as a major problem for practically experimenting with other non-capitalist social relations (Kurzbein 1996). Thus, they shifted the approach. Instead of squatting houses and land, properties by this newer generation of communes are bought and thus official legal entitlements are acquired. Instead of fighting the state and the order of property directly

by infringing on the property rights of third parties, communes of this newer generation attempt to engage with the prevailing legal institutions in a different way. On the one hand, this shift of practice is a more realistic long-term policy in an environment where property is effectively protected by a strong state (cf. Notz 2006, 122). On the other hand, such an approach means for communards that they formally have to comply with central institutions of the state. The first book published by communards of Kommuja reflects this interstitial position: The book's theme is 'Everyday Life between Resistance, Conformance and Utopia' (Kollektiv Kommunebuch 1996).

Thereby not all, but several communes within the network can be seen as irrevocable collectivisations of private property (Kollektiv Kommunebuch 1996; Kommuja 2014, 2018). Within such communes, everybody in joining the commune agrees in collectivising all private assets that she/he possesses. This also includes debts. And this also refers to everything a communard earns by external wage-labour or other collective or individual activities within the commune. Those communes thus attempt to make individual economies constitutively a shared concern. To become communard of such communes, people voluntarily agree to comprehensively refrain from individual control and individual disposal over material and financial property.

Of course communards can also exit from communal life again. However, part of this all-in move of entering such communes is that, in case communards want to re-exit into an individualised economy, they cannot claim to take with them what they brought in or might have created during their time as communards. However, it proved to be a 'good practice' to seal individual and need-oriented informal contracts between each communard and the commune that regulate the exit (i.e., the practice of 'divorce') of communards. These informal contracts establish liabilities of expectations for the commune and the communards and ideally shall give all communards an equal chance to leave the commune again (FN#2, 14). This quasi-contractual practice thereby plays a decisive role in facilitating the voluntary participation in the commune and guarantees the long-term stability of the commune in a societal context where the practice of contractual arrangements is paramount (Bröckling 2016, 127 *passim*). Thereby the exit option is pivotal for the commune to work on an anti-hierarchical basis. It is very unlikely that within those communes hierarchical institutions develop that are subjectively perceived more patronising than the constraints and necessities of living in an individual economy. Thus, a certain affective attractiveness must be part for any commune to be sustained (cf. Loick 2014, 62). However, this attractiveness is not only lovely to look at, but affective politics. The idea to operate on an explicitly anti-hierarchical basis is not only a normative position cast into organisation, but rather itself an operational mode that particularly does make sense *within* the context of the 'surrounding' hierarchical institutions.

At first glance, thus, it appears easy to realise a commune based on formal collective property entitlements. Individuals just need to throw everything together, agree on modalities of divorce, and pay—if necessary—the relevant taxes to the state. Done. This first impression is however deceptive. Practically, it is very complicated to actually realise the commitment of all communards to share their economies—unless communards tolerate severe restrictions to their capacities to act. Formally exiting private property in ‘well-established’ states is almost impossible—or better said the renunciation of one’s private property (both individual or its normalised version of ‘collective private’ property, matrimonial property) has severe consequences. It severely restricts the potentials of individuals to participate in society. For example, in the German context, entitlements to social services are lost when building an economic community and individuals without a proper individual bank account only have a diminished contractual capacity (INT#27, line 718 *passim*). The ‘property diversity’ John Page (2016) thinks to identify (in the United States) is a phantasm due to his view angle. Yes, there may be different types of property (such as forms of collective and public property) overlapping each other when looked at from a bird’s perspective. But thought from the position of subjects and within the register of ‘rule’ and ‘resistance’, there is no horizontal property diversity, but a certain and very clear hierarchy in regard to the importance of property types, putting private property in the first place.

In fact, formal private property titles within communes are not totally abolished. Rather, most communes within the network formally adopt different property titles. By common property titles (mostly in the legal form of an association), communes may possess houses, regulate huge assets and long-term budgets. Alongside those common property titles, most communards formally hold private property titles. The informal commitment of the communards to each other is thus principally based on mutual trust. In this case, the concepts ‘informal’ and ‘trust’ must be conceived as notions of resistance. Conversely, ‘formal’ and ‘legal entitlement’ are to be understood as notions of rule; in particular, they must be understood as indicators of the rule of modern juridism that is closely connected to the development of private property law (Loick 2017).

Moreover, law infringes also on other aspects of a commune’s social process. Along the different property titles, different forms of personal liabilities are institutionalised. Likewise, certain activities demand certain qualifications while establishing legal liabilities that can have severe consequences for individuals. So, for example, the legal role of being construction site manager has in fact influenced the collective and horizontal-oriented approach of construction site collectives in communes and provoked severe social conflicts (FN#2, 4).

This shows that the practice of the commune must be conceived of as being within the order of property. In contrast to squatting, where the private property titles of third parties (and therefore also the state and the order of private property) are directly challenged, the depicted practice of the commune is more intricate and less directly confronting. The communes described are law-abiding practices. Like other economic conglomerates, for example international cooperations, the bigger they are the more law-abiding strategies of self-reproduction can be applied. This 'legal correctness' thereby is one of the reasons why some of those communes have already existed for 30 years.

FRAGMENT TWO: COPING AND DECOMMODIFYING

To fulfil the needs and desires of communards beyond a primitive, basic level, communes—as everybody else—need financial and material assets. Communes in the Kommuja-network either need to earn money or own property. However, communards of Kommuja do not individually, but collectively need money or property. That is, in sum, all that the commune spends on (e.g., everyday consumptive commodities, but also on immobile property) needs to come from somewhere. So either communards receive material or financial property, for example, by inheritance or donation, or they earn money through commodifying their activities, that is, by 'working', for example, by wage-labour or by selling self-produced commodities. Communes—as everybody else does—need to act economically, efficiently in regard to monetary values. In a societal context where predominantly reproductive entities are made up of individuals or nuclear families, the constitutive sharing of an economy with more people *potentially* has huge comparative advantages. This is due to firstly synergistic effects and secondly to the strategical potentials of a collective economy.

In regard to the latter, agreements can be made for some communards to go working for money for some years only until others take over (FN#1, 45). Specialised, rotating tasks can be created—for example, managing the administration of assets or the provision of cooked food for all (FN#1, 35). Expertise on particular issues, for example law, can be developed and thus communes can better manoeuvre within the regulative order of the state. Furthermore, each assault on the reproductivity of one communard (by dismissing him/her in a wage-labour job) directly is also a threat for others in a self-reproductive, materialist sense. The commune thus is informally institutionalised material solidarity.

Synergistic effects evidently result from using tools collectively or realising economies of scale in (re)production processes within the commune. But also in regard to market strategies, communes profit from synergistic effects.

So, for example, communes can use their comparative mass-purchasing power to reduce prices of high-quality food (FN#1, 42 *passim*). These synergistic effects quantitatively find expression in a relation where a low per capita income of communards can still provide comparatively (in relation to their direct environment) high-living standards (FN#1, 50 *passim*).

Building a commune in particular can increase the potentials of people who do not have any assets or economic capital and do not want to be threatened and be predominantly driven in their actions by economic precarity, that is, the logics of using one's time according to how it can produce financial output. In multiplying the potentials of coping, the forming of communes potentially lessens economic pressure and the pressure to self-reproduce for individuals. From a perspective of class relations, this potential effect of the commune is promising.

Parallel to the increased potential comparative advantage to cope, communards can to a comparatively higher degree engage in processes of decommodification. For example, the construction of a house in a commune can be realised over a longer period of time. The building process must not as much be reduced to one outcome, house to live in, but can develop as a plurivalent process. For example, in one commune more than 100 untrained and non-experienced co-workers did take part in the construction process of the commune's main house (INT#6, line 41 *passim*). When I—who was one of those co-workers—came back to the commune a year later, I was excited to see how the house had changed and I proudly showed a friend around and showed her which parts of the house I had built when I was there a year before (FN#6, 3). Thus, such a construction process makes the house a plural assemblage site of stories, materials, and situations. The 100 co-workers not only learned construction techniques by taking part in the construction process but were emotionally entangled with the house and its people, and might—as I do—emotionally co-possess the house.

To give another example of decommodification: In communes it can be realised that some people on a long-term basis use their time only for unpaid labour, like organising campaigns of struggle (e.g., protest events, squattings) or even for being engaged in formal politics (FN#1, 61 *passim*).

From the perspective of a communard, the world (perception of oneself, others, actions, living and non-living parts of the world) does not potentially need to be seen as commodity as much as non-communards are forced to see it. Communards potentially can discover the world beyond its commodified form to a greater extent without being threatened by precarity. Thus, the increasing totality of the rule of value (cf. Astarian and Dauvé 2015, endnotes 2010) is—at least micropRACTICALLY—contested. However, this decommodyfying tendency certainly reaches its limits at some point. If the communal shared economy is moneywise too ineffective, this can endanger the

economic stability of communes (FN#7, 3). In theory, however, the bigger a commune is, the bigger its potential to rediscover the relational involvement and plural meaning of the world (i.e., the world beyond its colonisation as a propertised commodity).

It is important to note at this point that we speak of *potentials* here. We must concede, the space-time of the commune only potentially operates as a collective resistance vis-à-vis the dynamics of the capitalist economy. On their backside, those potentials depend on how individual activities of communards, be they wage-labour, consumptive, productive, or reproductive, are regulated *within* a commune and *between* communards. To realise the potential of coping and decommodification, communards need to be competent enough and learn to regulate themselves within shifting social modes. Other resources, strategies, and capabilities become important and structure the access and the regulation of goods and services within such communes. As a communard claims: in the commune economic problems become social problems (FN#1, 21).

The simultaneousness of coping and decommodification reflects the interstitial position of the communal economy. As a coping strategy that can better provide the reproduction of communards, communes on the one hand contribute to the stability of the ambient money- and property-based economy. On the other hand, as a decommodifying process, communes point to another, post-capitalist mode of social mediation.

So it cannot be said, as Wright (2010, 234) claims, that an interstitial strategy just straight on weakens economic rule. Instead, the communal economy does both: reproduce and shift economic rule.

FRAGMENT THREE: CO-EXPOSURES AND COLLECTIVE DISTANCIATIONS

In communes, economic precarity is less an issue but social precarity is. 'It is always a collective and interpersonal struggle to find the right ways' (INT#5, line 121), a communard says. What is regulated through abstract and indifferent social mediation by money between property entities (individuals, married couples, corporations, etc.) in the capitalist economy is transferred into a collective and direct, embodied socio-political process of contention, consensus, and connivance between communards in the collective economy of the commune.

Of course, most collective processes involve some kind of collective regulation of a particular resource, for example, the shared usage of a flat, a self-organised cultural centre, or a community agriculture. These collective practices all show signs of processes that go on in communes. By informally

dissolving any monetary transactions and generalised entitlements to things *between* communards, the practice of the commune however goes a step further. On the basis of the idea ‘everything is for everybody’, the practice of the commune is boundless. Not only the concrete consumption of things becomes a collective issue, but *potentially all* activities within a commune are relevant for the social process of realising a communal economy. ‘Can we afford for a communard who earns a lot from wage-labour to quit his/her job?’ (FN#1, 46), ‘can all the tasks be fulfilled when one person is on a long holiday?’ (FN#1, 47), or even questions like ‘how will it affect the commune if a couple in the commune gives birth to more children?’ (cf. INT#7, line 65 *passim*, FN#2, 25) can become collectively relevant issues.

By de-establishing economic entities—that is, build a commune—a socio-political *process* of contention between concrete others is set into motion. The boundaries between private and communal/public issues are dissolved. In the commune, it is not clear anymore which issues concern the whole commune and which issues are private. In an economy based on legal entitlements and interactions based on a high degree of money, the social aspect of activities is largely concealed. In the commune, however, the social character that is implied *in any activity* becomes very concretely and personally embodied.

As a consequence of this communal space, for communards in this newer generation of communes it becomes pivotal to be able to justify, formulate, and communicate one’s needs and desires and reflect one’s activities concerning very intimate questions. In short, for communards it becomes pivotal to, on the one hand, be able to justify one’s own behaviour vis-à-vis the others, and from an aggregated view, be on the other hand able to develop a position towards others’ justifications (cf. Stenglein 2019). The commune can be seen as the concrete, embodied, and emotionally exhausting process of attempting to act in a socially responsible manner. For some, this can be very frustrating and often people leave a commune (Verena 2014, 18). Conversely, often new people join.

In other words, the back side of the increased potential to cope is that the fulfilment of needs and desires of communards is less regulated by the question of whether one *can* acquire a certain commodity or afford to do a certain activity. Further, it is less guided by the structural constraint that one *must* earn money. Instead, between communards it becomes rather important *how* strongly one needs and desires to do or acquire something in relation to the others’ needs and desires and on *how* one individually can or cannot contribute to the economy. *Being ‘exposed to generalised regulation’ is becoming ‘co-exposing us’ in the communal space-time.* Thereby ‘co-exposing us’ literally means both: exposing us (the communards) to the propertised and commodified environment collectively and in doing this exposing us (the

communards) to each other. Precisely, the social challenges that result from sharing an economy thereby must be seen as one central element of the failure of the communes in the 1960s and 1970s (cf. Kommune 2 1971). But the situation today is different.

Of course hierarchical institutions like a planning committee *in theory could* take over the definition of economic sub-entities and the modalities of the distribution and allocation of resources and tasks. This could be one way to substitute social regulation based on private property, the state and market processes based on money. When adopting a central planning committee, then very likely also policing institutions would be needed to implement and guarantee that all communards stick to the centrally met plans. The development of such authoritative institutions in these communes is, however, very unlikely as long as communards can exit the commune again. In fact, in all of these communes, principles like consensus are adopted to guarantee that all communards *can principally* participate in the political and social process of the commune (cf. Kommuja 2014).

Despite the permanent fluctuation of communards (in big communes about 10 per cent of all communards per year) (FN#2, 26), building a commune over a longer time can not only be seen as a result of the ‘right’ people finding together, that is as a result of intentionality and a homogeneity of interests. Rather, in such a communal context especially one mode of social regulation is crucial to guarantee stability. To thrive as an individual communard as well as a commune, processes of self-distanciation become pivotal.

Two communards express their commune’s social dynamic as a question of boundaries and as a quasi-therapeutic process of self-development:

Being completely involved in the commune perfectly suits my thrive for emotional prosperity. I am confronted with my boundaries and these boundaries I have because I am socialised like I am socialised. By my parents, my teachers, my whole childhood environment. I have developed strategies of coping back then, which do not fit any more today. I am getting upset because of things, unworthy of being upset about. This is such a boundary I am confronted with when I want to live here; I am forced to change something when I am getting annoyed . . . This is yet the biggest present the commune gives to me. That I can work on my own development, that I can regain my autonomy. (INT#3, line 129 *passim*)

‘Living in the commune certainly has therapeutic traits’, the other one says, ‘at least like we do it here. . . . Self-awareness is part of a therapeutic process. If you cannot set yourself apart, set your boundaries, you will not survive here’ (INT#9, line 563 *passim*).

Both communards identify the co-exposure of the commune as a process where they are confronted with how they were and are subjected to be

persons. The commune to them is a place where they are frequently aware and need to be aware of the presence of their own boundaries and realise that they react to and act in their social surroundings in certain, patterned ways. Ultimately, both communards want to make themselves more independent of their boundaries in enabling themselves to decide which boundaries are necessary and which are not. In final consequence, this allegedly shall give them the opportunity to transgress inscribed and learned patterns of behaviour and thus help them to gain self-autonomy.

The vocabulary used by the communards here seems to reproduce one central logic of neo-liberal governmentality. In the individualised life in neo-liberal society, one currently dominant strategy for coping with dynamics that largely are beyond the individual's controls is precisely this: coping via self-development and self-awareness, often with the help of therapists or reams of guidebooks (Bröckling 2016, 46 *passim*). In difference to the neo-liberal self-contained self-development that aims at strengthening one's own feelings of individual power and control over one's own life and identity to come along with structures that largely are beyond one's control, self-development in the commune *becomes itself a modus operandi* of collective regulation. That is self-awareness and self-development in the commune are double faced—again in between. On the one hand, they have the same effect individual self-development has in modern capitalism. Within the collective space-time of self-development, communards together cope with the surrounding abstract and indifferent transpersonal structures. What for many subjects today is a matter of self-enclosed coping, is shifted here to a collective quasi-therapeutic mode.

However, on the other hand, this shift does point beyond being a practice of coping. Those processes of collective self-development themselves regulate collective activities and the collective distribution of resources. Whereas the first communard sees it as a present in itself that the communal space-time tends to produce situations of contention that propel processes of self-distanciation, the second communard describes the mastery of one's boundaries as a prerequisite to come along as a communard in a communal context. In fact, this mode of collective self-development is a paradoxical mode of power. Who can better self-distantiate and thus better make sense of her/his own needs and desires in multiple registers and rationalities will by tendency be more able to legitimately (i.e., explicitly tolerated by others) realise his/her own interests vis-à-vis the others in a commune. But at the same time to self-distantiate means that communards become more independent of what they need and desire. To be able to self-distantiate, to become masters of boundaries, is simultaneously resource and anti-resource.

As another communard writes: 'that you always get your own behaviour mirrored. This is tiring, to be sure, but I have the imagination, that we

mutually learn from it and our fears, worries, prejudices and obsessions do not stand as firmly anymore and weigh less' (Habenicht 2017, 5).

Are these self-reflections and the everyday practices of communards faint signs of paradoxical, very powerful self-exiting subjects? Are they the distant, socialised echo of what Jean-Luc Nancy (2008, 107) on an ontological plane calls *subjects-rejects*? Are they an anticipatory echo of self-dis-appropriating subjects?

The requirement to become masters of boundaries within the social mode of the unbounded co-exposure of the commune is very demanding for subjects not used to actively engage in exploring, setting, and justifying their boundaries. Through those communal processes, we can recognise the negative image of the 'broken' (Loick 2016, 45 *passim*) possessive subjects (cf. Bhandar 2018; Moreton-Robinson 2015), largely constricted in their potentials to act collectively. Possessive logics are also said to be emancipatory (Redecker 2018a). Such an active and collective self-distancing emancipation as foreshadowed in the discussion of the communard subjects would, however, redefine the very concept of emancipation.

But in the end, these subjects collectively emanate *within the interstitiality* of a, today and here, very powerful geometry of power. So, is this the shadow of the emancipation of the communards *or* of interstitial subjects that we see?

CONCLUSIONS: EXITING PRIVATE PROPERTY AND THE MAGNIFYING GLASS

For *concluding*, that is, for bringing together the fragments of this contribution, one pivotal aspect is missing: namely the fact that *this* chapter is a contribution to the communards' space-time itself. So, if we conceive of this chapter and its rationale as being itself one fragment of those communards' practices, which I think does not require further justifications, but should be evident because I literally write and you literally read these communes now and here, I suggest to conclude by applying the chapter's rationale on itself. Accordingly, this self-application sets the guiding questions for these conclusions: How does this chapter engage in exiting private property, that is, what is its transformative potential? Thus, in the words of the deployed rationale: How does *this* chapter on the one hand reproduce its own starting points and the practices of the communards and on the other hand, how does it recombine them anew and thus point to the potentials and the vision of an 'elsewhere' and a 'not-yet'?

The analysis started by a discussion of the idea of interstitial strategies of resistance. Based on empirical data, the commune then is discussed as one possible interstitial strategy for challenging the rule of private property.

Informed by a practice-theoretical approach, the rationale applied in the chapter thus reproduces this anarchist idea of social change. Through reconstructing the communards' space-time on three 'plateaus', the chapter shows the fundamental importance of property as a contemporary geometry of power. This connects to the established critiques of (private) property, which see it as a comprehensive dispositif. The chapter thereby contributes to an idea of exiting private property by making tangible the communards' practices in a systematic manner. By discussing the effects of the communards' practices of resistance, those practices are made more accessible. Thus, the contribution can be encouraging to be adopted as an approach of resistance and in doing this, *potentially* contributes to an exiting of private property by more people and on a larger scale.

By reproducing the general idea of interstitial strategies however, this chapter also reproduces the limitations of this approach to resistance. Nothing can be specifically said about how the expansion of such small-scale communes would alter practices on a societal level. We cannot simply generalise the practices of small-scale anarchist communes. We just do not know what a power geometry that is not anchored in (private) property anymore would look like, what subjects would be like and how societal organisation could or would work. To speculate: the emergence of a kind of community capitalism is imaginable, where the nuclear family and the individual as primary economic entities are superseded by communal economic entities. Of course also the development of a 'large' commune, some form of communism is imaginable. For this latter idea, already many different political systems—like councils—have been promoted. However, along the earlier presented praxeological conception of social change all of those political systems would at some point normalise and become unintelligible as a new geometry of power. Social self-regulation would become normalised, socio-political roles, self-conceptions and institutions would materialise.

In difference to this vision, the grand scale anarchist commune, that is, the societal materialisation of a collective, horizontal self-rule, would need to be something different. It would need to be a *collective realisation of the permanent revolution*. Far from being primitive, such a collective self-rule would be very demanding for each and all (cf. Freundinnen und Freunde der klassenlosen Gesellschaft 2018). Thereby, the small-scale social processes mentioned earlier suggest, that such a society would need to be made of practices that bring forth subjects that are masters of boundaries. But in fact, for those communes the question of upscaling and associating with others (which both are an integral part of the vision of anarchist communism) already now poses substantial problems (cf. FN#1, 39ff; FN#5, 20ff). Likewise, for the scholar, me, interested in formulating visions towards the direction of anarchist communism, the limitations posed by the anarchist approach to radical

change are unsatisfactory. To say it differently: thinking such small-scale communes within the established conceptions of interstitial change and along logics of resistance to the rule of private property reproduces their temporal and spatial limitations. The intriguing self-reflective processes central to the communes' self-regulation would very probably vanish when scaling up the communes' practices. But how to get farther if we cannot simply upscale those small-scale communes? How to transgress the utopian impasse of the classical anarchists' approach and vision?

Analysing those communes allows for yet another perspective. To point to a potential that goes beyond the here and now of those communes, the analysis and this chapter itself must literally engage in the communes' practices. This chapter needs to exit private property and with it the classic idea of the interstitial commune. For formulating a vision beyond those small-scale communes, I suggest to shift the focus of analysis from the interstitial practices to the practice of the interstitial of these communes, and thus towards the question of interstitiality itself.

Of course, in these last paragraphs, I cannot develop a thorough perspective on this question, but I will briefly present the contours of a thesis and outline some of its potential consequences.

I suggest to understand those communes, their practices and intriguing collective potentials as an extraordinary contemporary practical realisation of the interstitial. Those communes are magnifying glasses on the potentials of interstitiality. The following aspects of the fragments presented earlier can preliminarily support such a claim:

Firstly, these communes are collectively concerted practices on an everyday basis of interaction oriented in an ideal of horizontality. Thereby—as communards claim—the larger communes, with up to 80 members, reach a limit in regard to be self-regulated as horizontal-oriented practices (this was also discussed as Dunbar's number). Those large communes thus can be seen to be maximal in size regarding an everyday, embodied practical terrain of horizontal responsivity. Thus, they are a powerful collective sensorium.

Secondly, those communes are everyday practices of critique of one of the most far-ranging and fundamental power geometries of our space-time. Logics of propertisation fundamentally structure today's subjects, material infrastructures and forms of social organisation. Proprietary logics are said to fundamentally anchor a whole series of subsequent practices. Thus, attempting to practically and collectively exit the geometry of power of propertisation is maximally intense.

Thirdly, these communards' practices have been evolved over a relatively long period of time, thus allowing interstitial dynamics to be formed and condensed. In large communes, each year about 10 per cent of communards leave and new ones join. Thereby, people who stay in communes for a longer

time are by tendency those who thrive well in the very demanding environment of those communes. This can be seen as a practical filter. Or, in the metaphor of the magnifying glass, this can be understood as a zooming in on interstitial modes.

Fourthly, due to the exclusive and strict boundary-setting logic of the rule of (private) property, the ‘communal glass’ has relatively clear edges. In regard to the economy of a commune, it is very clear who is inside and who is outside of it. Thus, in difference to other allegedly interstitial practices, like for example, queer spaces, a commune does not only have a temporal filter but also a sharpened spatial focus.

If we accept this shift towards the question of interstitiality and thus the argument, that the emancipation of the communards discussed earlier does only from our present perspective represent the potentials of going beyond private property and the conglomerate of juridism, the rule of value, government and the state, then also the potentials for generalising the dynamic practices of those communards shift. With this move, ‘new’ potentials for extrapolation, that is, for discussing conditions and horizons of an anarchist communism are opened. With the proposed shift in perspective, the expansion and upscaling of the communards’ practices and their intriguing dynamics would mean for us to engage in practices that aim at expanding *the interstitial as a practice* itself. That is, such an anarchism would try to put into practice the interstitial *as* an anchor practice of the social itself and on a textual level discuss the coordinates of such an idea. Thereby, this proposed shift is not at odds with the ‘old’ anarchist idea of an interstitial strategy. Expanding the interstitial as interstitial must today of course consist of practices critical of rules mentioned earlier—today it must, among others, also be a practice of the commune. However, far beyond this contemporary challenge, attempting to expand the interstitial would, if this thesis is right, point towards the very artful mastery of the probably last rule: the rule of the interstitial (Nancy 2000, cf. Stenglein 2018, 103 *passim*) and its dynamics of interstitial change itself (cf. Redecker 2018b). With this shift in perspective, an interstitial strategy would not be a means to an end anymore (e.g., the commune for anarchist communism), but it would itself be the collective foundation of this end. Maybe this is the path towards an ‘elsewhere’ and a ‘not-yet’ that lies beyond rule?

Of course, here, now, with *this* chapter, *this* thesis cannot be more than an attempt of an opening.

What is the commune . . . and . . . what would it possibly mean to get stuck in revolution, to inhabit the space between two topias, to inhabit the transition of utopia itself? (Freely adapted from Landauer 2010 [1907], 115; Marx 2009 [1871], 34; and The Invisible Committee 2014, 72)

NOTES

1. This 'secessionist' tendency is also reflected in his ideas of founding rural communes in areas remote from centres of power.
2. It seems that Simon Sutterlütti and Stefan Meretz do not consciously omit this anarchist tradition of resistance in their development of what they call gem-form theory, but simply are not aware of it. This is a huge deficit. Likewise, John Holloway does omit the anarchist tradition of thinking social change and resistance. Having in mind his professional background, this is not only a deficit, but poor academic work. His book *Crack Capitalism* ultimately is less groundbreaking than some considered it to be.

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Chapter 12

Arundhati Roy: Framing the Limits of Radicalised Dissidence

Rina Ramdev

There is in the titles of Roy's two novels, *The God of Small Things* and *The Ministry of Utmost Happiness*, a hope, sinewed and kept, past the obvious wrenching ironies that events and lives in her novels are culled from. The hiatus between her 1997 Booker-winning novelistic debut and the 2017 *Ministry* has gestationally been marked by her polemical essays ranged against American foreign policies, the neo-liberal takeover of trade and markets, and closer home, pitched critically against India's unbridled religious and free market fundamentalisms, its Kashmir policy and a 'juggernaut of injustices' (Roy 2011b, 3), unleashed by successive governments upon its people.¹ Decrying any kind of political turn that distinguishes her essays from her novels she says, 'For me, my fiction and my nonfiction are both political. The fiction is a universe, the nonfiction is an argument'.² There remains in her writing's recall, a combative outrage, 'It can't go on like this, something will arise either out of complete destruction or some kind of revolution. But it can't go on like this'.³ Even as Roy is arguably among India's foremost political dissidents, it is this gesturing at the idea of revolutionary change through rhetoric that lays it bare to its aporetic, its articulative inability to offer concerted strategies and resources for any kind of material restructuring. My reading of her work is an attempt at delineating the unsurpassable paradox that lays siege to her urgent interventions, even as I would like to acknowledge the readerly investment I place in the courage and nuanced complexity of her position taking. For this, in my chapter I will look at the rhetorical trajectory that she manoeuvres for her politics as I try to locate the moments of rupture that render her political practice into its own aporias of realisation. It is also a reading of her work in the light of the Austinian order that drafts politics as a perlocutionary act of rhetorical instantiation, and how her speech acts both subjectivise and construct her interventions. As moments

of decisionistic individualism her utterances as pledges, gesture at possibilities sans a manifesto, 'An imagination that is outside of capitalism as well as communism. An imagination which has an altogether different understanding of what constitutes happiness and fulfillment' (Roy 2011c, 214). In pushing past Left-Right monoliths, Roy is here arguing for an imagination which remains fundamentally inchoate, one that yet needs a set of politically translatable practices that would see it through.

While being critically attentive to the aporias within Roy's political activism, it however begs emphasis that hers remains a crucially significant attempt at reworking the cognitive limits of dissidence in the contemporary moment. At a time when the organised Indian left has been ideologically evacuated into electoral opportunisms and forms of majoritarian consensus—and varieties of right-wing populism have come to occupy the substance and structure of politics—Roy has consistently represented the undersides of a 'national(ist) conscience'. In this, her battles against party-dispensations (and even the courts of law) indeed stand out as exercises in imagining a polity, outside of the historically misdirected social-democratic project of nation-building and its attendant structures of political legitimacy. But, in doing so, this essay contends that there are two alternative visions of dissidence that get peddled as the viable futures to the everyday contortions of constitutionalism. The first regards resistance as rooted in deeper bonds of affective (af)filiation in the nation—beyond recognisable templates of patriotism and historical trajectories of nationalism. It would insist on the immanence of a nation that is only tangibly present in the livedness of love and belonging—not on documentary-performative claims to citizenship as debt and duty. Fundamentally, such an imagination inscribes the nation within a materiality of desire—as opposed to the fact of a legislated will. The second idea of dissidence that Roy mobilises in her work is distinctly different—insofar as it imagines a possible exit from the oppressive demand for loyalty in a privileged nulling of the need for community. I would argue that such an act of 'exit'—in its revelling in a rhetorical surplus—deprives secessionism of the necessary sanction of a will to another community. To secede is to express a collective disaffection with one ordering of the collective, and to imagine a renewed community as a pledge to re-'constitute' the politically destitute subject. Roy, by marking dissidence either as erotic inherence in the nation or as a rhetorical stepping out of it, seems to skirt past the structures that lend meaning to 'dissidence' as more than the mere adventure of thought.

THE MANY CRISES OF BELONGING

Unblinkered in her criticism of an India that 'invented the caste system and one that celebrates the genocide of Muslims and Sikhs and the lynching of

Dalits' (Roy and Cusack 2016, 18), Roy also cites and acknowledges it for being 'the land of poetry and mad rebellion . . . haunting music and exquisite textiles' (Roy and Cusack 2016, 18). This bilateral positioning is vintage Roy, marked by the unflinching continuities of her dissensual critique in non-linearities that steer away from all forms of uncritical aligning, contra her imbrication in the affective communities and intimacies that flank her activist involvement. Dissidence as critique plumbs through the vicissitudes of its faith in a system it politically engages with, an engagement not culled off a casual subscription but one that rallies for a commitment to a promised ideal. Roy's trenchant, polemical essays and her exceptive, captious positions against the Indian state have since *The End of Imagination*, long negotiated these very liminalities of belonging:

What sort of love is this that we have for countries? What sort of country is it that will ever live up to our dreams? What sort of dreams were these that have been broken? Isn't the greatness of great nations directly proportionate to their ability to be ruthless, genocidal? Doesn't the height of a country's 'success' usually also mark the depths of its moral failure? (Roy and Cusack 2016, 91)

As a lament on the moral capitulation of the nation state, Roy's rhetoric here discursively pushes at the hermeneutic limits of citizenship and its claims on belonging, which remain for her convulsed within agitational combative oppositionalities that only reproduce the systemic and closed circles of established institutions. In an incisive reading of dissent, Wendy Brown's *Political Idealizations and Its Discontents* identifies the relationship between citizenship, loyalty and critique through a similar interrogative rhetoric that strikes at the demanding modes of love and fealty:

What is political love and what is the relationship of political love and political loyalty? If one loves a political community, does such love require uncritical solidarity with certain elements of that community, and if so, with which elements—its laws, its principles, its state institutions, its leaders, or actions taken in its name? (Brown 2005, 23)

The dangers, as both Roy and Brown's critiques suggest, lie in assigning a Socratic idealisation to dissidence, from where it can quite easily and comfortably settle itself into a baggy relativity—the patriot nationalist glorifies the nation and the dissident believes in the possibilities that inhere in the idea of it, *thus and so* the dissident is the real patriot. While acts of dissident resistance can both challenge and reinvigorate alliances of political agonism, nation states are also capable of effectively confining the dissident voice to a proscenium of orchestrated effects and encounters, voiding it of all political purpose and acuity. In this remoulding of dissident voices into more harmless and aligned inner-systemic oppositions, what remains of radical and

antagonistic imperatives towards political interventions could always, already be thwartively predicated upon co-option and its insidious closures. That the cunning of democracy, can commodify and stare things down, defang and domesticate the dissident voice and relegatively grant it the impotence of a pet lion or 'paaltu sher' (Roy and Cusack 2016, 52), as Roy calls it, is a flagging that the critical imaginary of resistance movements have been alert to. Conscious of this and the strategic concession made for voices like hers, in the name of democratic freedom that the Indian state cautiously, albeit selectively allows, she brings a wry reflexivity to her political interventions.

They say, 'Oh, we have this great cricket batsman, Sachin Tendulkar, and we have Miss Universe, Aishwarya Rai, and we have this writer Arundhati Roy'. And, you know, everything is telescoped as a kind of 'Look at all the things that we have on display' and 'We are a democracy, so we allow her to say these things', you know, and go on with it.⁴

DECONSTITUTING THE BIG

Roy bases her counter-strategy on a conception of resistant subjectivity that emphasises singularity and detachment. Accordingly, from, and since the writing of *The God of Small Things*, Roy's offensives have been launched from the vantage of the 'small', and her poetic, impressionistic aesthetic gestures at spectres, while not quite attempting to define, demonstrate and occupy politics as warfare. Akin to the horizontalist emphasis of the Occupy movements, an individualist vanguardism can be read as largely impelling this as tactic. As Jodi Dean says,

Left realism feels realistic to some because it resonates with the prevailing ethos of late neoliberalism that tells us to do it ourselves, stay local and small, and trust no one because they will only betray us. It affirms capitalism's insistence on immediacy and flexibility and the state's replacement of long-term planning and social services by crisis management and triage. Left realism is good on spontaneous outrage. But it fails to organise itself in a way that can do something with this outrage. Disorganized, it remains unable to use crises to build and take power much less construct more equitable and less crisis-prone social and economic arrangements. (2016, 46–47)

Roy's acts of resistance positioned as individual impulses and isolated campaigns are axiomatically implicated within the blunted, unavailing politics of postmodern resistance that an 'anti-Communist radical cosmopolitan intelligentsia[s]'⁵ 'rhetoric of left posturing' (Hill et al. 2003, 126) is often accused of indulging in. This especially so in light of the proclamative rhetoric that props her politics upon the personal and the subjective, 'The

dismantling of the Big. Big bombs, big dams, big ideologies, big contradictions, big countries, big wars, big heroes, big mistakes. Perhaps it will be the Century of the Small' (Roy 2001a, 12). While propagating micro initiatives of defiance animated by a Goliathan majesty and fury, the possibility of mounting a historical redressal as a political project remains largely untheorised, lacking analogically a material delineation of actual mobilisation through praxis.

Roy's individualist positioning and her unwillingness to engage both practically and discursively in collective forms of critique and counter-movements is motivated by a deep frustration with regard to the history of Left party politics in India. Even though she roundly rejected accusations of being a Left baiter, owing to the close resemblance her fictional portrayal of Comrade Namboodiripad in *The God of Small Things* bore to the veteran Communist leader EMS Namboodiripad, she has been openly critical of India's parliamentary Left and its histories.

Whatever their faults or achievements as bourgeois parties, few would associate the word 'revolutionary' with the CPI or CPI(M) any more . . . They have run their trade unions into the ground. They have not been able to stanch the massive job losses and the virtual disbanding of the formal workforce that mechanisation and the new economic policies have caused. They have not been able to prevent the systematic dismantling of workers' rights. They have managed to alienate themselves almost completely from Adivasi and Dalit communities. (Roy 2011c, 197)

As a politics, this also leavened Roy's indictment of the Left Front government's policies on land acquisition in West Bengal in 2006–2007. She had then famously taken a position against old allies like Noam Chomsky and Howard Zinn, who had in a public letter closed ranks with the CPI(M) government and argued for maintaining Left unity against the greater enemy of American imperialism.⁶ Roy cites the doctrinal impoverishment of the Left parties as the real failure of the times, one that has in its wake flattened all ideological battles, as she says, into 'lifestyle wars'; wars deradicalised and fought only to preserve and enhance the 'delicate pleasures and exquisite comforts' (Roy and Cusack 2016, 37) of a chosen few. Despite these imputations, Roy maintains withal, 'I have plenty of Marxism in me' (Roy and Cusack 2016, 76), acknowledging the influence of a broad Left thinking that structures her resistance. And yet, devoid of an aggressive, transformative politics, her impassioned plea for resistance slips and coagulates into a defensive, delimited act. 'Can you leave the bauxite in the mountain?' (Roy 2011c, 214) she asks as conscientious objector to the wholesale corporate takeover of people's land and resources, in *Trickledown Revolution*, one of her many poetic reportages. Whilst her spirited 'feral howl' (Roy 2009a, xii) finds common cause with the resistance groups she intimately engages with, be it

the Maoists, the Kashmiris, or the Narmada oustees, her engagement remains consciously an individual act, deprived of the very consensual strength and resoluteness that stems from political communities. What Aijaz Ahmed had accused her of framing as politics, in *The God of Small Things*, ‘Resistance can only be individual and fragile . . . the personal is the only arena of the political’ (Ahmed 2007, 119), is a commissioning that echoes in her polemics against power even today, as she continues to consciously distance herself from the commitment of the embedded ‘activist’.

Roy’s recent essays with John Cusack, on her meetings with old and new whistle-blowers, Dan Ellsberg, Edward Snowden, and Julian Assange in *Things That Can and Cannot Be Said*, play out tantalizingly the ‘not quite said’, in campy hints and ‘unsaid’. There is no attempt made through these crucial conjunctive moments at forging future solidarities with larger movements, or in constituting a radical, political community for a collective knowledge to emerge. The possibility of political solidarity remains sublimated in a valorisation of affective, romantic affinities, be it with Cusack and Snowden here, or Comrades Sumitra and Kamla in the forests of Dandakaranya, or Kallu Driver in Harsud, ‘It’s not a solidarity of memorandi or academic discourse, but a solidarity which is human, which is based on unorthodox kinds of love—not even sexual love or anything, it’s just based on humanness’.⁷ Her early involvement with the Narmada Bachao Andolan, her understanding of movements like the militant Maoist struggle stem from, as she says, the vantage of a concerned citizen and creative writer, shunning always the appellative recalls of both the ‘writer-activist’ and the public intellectual.

THE STATE OF EXCEPTION

Astride the individualist notion of dissident resistance, as in her field notes on democracy, Roy’s writings have sought out the estranged, the marginal, the Agambenian *homo sacer*, ‘The Unconsoled’, as the dedication to *The Ministry of Utmost Happiness* testifies; individuals and groups whose broken dreams unconstitute the ideals of the republic. While in her writings on those reneged and disenfranchised by the state, the idiom of claim, and the fight for rights is discursively audited from the constitutional charter of the republic, in her vocal assertions on the Kashmiri’s right to self-determination, it is the secessionist demand, the ceding from the republic that she lends resolute support to. In arguing for Kashmir’s sovereignty, ‘Kashmir has never been an integral part of India’,⁸ Roy places her political faith in a secessionist imagination, premised and asserted on a decades-long struggle against ‘the Indian military occupation of Kashmir’ (Roy 2009b, 176). She has in the past

two decades followed the Kashmiri conflict and also reflectively assessed the impasses within different political claims with a nuancing that attests her affective investment with criticality. That the futures of a free Kashmir could come off warped of all pristine ideals, is also a possibility that she acknowledges and assesses with exegetical clarity. 'It is for the people of Kashmir to agree or disagree with the Islamic project (which is as contested, in equally complex ways, all over the world by Muslims as Hindutva is contested by Hindus)' (Roy 2011d, 174) and, 'An independent Kashmiri nation may be a flawed entity, but is independent India perfect? Are we not asking Kashmiris the same question that our old colonial masters asked us: are the natives ready for freedom?'⁹

The political volatility of utterances like, 'What exactly does *azadi* mean to Kashmiris? Why can't it be discussed?'¹⁰ have quite predictably, in these Right regressive times, earned her the tag of 'anti-national'. The anti-national descriptor ably bolstered by the charge of 'sedition', is now in the current political shift being zealously mobilised against any form of criticism of the government and its policies, a fact fittingly referenced by Roy, 'In better days, that used to be known as a critical perspective or an alternative world-view. These days in India, it's called sedition'.¹¹ Challenging the conviction and subsequent hanging of Afzal Guru, a Kashmiri, suspected to be behind the 2001 attack on the Indian Parliament, she writes despairingly of the nation's 'collective conscience' (Roy 2006, 93), and the sanguinary public campaign, baying for his blood in a presumptive establishing of guilt. 'Hoary institutions, the government, police, courts, political parties and, yes, the media, collude to hang a man, a Kashmiri, who they do not believe received a fair trial, and whose guilt was by no means established beyond reasonable doubt'.¹² In a country that believes in invoking a hegemonic conscience on Kashmir, Roy's views are anathema to the proliferating registers of hyper-nationalism, and instances like a petition on Change.org urging the government to revoke her citizenship¹³ or a film actor/Member of Parliament's fulminations, demanding she be tied as shield on a counter-insurgency combat vehicle in Kashmir, are typical of the rabid responses and online trolling that her political interventions routinely evoke.¹⁴

Kashmir, as Article 370 of the Indian Constitution internally acknowledges, belongs to a different charter of history, viz. an order of provisional accession granted to India until a referendum. In acquiescing the state, a quasi-sovereignty until the event of a plebiscite, Article 370 creates space for the separateness of Kashmir, recognising thereby not just its fraughtness and the fractured foundational will upon which it rests but also its proscribing from the Constitutional project of nation building. In the forever belatedness of a promised plebiscite there lies the forcing of a bloody present upon an unwilling people whose will, never allowed a public hearing, stays festering

in a volatile moratorium. In an act of annexation, and a concomitant annexing of the will of the people, Kashmir's right to exit the republic, and its militant demand for secession is countered by manufacturing a consensus on its territorial space through the imposition of the Constitution, ironically on a people, historically never constituted within it.

Kashmir has been in the throes of an insurrectionary conflict against the Indian state since the late 1980s. The protracted, ceaseless violence raged against the 'Azadi' demanding Kashmiris has resulted in 'encounter' deaths and disappearances of militant youths, their incarceration and torture in state jails and more recently, pellet gun brutalities that have maimed and blinded not just street combatants, but also young children perilously caught in the pellets spraying their 'safe' homes. As Musa in *The Ministry of Utmost Happiness* drolly remarks, 'These days in Kashmir, you can be killed for surviving' (Roy 2017, 169). Kashmir's will to secession and the deferred plebiscite has in the decades-long struggle for independence, evolved off a collective obduracy reified against the despairing quotidian-ness of recurring violence. The predictability of violence, its protean barbarities and the perpetual uncertainty this mires the 'enduring' life in, has left in its wake, interminably suspended closures, 'cycle[s] of cataclysmic violence, of being beaten down, and then having 'normalcy' imposed on them under soldiers' boots'.¹⁵ Community narratives and collective memory coil around the violent intractabilities that continue to ravage the state, seeding a trauma 'nourished by peoples' memory of years of repression' (Roy 2011d, 163).

The parrhesiastic modes and courage that Roy mobilises in her interventions on Kashmir are shored off resistant subjectivities and a collective's imagination of separation from the republic. While her writings are marked by the need to speak for the secessionist freedom of the Kashmiris, she also acknowledges the idea of the nation state itself as one birthed and nurtured by histories of violence, 'I am among those who are very uncomfortable with the idea of a nation state'.¹⁶ The weariness experienced under the hegemonising control of the nation and its demand of idolatrous loyalty and sacrifice comes from the same thread that runs through her writings, 'What's a country? It's just an administrative unit, a glorified municipality. Why do we imbue it with esoteric meaning and protect it with nuclear bombs? I can't bow down to a municipality . . . it's just not intelligent' (Roy and Cusack 2016, 77). As a statement that calls into critical complexity the very idea of the nation state, Roy is also quick to admit that the mode of referencing nationhood and belonging would be radically different for the Kashmiris, '[the] questioning has to start from those who live in the secure heart of powerful states, not from those struggling to overthrow the yoke of a brutal occupation'.¹⁷

THE INDIVIDUAL RECALCITRANT WILL AND SECESSION

Exceeding the need for citizenship and belonging, a laterally transposed anti-nationism finds dramatic articulation in Roy's response to India's nuclear testing in *The End of Imagination*.

If protesting against having a nuclear bomb implanted in my brain is anti-Hindu and antinational then I secede. I hereby declare myself an independent, mobile republic. I am a citizen of the earth. I own no territory. I have no flag. (Roy 2001b, 21)

If Kashmir's secessionist demand is culled off an aggregative history of negation and alienation from the Indian state, articulated as a concerted, collective will to separation, Roy's assertion here of independence and mobility, runs instead counter to the very event of mutual will formation. Verbalising abrupt disaffection, the statement is borne off a strategically entered moment of non-engagement that enacts belonging and unbelonging upon a singular secessionist claim. It is a precursor to the 'haughtiness' that marks Tilo's estrangement, a weariness that shuns the demands of belonging in *The Ministry of Utmost Happiness*, 'It had to do with the way she lived, in the country of her own skin. A country that issued no visas and seemed to have no consulates' (Roy 2017, 217). In the fact of its reappearance more than two decades after its celebrated articulation, ideas of unbelonging, and of the insularised self and its rejection of citizenry attachments, bears out the abiding romance that Roy attaches to the image of mobility. And yet, just as a collective imagining of the nation is not mandated upon the exercise of individual will, separatist non-belonging is also not premised on a wilful, individual choice. Ideas of nation and nationhood emanate and gather from a political mobilisation of intersubjectivities that acquire political legitimacy through a shared order of justification, whereas Roy's lighting out originates in the unmediated, impulsive self's aggrandised moment of estrangement. The right to secession implies a participation in a sociality that cleaves to and involves a collective will, one that cannot be substituted by an individual's repudiative, interrogative moment devised as rupture. Opting out of the nation through a programmed plebiscite evolves from a consensually organised collective claim, whereupon qualified, personal declarations of non-belonging can only be individual acts of dissidence that could, at best, draft a politics of self-exile. The right to secession as a motion of privilege cannot be realised by the individual will to separation in ways that a willed exile or defection would. This leads corollaratively to some niggling questions. Does the event of an individualist secession not erode certain structures of citizenship that one is

entitled to? Can issues of nation and nationhood be commented upon by an individual who has seceded, and thus annulled all claim to political, constitutional rights? In which case then, how does a non-citizen, non-subject seek redressal? Interestingly, in the past decade and a half, while Roy has returned state awards, faced a contempt of court, been accused of sedition, she has with this, all along reiteratively strengthened her adversarial engagement with the Indian state.

Roy's statement of a desired 'belonging' in the wavering portability of the mobile republic, relays thus an act of cognitive confusion, for it uses here the secessionist paradigm to charge what is essentially a purely individual act of dissidence. Moreover, despite the permanent threat of non-cooperation and non-participation, Roy's dissidence remains always well within or at the limits of the rule of law and its template, whereas secession aims conversely, at escaping and transgressing this limits through the willing of an irrevocable exit. Since secession is in the first instance premised on an irreversibility that is braved consequent to an apocalyptic decision, its structuring upon a threat and its expendable force effects a squandering of its political power, its very urgency.

This urgency is neutralised in Roy's dissident discourse, as secession here is mounted contingently upon an 'If-then' conditionality: '*If* protesting against having a nuclear bomb implanted in my brain is anti-Hindu and antinational *then* I secede' (Roy 2001b, 21). Within an aleatory space where an indefinite belatedness straddles it, the statement's decisionist surge is articulated as rhetoric that will never quite be performed. The act of secession thus gets relegated to linguistic play, a mere verbal antic in its remanding. In as much as it could announce itself through a speech act it also creates severely its own delimiting, its circumscribing. If here secession is projected through an act of language, then language too fails in its ability to perform, remaining as it does within existing vocabularies of constitutional citizenship. Moreover, if in the act of saying, the speaking subject must also necessarily transform, allowing for a change in subject position, then in her case the primary condition of the perlocutionary act is never quite achieved. Secession is conjointly about an event of subjectification that needs structures of sanction, the felicity conditions of a grounded consensus and the counterwill of a community demanding it, whereas Roy's declaration straddles its own borders of contention to finally stay within established relations, individualised and atomised in self-awarded luxury. And in its inability to perform the truth it remains thus, infelicitous.

While Roy's statement can be read as a rejection of dominant political modes and the demand of hypernationalism forced upon a polity, in its rhetoric of a 'radicalised' politics of withdrawal, its possibility in material terms as an emancipatory project begs further nuancing. As a mobile republic,

her ascriptive claim in its singularity is attestable only within frames of self reference, and there exists outside of its poetic, romantic disaffiliation no materially organised political imagination. The individual will is sought to be de-subsumed, extricated from the collective will, but the futures of this project of radicalism, heralded as they incipiently are, remain unthought, uncharted. The idea of the mobile republic forswears the very mutuality and intersubjectivity that deatomises individuals into a collective, and it rides here the ironic valour of what Salman Rushdie calls 'Selfistan', 'What if I were to draw a circle around my feet and call that Selfistan?' (Rushdie 2005, 102).

The mobile republic is in its untethering, a solipsistic collapsing of the very idea of the people, a collapsing of the community into the individual and in a fetishisation of agency and will, it recalls the legacy of the liberal, humanist, bourgeois self and the ethic of individualism that circumscribes its call for rights. In its mobility, its separation from the collective, it signals a return to the individual, underwriting therein its own deradicalisation of both political will and action. That the republic cannot be estimated and affirmed, except as a body of citizens is its first postulation. But within its aggregative imperatives, if each individual were to analogously assert sovereignty as a mobile republic through a self-assigned, self-constituting authority, it could in its wake subscribe to and legitimise unauthorised power, emanating from the individual's anointing of the self as both lawmaker and lawgiver. Ergo, as sovereign signifier of another republic, Roy's statement taps into a celebrity personhood that pays homage to the hubris of the narcissistic self.

Additionally, the mobile republic's open invitation, 'Immigrants are welcome' and Roy's assertion of global citizenship, 'I am a citizen of the earth' (Roy 2001b, 21) dangerously corresponds with the vocabulary and logic of global capital. In ceding the political belonging of a republic, she attempts both the mobility and the identity that mimes the universalising tendency of capital and its ambitious transnational circulation. If secession assumes absolute difference and a lack of identity outside of the self's exhaustive parameter, then in claiming to belong to the larger undifferentiated order 'of the earth', and in this inserting herself wilfully into a universal substitutable identity, a contradictory claim to universal humanism is articulated that exceeds the very need for context and rootedness.

The mobile republic thus freed of all referential moorings inscribes a permanent liminality that attempts a radical alterity, but in as much it comes from a mode of non-engagement with the other, it can never quite lay claim to a progressive act of estrangement. In addition, if mobility is the radical other of belonging, it would always, already remain in counter decision to the invested politics of secession. Roy's statement is unable to imagine secession beyond the force of the moment. As a momentary, impetuous discharge and in its self-immersion, it is unable to commit to the arduous task of sustaining

a movement and drafting a comprehensive politics of its coming. The new radical imaginary that she alludes to, which would marshal ‘the precision of poetry’ (Roy 2009a, xii) also needs an articulated politics for praxis. The idea of the revolution that she castigates the Left for abandoning needs a resurjective enabling, one that cannot be mounted on and substituted by progressive individualism. Systemic, structural change cannot be an instance of spontaneous combustion as it were, it needs a history of its own becoming.

(This essay would not have been possible without the conversations I have had with my friend and co-conspirator in writing and madness, Debaditya Bhattacharya.)

NOTES

1. Lesser publicised and yet equally provocative are her screenplays for the films *In Which Annie Gives It Those Ones* 1989, and *Electric Moon* 1992 and her two essays on the Shekhar Kapur film *Bandit Queen*, “The Great Indian Rape Trick 1 and 2,” 1995.

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16. See endnote 10.
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Chapter 13

Exodus from the Political: Workerist Conceptions of Radical Resistance

Victor Kempf

'EXODUS'—ILLUMINATING OR MISLEADING CONCEPT?

Since the early 2000s, the term 'exodus' has become influential for the radical left. From a Workerist perspective, the messianic concept was re-coined in terms of contemporary communist theory in order to reflect on new modes of anti-capitalism that arise against what Antonio Negri and Michael Hardt call 'empire', the governmentality of globalised exploitation (cf. Hardt and Negri 2002). However, there is a controversy about the validity of the concept in political theory. Critical theorists working on alternative communes, cultures of commoning, and everyday resistance highlight the micro-political sensitivity of the concept (cf. Loick 2014). It is able, they argue, to interpret the widespread acts of refusing of and evading from neo-liberal value production as moments of an encompassing movement of resistance, prefiguring and amounting to a communist form of political subjectivity that already germinates throughout the fabric of social life (cf. Kastner et al. 2012). Viewed 'from below', the absence of party politics aiming at the seizing of state power is not considered as a weakness of the concept but appreciated as its highest strength, as its ability to learn from the eminent failure of both revolutionary and reformist approaches, and to take seriously the political character of more spontaneous and fluid forms of association and assemblage (cf. Graeber 2004, 2009). Furthermore, the concept would be especially promising in postmodern constellations where the decentred and transnational constitution of capitalism is best illuminated by the myriad, rhizomatic, and globally dispersed practices of 'exodus'.

Against this view, many objections have been raised. Among others, theorists of counter-hegemony have criticised the Workerist concept of

‘exodus’ for labelling as radical politics practices that are actually deeply individualised forms of escapism (cf. Laclau 2004; Mouffe 2005). Due to its postmodern celebration of spontaneity and fleeting, the concept is unable, they argue, to identify logics of political resistance that could challenge neo-liberal capitalism in a lasting and successful way. From the sober perspective of political realism, the renouncing of traditional party politics coincides with the denial of politics *tout court* and totally ignores the complexity of capitalist rule, which can only be overthrown through a patient engagement with its rigid structures. Therefore, the concept would be especially misleading in a situation of a deep-rooted hegemony of capitalism. In this context, any kind of ‘exodus’ would tend to reproduce the individualised form of neo-liberal subjectivation instead of radically resisting it.

In my chapter, I will adopt this line of criticism that was articulated by Chantal Mouffe in her essay *Exodus and War of Position* (cf. Mouffe 2005). The leading question goes as follows: Can ‘exodus’ be adequately conceived of as a concept of radical political *resistance*? Does this concept sufficiently take into account the *resisting* moments of alternative practices and is it thus able to critically shed light on the structures of transnational rule it is directed against? I am going to argue that, while Negri and Hardt’s notion of ‘exodus’ is interwoven with a theory of ‘multitudinous’ organisation and therefore designates an alternative model of politics, it nevertheless neglects or even negates the dimension of ‘the political’ that is exposed by Mouffe. Oriented by a ‘non-antagonist’ attitude, the conflictual interaction and antagonistic entanglement with ‘empire’ is out of scope of the concept. Therefore, it amounts to a much too harmonic, innocent, and pure notion of contemporary communism.¹ What is missing is a notion of radical resistance *as* resistance, that is, as a complex dialectics of conflict with rule that deeply permeates the formation of communism itself. As a result, a banalised and naive conception of ‘empire’ is mirrored by an oversimplified and apolitical notion of ‘exodus’ that seems to be beyond any conflictual interaction with its opponent.

In the following, I will critically examine ‘exodus’ as a concept of resistance. My discussion is theoretically in character. It demonstrates why the Workerist concept is unable to grasp the dimension of resistance to rule that is at least latently implied by new-leftist movements of refusal and withdrawal. It further enquires what this insufficiency has to do with the background assumptions and the history of the Workerist discourse. Albeit mainly theoretically in character, my article contributes to current research on resistance in political science by exposing the limits of the Workerist conception of ‘exodus’ for an adequate understanding of radical practices of anti-capitalist refusal. Those limits get visible in confrontation with the dialectical account on rule and resistance that is at work in this book. Workerism is well known for reconstructing rule consequently from the perspective and as a defensive

consequence of certain strands of ‘communist’ resistance. It is thus an important theoretical point of reference for taking the resistant actors view in order to bring to the fore often unseen layers and mechanism of rule (like, prominently, the transnational constitution of neo-liberal ‘empire’). However, Hardt and Negri, its most influential contemporary proponents, fall short of grasping thoroughly the dialectical relation with neo-liberal rule in which resistant, ‘communist’ counter-movements of withdrawal are involved. I will show that by depicting this conflictual relation as merely an external one that is played out, on one hand, between an at least ethically autonomous subjectivity of resistance and, on the other hand, a capitalist structure of rule that is more and more unable to affect the inner, ethical setup of social subjectivity, Hardt and Negri neglect the political confrontation between the rule of ‘empire’ and resistance as ‘exodus’, where the latter has to deal with opposing normative forces of ideological subjectivation. I’m going to argue that taking this aspect more seriously leads to a more sceptical, ambivalent and complex conception of the subject of anti-capitalist ‘exodus’ and its relationship with what it is directed against.

I will start by first recalling Mouffe’s criticism of ‘exodus’ as a concept of radical resistance. I will thereby focus on the absence of the conflictual dimension of the ‘political’ in postmodern Workerism.² (1) This is manifested by modelling ‘exodus’ as an ontological and thus pre-political concept, as I will show in the second section in comparison with ‘class struggle’ and ‘counter-hegemony’ as two other concepts of radical resistance deployed in Hardt and Negri’s writings. (2) Yet, even though in their newest theorising they re-embed the ‘exodus’ into a broader context of struggle and politicisation, the awareness of antagonism remains nevertheless still limited, thus impairing the view on the political, social, and ideological obstacles and counter-forces contemporary communism is confronted with. This is, especially and ultimately, due to Hardt and Negri’s underestimation of the capacities of normative integration and subjectivation that characterise the neo-liberal rule of ‘empire’.

EXODUS, POLITICS, AND THE POLITICAL

Chantal Mouffe criticises the Workerist notion of ‘exodus’ from the diverging standpoint of her own post-Marxist theory of hegemony. Her polemical intervention makes clear that the method of emancipation is highly contested in the radical left. She contrasts the Workerist strategy of ‘refusing of’ neo-liberal capitalism with what she calls a radical politics of ‘engaging with’ its hegemonic structures and institutions (cf. Mouffe 2005; Mouffe 2013, chap. 4). According to this model, the political construction of a new alliance of

social forces that rebuilds the 'collective will' and thus becomes hegemonic is the only realistic way of emancipation (cf. Mouffe 2005, 38–41; Mouffe 2013, 73–75). The patient 'war of position' advocated by Mouffe is battled out on the classical terrain of civil society. It is mainly engaged in party politics, parliamentarianism, unionism, and other official forms of organisation and aims at the conquest of the state by means of radical reformism (cf. Mouffe 2005, 38–41; Mouffe 2013, 71–77). By identifying politics *tout court* with that conventional notion of politics, the 'exodus' appears as a 'post-political vision' of resistance and emancipation, 'thoroughly inappropriate, given the challenges radical politics is confronted with today' (Mouffe 2005, 30).

For Mouffe, the supposed avoidance of politics is rooted in the individualistic and messianic character of the 'exodus' (cf. Mouffe 2005, 30–33, 47–49). Here, her own political and theoretical standpoint inhibits a sensitive interpretation of the Workerist perspective and thus she is unable to recognise the alternative mode of politics that is implied by the 'exodus'. Whenever Negri and Hardt talk about 'exodus', they do not celebrate acts of pure and 'radical negation' (Mouffe 2005, 29) that result in individualised escapism. In their framework, practices of radical refusal are at the same time also manifestations of 'constituent power' that construct new forms of social cooperation and political organisation (cf. Hardt and Negri 1994). Doing the 'exodus' means exactly this invention of non-capitalist forms of life by social forces that are immanent to what they call 'multitude'. The Spinozian term 'multitude' designates an assemblage of individuals ('singularities'), which are not unified 'from above' by abstract concepts of collective will-formation, like the 'party' or the 'people' (cf. Hardt and Negri 2004, 99–102). However, this refusal of abstract political mediation does not amount to the atomism of a disintegrated mass. It opens up the space for an alternative kind of intersubjective bonding, constituted by the forces of affectivity. In Negri's materialist ontology of social being, the affect of 'love' is key for the construction of intersubjective relationships that are based on the pleasure of sympathy and motivated by the spontaneous desire to overcome the isolation of contracting agents (cf. Negri 2003 [1982], 209–24).

The affect of love is a constitutive moment for many alternative forms of life that have spread out since the 1960s. It is especially important for the emergence of informal communes and new ways of sharing (cf. Wallmeier and Fielitz; Stenglein in this volume). Those forms of life attempt to replace the capitalist logic of private property and its normative principles of achievement and competition by the 'communist' logic of the common, which distributes wealth and work according to affective solidarities, sympathy, feelings of care, gratitude, belonging and so on. However, what is often interpreted as an individualist way of escapism is actually thoroughly political in character, because it is geared towards new modes of collectivity, however

small, fragmented, decentralised, and dispersed they might be (cf. Deleuze and Guattari 1987). For sure, those affective associations are not comparable to the much more stable ties of party politics and state-centred coalitions Mouffe argues for. They initiate the generation of rhizomatic networks, not the formation of unified structures centred around universal norms (cf. *ibid.*, 225–34). Insofar, the mode of politics implied by the ‘exodus’ seems to exhibit all the naivety, unsteadiness, and fragmentations typical for anarchist approaches. Therefore, it seems still to depend on a messianic event yet to come in order to become a coherent and politically potent tendency in history.

However, if we assess the matter from the opposite angle, Mouffe’s ‘war of position’ is no less problematic. It is defined by exactly that sovereigntist model of politics that is consciously abandoned by Negri, Hardt, and many activists of the radical left (cf. Hardt and Negri 2002, part 2). The Workerist discourse is informed from its very beginning by the manifold historical experiences of expropriation, repression, and alienation of emancipatory desires through forms of abstract political mediation and unification (cf. Negri 1999, chaps. 5, 6). The story of socialism from Eduard Bernstein to Tony Blair reveals a mechanism of betrayal and corruption immanent to the logics of representation and political mediation that have subjugated time and again subaltern claims for egalitarian participation to the conditions of capitalist rule (cf. Hardt and Negri 2009, 19f; Kempf 2019, part 4). Of course, such diagnoses do not remain undisputed, and also the communist idea of ‘absolute democracy’ that is rid of any abstract mediation (cf. Hardt and Negri 2004, 237–47) can be criticised for a certain kind of illusory optimism confined to small-scale contexts. Nevertheless, it is important to stress that Mouffe’s more traditional conception of politics is politically confronted with an alternative mode of politics that seems to be quite in line with the ethical desires of radical refusal (cf. Safri 2011, 15) whereas the mediating logics of ‘war of position’ risk suppressing those desires from the outset. Furthermore, the politics of ‘exodus’ is maybe not as weak and unrealistic as it was sketched by Hardt and Negri in *Empire* in 2002. In the following years, they have scrutinised the question of political organisation more intensively and have begun to take into account the juridical and institutional preconditions for making the communist self-organisation of the multitude a more lasting and universal possibility within contemporary societies (cf. Hardt and Negri 2009, 345–83). Thus, by recognising and establishing the institutional requirements of a new ‘common wealth’—unconditional basic income, juridical implementations of ‘the common’ (cf. *ibid.*, 376–83)—, the political prospects of ‘exodus’ get more and more independent from a Messiah yet to come.

But even though practices of ‘exodus’ are interwoven with the emergence of an alternative mode of politics, the Workerist image of that process of political subjectivation remains nevertheless ‘unpolitical’ in the other sense

of the word evoked by Mouffe. She distinguishes ‘politics’ from the dimension of ‘the political’. Whereas ‘politics’ refers ‘to the ensemble of discourses, institutions and practices that aim at establishing order and organise human existence’, ‘the political’ denotes ‘the potential antagonism that is inherent to social relations’ and thus time and again transforms ‘politics’ into a scene of fundamental social, ethical and cultural conflicts (cf. Mouffe 2005, 51). Beneath the sphere of the construction of the social (‘politics’), struggles over the very conditions, parameters, and ethical aims of that construction are fought out. They are, following Mouffe, fought out in an antagonistic manner, because any definitive foundation of the social that could guide and guarantee the right and necessary way of its historical development faded away with the dawn of modernity (cf. Laclau and Mouffe 1985, 93–97; Mouffe 2005a, 1f) and was replaced by ‘different gods [that] struggle with one another’ (Weber 1946 [1917], 148). Together with Ernesto Laclau, Mouffe has elaborated the notion of ‘the political’ in order to overcome the illusions of Economism often characteristic for Marxist concepts of social transformation: While the Marxism of the 2nd International believed that the communist future arises from the development of productive forces that necessarily have to blow up the inhibiting social and political forms of capital, Laclau’s and Mouffe’s post-Marxism brings to attention the insurmountable contingency of historical development and the plurality of ethico-political visions that conflict with each other within the realm of the political. Due to the non-existence of a final normative or ontological foundation, those conflicts cannot be resolved or avoided by referring to a pre-established ‘common being’ (Negri), but only temporarily settled through powerful projects of hegemony that are able to enforce their ethico-political vision vis-à-vis adversarial projects (cf. Mouffe 2013, 77–79). As I will show in the next section, this sense of antagonism that is sharpened by the conception of ‘the political’ is absent within the Workerist notion of ‘exodus’, which therefore is also insufficient as a concept of political resistance.

THREE WORKERIST MODELS OF COMMUNIST RESISTANCE

‘Exodus’ is not the original Workerist model of resistance. When gaining popularity in the late 1960s and early 1970s, Workerism was a theory of antagonistic class struggle that intended the destruction of capitalist rule through means of ‘proletarian violence’ (Negri 2005 [1977], 282). Insofar, the conception of ‘exodus’ seems to be a kind of deviation from the original Marxian radicality of Workerism. Additionally, in *Assembly*, Hardt and Negri’s newest book, they themselves criticise a politics of radical resistance

that is confined to practices of ‘exodus’ and argue for a Neo-Gramscian model of counter-hegemony and political struggle in which practices of ‘exodus’ are only one aspect of liberation among other, more combative ones that realise the conditions of liberation in the first place (Hardt and Negri 2017, 274–80). Against this backdrop, the unpolitical conception of ‘exodus’ appears to be an anomaly within the history of Workerism, which since the beginning is driven by a strong sense of antagonism. However, the result of my analysis of those three models of communist resistance will be that this is actually not really the case: Even the early model of class struggle and the latest thoughts on counter-hegemony take only to a limited extent the dynamics and deep-going entanglements of antagonism into account. They thus deal with a purified, idealised, and unhistorical notion of resistance and its subject. In the following, I am going to substantiate this thesis by enquiring in more detail how the subject of resistance, the mode of subjectivation and its relation to rule is thought in each of the three Workerist models of communist resistance.

Thus, the following discussion of three Workerist models of resistance aims at exposing a general theoretical weakness of Negri and Hardt’s Workerism: Its continuous inability to think the dialectical and antagonistic interaction between resistance and rule properly. This gets clear for all three Workerist types of resistance, as I want to show in the following subsections. Due to their underestimation of the complexity of capitalist rule and their overestimation of the autonomy of proletarian subjectivity all three types fail to recognise how deeply communist resistance is entangled in rule. For this reason, also the many and deep-going tensions and obstacles that practices of anti-capitalist refusal need to overcome remain without reflection. At first sight, this seems to be mainly a problem in terms of political strategy. However, to illuminate structures of capitalist rule properly from an anti-capitalist perspective of resistance also helps to improve the scientific understanding of how those structures are constituted and how subjects of resistance are related to them. As in all critical theory, the political perspective is an epistemological resource.

Class Struggle

The origin of Workerism can be conceived of as a reaction to the capitalist limitations of reformism. Whilst the corporatist constitution of post-war Italy seems to be able to include the working class into a development of perpetual growth that allows for an ever higher level of economic and political participation, the early 1960s revealed the systematic subordination of proletarian demands to the rule of capitalist surplus (cf. Negri 1994 [1964], 124–35). In 1962, the rates of growth declined, but highly politicised strata of industrial working class were not willing to reduce their demands to a more modest

level. However, the official representatives of the working class remained committed to the reformist principles of modesty and sustainability and thus mostly were forced to betray the demands of those represented, like in the case of FIAT, where waves of wildcat strikes aroused as a reaction to it. Those wildcat strikes in turn were answered by means of state authority, thus evoking the violent face of corporatist mediation. This new intensity of class antagonism resulted in a 'struggle against (wage) labor' (Tronti 1974, 233). It was embodied by attitudes of refusal quite identical with practices of 'exodus' but also accompanied by revolutionary practices of reappropriation, of 'looting . . . , free or 'political' shopping; occupation of premises for free associative activities; the custom of young people refusing to pay for cinemas and concerts; . . . lengthening of rest periods in factories, etc.' (Negri et al. 1988 [1983], 237f). Those practices in turn provoked a dynamic of repressive counter-revolution that aims at re-enforcing the order of capitalist rule and property. This was the dialectics of class struggle that shook Italy from the early 1960s to the late 1970s and ended in stalling a post-Fordist mode of decentralised industrial production that successfully fragmented the bastions of a radicalised working class.

Let us discuss the early Workerist model of communist resistance in a more analytical way. The *subject of resistance* is thought of as an insurgent class that gets empirically visible in unruly instances of wildcat strikes and spontaneous acts of collective reappropriation. The insurgent character of that 'proletarian' class is partly observed by means of sociological enquiry that try to capture the 'political composition' of the working class in order to measure their revolutionary potentials (Negri 2005 [1975], 169–72). However, even at the highest point of mobilisation, the revolutionary forces of so-called 'Autonomia' represented only a minor section of the Italian working class. In order to be able to consider working class as-such as a revolutionary subject, both Negri and Tronti assume an ontological being of working-class subjectivity that guarantees its historical expression in the long run: Inside the concrete activity of 'living labour' is rooted an insurmountable aversion against all the capitalist orders of 'equal exchange' and normative mediation (corporatism, social state); from the 'worker's standpoint' (Tronti 1974, 9), those orders would be recognised as being intrinsically equivalent with class-based exploitation, alienation, and domination (cf. Tronti, chap. 9; Negri 1994 [1964], 132–34; Hardt and Negri 1994a, xiii–xiv; Hardt and Negri 1994b, 5–21).

The *mode of subjectivation* that is at play in proletarian class struggle is theorised by Negri and Tronti as a negativistic one. It is sketched as a counter-subjectivation that has conflictually to engage with hegemonic, bourgeois forms of subjectivation in order to proceed. Even though the autonomous 'self-valorisation' (Negri 2005 [1977], 234) of living labour is based in an ontological being, it has nevertheless yet to be realised by passing through an antagonistic, often quite heavy confrontation with the ruling normative

orders of capitalist society (cf. Negri 2005, 258–85). This struggle is not only about the private and public property that has to be reappropriated in order to make possible the autonomy of proletarian ‘self-valorisation’ (cf. Negri 2005 [1975], 157). The struggle must also be fought out against the bourgeois forms of subjectivation, which stabilise the existing order of property by submitting also those exploited by it to its normativity. Negri has a very clear notion of this capitalist subjectivation and its deep impact on the constitution of post-war Italy. According to him, this is a ‘constitution of labour’ that contains, tames, and neutralises the insurgent antagonism of working class by recognising the latter as an equal and free partner of corporatist deliberation and social contract (cf. *ibid.*, 103–23). Exactly against this normative order of recognition, of freedom, equality, and the common good of prosperity and capitalist accumulation, the resisting counter-subjectivation must take shape in order to liberate the working class from the containing forces of capitalist subjectivation.

Class struggle as a mode of counter-subjectivation is deeply entangled in interactions with its adversary, capitalist rule, backed by the state and its violence. The early Workerist notion of class struggle manifests a strong awareness of antagonism, played out ‘class against class’ (Tronti 1974, 155), along an escalatory dialectics between reappropriation and repression and beyond any possibility of mediation or reconciliation (cf. Negri 1994 [1964], 133–36). Thus, the Workerist discourse about proletarian class struggle sheds sharp light on the very object of resistance and thus analyses the obstacles and counter-forces communist desire has to overthrow before achieving autonomy. However, the awareness of antagonism remains somehow superficial even in Negri’s most polemical and war-like pamphlets written at the top of escalation (cf. Negri 2005 [1975], Negri 2005 [1977]). Proletarian counter-subjectivation is staged within the ‘fog of war’ and perceived as being deeply immersed into a negative relation with its adversary. But for Negri, this never affects the internal constitution of proletarian subjectivity itself. In his view, the resistant subject is just externally exposed to the negative relation of antagonism, like a ready-made identity (cf. Negri 2005 [1971], 15–21). It is not enquired how the conflicting forces struggle within proletarian subjectivity itself, thus making the latter ambivalently oscillating between a normative attachment to rule and unruly movements of de-subjectivation.

The Workerist concept of class struggle does not reflect how the very conflictuality that is experienced at the surface of confrontation permeates all layers of the social, deeply intruding into resistant subjectivity itself, which must therefore be the very first spot of emerging resistance. This absence of a self-critical sense for the ambivalences of resistant subjectivity is theoretically caused by the Workerist assumption of an ontological being of living labour that persistently resides beneath the surface of capitalist subjection. An ontological rudiment of proletarian autonomy is presumed, pure

and free from any corruptions of ideological integration (cf. *ibid.*; cf. 1994 [1964], 132–34; Hardt and Negri 1994a, xiii–xiv; Hardt and Negri 1994b, 5–21). Furthermore, this ontological assumption of communist subjectivity is accompanied by what Timothy Murphy calls the ‘Workerist hypothesis’. According to this hypothesis, the insurgent subjectivity of living labour is the driving agency in history, which time and again forces capitalist rule to adapt to new realities of proletarian autonomy in order to recapture them (cf. Murphy 2012, 70). This notion of social change also implies that working-class subjectivity is always already there as a resistant agency that is the indirect cause of all instances of rule (cf. Tronti 1974, chap. 11). Seen this way, we can reconstruct the impacts of resistance on rule, but the other way around we can only see the original and pure desire for liberation that constitutes living labour’s subjectivity. Instead of enquiring hermeneutically the worldview of concretely resisting subjects, their revolutionary character is generally presupposed (cf. Negri 2005 [1971], 15–21), whereas their complex and also subjective entanglement in rule remains exempted from theoretical reflection. Thus, the subject of resistance is idealised, the subjectivating capabilities of capitalist rule remain underestimated, and the antagonistic interrelation between both sides is sketched far too rough and simple. As I will show in the next subsection, the model of ‘exodus’ outlined 40 years later radicalises this naivety, thus amounting to a fully post-political concept of radical resistance.

Exodus

When *Empire* was published in 2002, the terrain of communist liberation had been dramatically shifted and transformed since the 1970s. The class struggle that was initiated by wildcat strikes and attempts of autonomous ‘self-valorisation’ was finally defeated by the counter-revolutionary forces of ‘capitalist restructuring’ (Negri 2005 [1977a], 181). The main reason for the success of ‘capitalist restructuring’ was not its reliance on violent state authority, but its ability to install new forms of deregulated production beyond the Fordist factory-model and its discipline (cf. Negri 2005 [1975], 142–46; Negri 1988 [1980]). However, from the Workerist viewpoint, what seems like a defeat on the surface of history is to be considered as an epochal victory of ‘Autonomia’ concerning the basic structures of social reproduction. In as much as the post-Fordist mode of neo-liberal value creation is strongly based on practices of ‘biopolitical production’⁷³ (cf. Hardt and Negri 2002, 22–41), communicative, cooperative, and more spontaneous forms of association became the actual bearers of capitalism. And those forms are, according to Hardt and Negri, already structured in a communist way, because they rely on the affectivity of multitudinous ‘self-valorisation’, not on capitalist command and property anymore (cf. Hardt and Negri 1994, 271–82). In addition, due to the globalisation of the circuits of value production, the nation state was

weakened as a frame of reformist mediation and capitalist subjectivation, and therefore a new, globalised space of communist self-subjectivation emerges (cf. Hardt and Negri 2002, 69–218). For Negri and Hardt, according to those changed conditions of capitalist exploitation, also a new mode of communist resistance seems to be possible:

Whereas in the disciplinary era, sabotage was the fundamental notion of resistance, in the era of imperial control it may be desertion. Whereas being-against in modernity often meant a direct and/or dialectical opposition of forces, in post-modernity being-against might well be most effective in an oblique and diagonal stance. Battles against ‘empire’ might be won through subtraction and defection. (Hardt and Negri 2002, 202)

This is the movement of ‘exodus’. It is thought to be already generated by the protagonists of post-Fordist production that can increasingly leave the rule of capitalist property easily behind their backs and invent new forms of being in common by jointly exercising their ubiquitous capacity of ‘biopolitical production’. Analytically spoken, in this model, the *subject of resistance* is imagined as an *ontological* multitude. It is construed as a spontaneous assemblage of individuals that are communist in character *already* inasmuch as they collaboratively pursue ‘biopolitical production’. Its political character stems simply from its economical being. Again, instantiations of communist resistance are also registered empirically, for example, by referring to the Zapatistas and to other contemporary occurrences of ‘alternative’ communarding and commoning (cf. *ibid.*, 52–59; Hardt and Negri 2004, 63–93). However, the generalisation of those tendencies that is undertaken in *Empire* rests more than ever in the history of Workerism on an ontological assumption regarding the materiality of living labour and its communist autonomy. For Negri and Hardt, the supposed ethical core of living labour seems to be increasingly unleashed in the age of post-Fordist valorisation that is driven by informal networks and non-hierarchical brainstorming. Negri and Hardt constantly insist on the analysis of biopolitical production in order to identify the social basis of the multitude as a communist subject (cf. Hardt and Negri 2002, 22; Hardt and Negri 2017, xv, 207f, 228, 231–35, 238). But, while illuminating the necessary economical grounding of communist subjectivity, they also infer causal necessity from it. They seem to assume that the mere objectivity of post-Fordist production already contains the material, ethical, and political forces of ‘self-valorisation’ that are ready to be realised. This postmodern return of Economism is made explicit by the following:

Brains and bodies still need others to produce value, but the others they need are not necessarily provided by capital and its capacities to orchestrate production. Today, productivity, wealth, and the creation of social surpluses take the form of cooperative interactivity through linguistic, communicational, and affective

networks. In the expression of its own creative energies, immaterial labour thus seems to provide the potential for a kind of spontaneous and elementary communism. (Hardt and Negri 2002, 294)

According to this attested autonomy of the multitude and its supposed autarchy vis-à-vis capital, also its *mode of subjectivation* differs remarkably from the model of class struggle. Instead of a negativistic mode of becoming a communist subject that is antagonistically engaged with capitalist rule, no such conflictuality is at play when Negri and Hardt theorise the coming about of the multitude. In the model of 'exodus', there is no real need for reappropriating capitalist property in its *physical* form in order to materialise 'self-valorisation', thus totally ignoring the corporal materiality of 'immaterial labour' and 'biopolitical production' (cf. Hardt and Negri 2002, 403–07). Furthermore, also no struggle against the subjectivating forces of capitalist rule seems to be in order. The multitude is grasped as an intersubjectivity that is totally separated and already independent from 'empire' (cf. Hardt and Negri 2002, 407–11; Hardt and Negri 1994, 282). It resists neo-liberal 'empire' by simply going in its own direction, pursuing innocently its own desires (cf. Hardt and Negri 1994, 411–13). The negation of any necessity to resist and to get rid of capitalist subjectivation can be explained by Negri and Hardt's diagnosis of a neo-liberal 'withering of civil society'. According to this diagnosis, there has happened an erosion and resolution of all those corporatist mechanisms of mediation and recognition that formerly intended to integrate working class by subjectively attaching their members to the normative order of capitalist value production (cf. Hardt and Negri 1994c; Hardt 1995). For Negri and Hardt, in the neo-liberal era, capitalist rule has no longer any capability to contain the insurgency of working class through means of normative and cultural integration. For sure, neo-liberalism comes along with ideological discourses that celebrate the kick of self-entrepreneurship and the joy of consumerism. But according to Hardt and Negri's quite optimistic view, those discourses are not able to generate a positive and attractive frame of subjectivation. Quite the contrary, they would have only disturbing and disenchanting effects on the multitude in-the-making. Their reifying imaginaries only manifest a 'stripping away of being from the world', whereas the multitudinous and 'common being' materialises a 'fullness' of sense and community (cf. *ibid.*, 389–92). Thus, the capitalist discourses of subjectivation seem to be exhausted and deprived of any integrating normative meaning. If we follow this diagnosis, communist desire does not have to resist capitalist subjectivation by means of unruly counter-subjectivation that crushes consensus but only has to replace the ideological void and intellectual darkness of neo-liberalism (cf. *ibid.*, 389, 391) by acts of self-subjectivation that are not negatively entangled in what they are directed against, and hence just need to happily affirm themselves.

In contrast to class struggle, the 'exodus' conceptualised by Negri and Hardt is already fully liberated from any conflictual, antagonistic, and escalatory dialectics with its counter-part. This makes it quite difficult to identify the resisting moment of communist subjectivation when there is no potent force that stops, impedes, or perverts the movement of desertion and reinvention, and when therefore the desertion seems to be able to easily enter an open space that is already there if we just lift the thin surface of commodity production. With this absolutely 'non-antagonist' notion of radical resistance beyond any need to resist, the 'Workerist hypothesis', which assumes that living labour's subjective core is always already constituted independently from and previous to capitalist rule and is thus able to autonomously unfold itself, is pushed to an extreme. This became theoretically possible by a post-modern hype of immateriality that leaves totally out of sight the materiality of 'immaterial labour' and the reappropriative struggles that are tied to it; by inferring the communist subjectivity of the multitude and the tendency of its social realisation from the economical being of 'biopolitical production'; and by theorising 'empire' as an order of rule that lacks any compelling discourse of normative integration and capitalist subjectivation.

However, theorised this way, the model of 'exodus' paints a too optimistic and simplified picture of neo-liberal capitalism, instead of revealing from the standpoint of subversion its complex, highly mediated, and thus disguised structures of rule with which subversive subjects are always engaged to a certain extent, thus still conflicting with capitalist aspirations of containment that have first of all to be thwarted by the very act of resistance. Of course, this optimist view would be absolutely adequate, if neo-liberal 'empire' would really work as it is conceived of by Negri and Hardt. In this case, we could leave all politics of resistance behind and, accordingly, it would also be misplaced to criticise the concept of 'exodus' for not illuminating the latter's resisting interaction with rule. However, if we analyse neo-liberal capitalism just a little bit more sceptically, the containing structures of rule become visible with which real practices of 'exodus' are permanently confronted when they try to liberate themselves from the capitalist logic of property. One cannot go just outside into the void. From the perspective of those who desert, their desertion is inhibited, limited, blocked, diffracted, and distracted by both overt and more subtle and indirect mechanisms against which the deserting have to struggle day by day.

Indeed, Hardt and Negri are right when they emphasise the shift from 'formal' to 'real subsumption' that characterises neo-liberal value creation: Whereas in Fordism, capitalist rule was to a large extent still *externally* enforced on living labour by subjecting it to the command of property and the discipline of factory, this relation of rule tends to resolve in post-Fordist production, which is more and more independent from a commander that *concretely* owns the means of productions and authoritatively orchestrates

their valorisation (cf. Hardt and Negri 2002, 289–97, 356–59). But this does not mean that also the underlying asymmetries of capitalist rule are vanishing. They are only shifting to another, more mediated level of social reproduction. Even when the protagonists of immaterial labour are relieved from the rule of property that was executed by the regime of factory-work, they remain nevertheless dependent on material resources that are still juridically organised and protected according to the logic of capitalist property. Tentatively speaking, in post-Fordism, the material resources essential for living labour's vitality are made accessible via credit instead of wage, and those credits initiate the exploitative circuits of a rising debt economy to whose expectations and conditions the biopolitical producers of creativity have to adapt in order to reproduce themselves sufficiently (cf. Lazzarato 2012, 20–35). The mechanisms of debt economy reinstall capitalist command and thus have to be actively resisted through practices of communist reappropriation in order to realise the 'exodus'. Additionally, reappropriative struggles are complicated by the subjectivating effects of neo-liberal debt economy. They fabricate what Maurizio Lazzarato calls the 'indebted man': a subjectivity of creative production which has internalised the pressures of exploitation and norms of competition by affirming the responsibility that comes along with 'individual freedom' (cf. Lazzarato 2012). This is 'real subsumption'! This term does not signify the lessening of capitalist subsumption, but its internalisation and thus intensification through means of conformist subjectivation that reduce the necessity for external authority that was more typical in the age of 'formal subsumption' (cf. Marx 1969 [1865], 46–65). However, Negri and Hardt deploy this term without taking into view its deeply subsuming, subjectivating character, without recognising how the communist ethics of 'Autonomia' had been successfully trans-valued into a 'new spirit of capitalism' (Boltanski and Chiapello 2007) that might be able to re-subjectify the multitude, to normatively re-attach it to capitalist rule and thus to block the movement of 'exodus'.

Counter-Hegemony

If there is a blockade for communist desire, the latter needs to resist, thus entering into the field of 'the political' where different ethico-political visions of the social antagonistically conflict with each other. However, in Negri and Hardt's theorising of the 'exodus', any sense of antagonism is annulled. According to their view, we have on one side the self-subjectivating forces of the multitude that are able to construct a new horizon of liberation and a powerful 'common being', and on the other side, we have only the ethical emptiness of neo-liberal 'empire' that is increasingly unable to recapture the creativity of 'biopolitical production' and hence will collapse sooner or

later. For Negri and Hardt, there is never a real need for struggle, because the objectivity of economic development already guarantees the realisation of communist desires in the long run. Inasmuch as the conflictuality between antagonistic powers is thought to be over-determined and sublated ('aufgehoben') by the forces of ontology, the Workerist notion of 'exodus' manifest exactly that 'post-political' and economist vision of radical politics that was criticised by Mouffe and others for naively escaping from the real challenges of liberation. Yet, in *Assembly*, their newest book, the sense for antagonism seems to be restored. Whereas in 2002 Negri and Hardt remained overwhelmed by their own optimism, in the following years, the neo-liberal 'apparatus of capture' (Deleuze and Guattari 1987, 424–73) that reinstall capitalist rule became more and more apparent and were recognised as a serious obstacle for the self-valorisation of the multitude (cf. Hardt and Negri 2009, 153–64; Hardt and Negri 2017, 155–82). Many of those who deserted into the open space of alternative economy returned as 'indebted men' that felt the need to occupy 'the common' in order to strip capitalist rule off from themselves in the first place (cf. Graeber 2012; Hardt and Negri 2012). Being totally aware of this situation, Negri and Hardt now emphasise the limits of the strategy of 'exodus': Due to its confinement to smaller communities and its incapability to affect the broader social context in which strong counter-forces are playing out their dominance, the 'exodus' must now be complemented through strategies of 'antagonistic engagements with the existing institutions' that attack and overthrow the latter through politicised practices of reappropriation and subjectivation (cf. Hardt and Negri 2012, 235, 274–80). Thus, the 'exodus' is re-situated into a scene of struggle, structured by clear-cut battlelines:

While on one side the march of privatisation continues and the dominance of the corporations and finance over government is affirmed, while the remaining public powers are made functional to the 'good life' of capital, on the other side social forces—tacitly or openly—try to break every institutional relationship of subjection, posing the need for a new constructive logic of 'being together', of cooperating in production, of constructing new institutions. (Hardt and Negri 2012, 237)

The *subject of resistance* is now conceived of as a *politicised* multitude. It is construed as an assemblage of individuals that is constituted through forms of counter-hegemonic politics which orchestrate insurgent alliances and organise the battles for reappropriating 'the common' (cf. Hardt and Negri 2012, 222–29, 235–37, 239–45). The practice of occupation is the emblematic occurrence of this politicised multitude that is ready to struggle against all those private-public partnerships, which inhibit its autonomous unfolding. Most prominently, the politicised multitude became visible in

September 2011 when a huge number of people from all over America occupied Zuccotti Park at Wall Street in order to reclaim the public and common wealth that had been expropriated and absorbed by financialised capitalism (cf. Blumenkranz et al. 2011). Again, Negri and Hardt locate the forces that cause this combative subjectivity on the ontological level of ‘biopolitical production’ (cf. Hardt and Negri 2017, 224, 278f, 288). But the need for politically forming the shapes of that subjectivity is now brought into focus (cf. Hardt and Negri 2017, 274–80). As discussed earlier, the notion of ‘exodus’ was already tied to a conception of alternative, multitudinous and affectivity-based politics. But now also its conflictual relation to the opposing project of capitalist rule seems to be fully acknowledged, and thus also the dimension of ‘the political’ to which that politics is exposed to seems to be taken into account. Even though they still infer the ethical impulse immanent to communist subjectivity from an ontological being, they nevertheless come pretty close to Mouffe’s conception of a radical politics that is permanently engaged with hegemonic counter-forces, thus engaged in a ‘war of position’ that aims at reclaiming power and re-forming given institutions, instead of only deserting into another, more original ontological register. Negri and Hardt strongly embrace the post-Marxist vocabulary of counter-hegemony when they capture the politicised multitude as a partisan organisation of struggle that is consolidated by mechanisms of representation and leadership even though those more abstract mechanisms remain in the last instance always subjected to the subjectivity of the multitude that emerges spontaneously from below (cf. Hardt and Negri 2017, 18–22, 291).

According to this partisan politicisation of the multitude, also its mode of subjectivation changes. Instead of an affirmative self-subjectivation beyond antagonism, a negativistic counter-subjectivation becomes necessary again that is able to destruct and repel the ‘homines economici’ that are formed by neo-liberal regimes of subjectivation and that help to prolong the expropriation of ‘the common’. Before reappropriating the common, the individuals have first of all to undo their capitalist subjectivation. They have to get rid of their ‘entrepreneurial self’ that perverts the autonomy of the multitude (cf. Hardt and Negri 2017, 208–12, 218–25).

Negri and Hardt’s new model of resistance seems to be fully aware of the latter’s antagonistic relation with capitalist rule that affects its whole constitution. However, similar to the model of class struggle, the sense for antagonism remains reduced. It doesn’t reflect sufficiently the subjectivating counter-forces of neo-liberal ‘empire’ that are capable of reproducing capitalist rule even within the emerging counter-subjectivity itself. Those forces are able to do so inasmuch as they consolidate the object of resistance through means of normative integration and ideological attachment. Negri and Hardt never take the subjectivating forces of neo-liberalism serious

enough. They only talk about coercive and instrumental relations of 'subjection' that are unable to produce the affectivity necessary for subjectivation, opposed to the real 'subjectivation' that comes along with the exciting and semantically rich 'common being' of the multitude (cf. *ibid.*, vxiii, 224). By ultimately distinguishing systematically between neo-liberal 'subjection' and communist 'subjectivation', the analysis of the impressing ideological capacity of neo-liberalism remains blocked. Seemingly, the adversary of communist subjectivation is only an instrumental technology of domination, exertion, and legalised plunder, devoid of any ethical appeal (cf. *ibid.*, 219f). Thus, it is totally left out of side that neo-liberal discourses attract big parts of society by offering not only cynical and drained dogmas of productivity, but also images of individual freedom and political community. Opposed to the multitude, there are not only the techniques of exploitation. There is also the post-democratic people of a meritocratic middle-class society that openly affirms the 'good life' of prosperity. If we reconsider the capitalist pole in this way, the antagonistic relation in which the multitude is immersed in is much more intense and the scenes of conflict multiply throughout the lifeworld. The relation of antagonism is caused by the clash of opposing ethico-political visions. It can thus no longer be trivialised as a relation between the ideological emptiness of 'empire' and the ethical fullness of the multitude.

For sure, this deepened antagonism also traverses the inner constitution of communist subjectivity itself, thus producing ambivalences, tensions and internal obstacles that preoccupy and frustrate the formation of the multitude. But in Hardt and Negri's all too schematic painting of a clear-cut and definitive 'separation' between neo-liberal 'empire' and repressive 'subjection' on one side, and the multitude and its liberating forces of 'subjectivation' on the other, clearly conversed side (cf. Hardt and Negri 2002, 407–11; Hardt and Negri 1994, 282; Hardt and Negri 2009, 290–95), there is no place for such ambivalences and inner contradictions of the multitude. As Negri and Hardt say, '[b]eneath neoliberalism's mystified notions of freedom, . . . we can sometimes discern the heartbeat of real instances of social autonomy' (2017, 208). According to their view, the two visions of freedom relate to each other like an original essence and a distorted appearance that totally misinterprets what is really going on under the surface (cf. *ibid.*, 208f). However, it seems worth to discuss whether 'neo-liberal freedom' is really that clear-cut from 'social autonomy'. The distorted appearance of 'social autonomy' might be able to recode its essential ethics and thus to redefine its normative rationality, hence tying it back to the inequalities and the competitiveness of capitalist value production. In this case, the multitude is haunted by its very own corruption and conformism, that is, by internalised forms of rule that need to be resisted the strongest.

I am referring here mainly to Paolo Virno's sceptical analysis of the multitude. According to him, the multitude has a double-face. It is 'an ambivalent

way of being that contains within itself both loss and salvation, acquiescence and conflict, servility and freedom' (Virno 2004, 26). On one hand, the alternative economy of the multitude is based on informal networks and affective solidarities that prefigure more horizontal ways of cooperation beyond the bourgeois rule of property and competition. On the other hand, while 'autonomous' from overt forms of capitalist hierarchy, exploitative inequalities are often reinscribed into this communist mode of creation. They get manifest in forms of 'personal dependency' and are at the same time disguised by the affections of love and friendship that characterise multitudinous cooperation (cf. Virno 2004, 40–41, 68, 87f). Virno shows how neo-liberal capitalism was able to translate its liberalism of the market into the language of communist autonomy and thus to instrumentalise the latter for its purpose (cf. Virno 2004, 110f). However, in contrast to Negri and Hardt, for Virno, this *capitalist exploitation of contemporary communism* remains not external to the latter. It is not a perversion that totally distorts the communist ethics of 'self-valorisation', but a *conformist variation* of this ethics that to a certain extent resonates with its original desire, with the critique of the welfare state and the spirit of spontaneity, fluidity, deregulation, and self-valorisation that motivates contemporary communism (cf. Virno 2004). Visions of radical autonomy, horizontal solidarity, and revolutionary communism smoothly slip into notions of liberal empowerment, particularistic dependency, and compensatory communitarianism. Even though the neo-liberal translation of communism ultimately betrays its actual telos, we nevertheless should acknowledge its ability to absorb and adapt the driving effects of communist liberation and thus to reproduce capitalist rule even within those who attempt to resist it.

CONCLUSION

When we want to enquire practices of withdrawal or radical refusal as a kind of political resistance, the Workerist conception of 'exodus' seems to be a promising theoretical starting point. According to this Workerist notion, the desertion from neoliberal 'empire' doesn't amount to an individualistic and escapist enterprise but is tantamount with establishing new modes of community and solidarity beyond the mediating logics of the market or state. By explicating the idea of the 'multitude' and its 'constituent power', it is possible to interpret phenomena politically that are often dismissed as private, confused and dispersed movements of withdrawing without any positive collective character. However, while opening up a political perspective on practices of radical refusal, the Workerist conception insufficiently takes into account how those practices are related to structures of rule. What's absent in Hardt and Negri's theorising is how the anti-capitalist desire of 'exodus'

stays in a relation of conflict with capitalist structures of rule that still are able to contain, neutralise and ideologically trans-value that desire and therefore to re-integrate the deserting subjects. This relation of conflict and the sites of struggle that come along with it are either out of scope in Hardt and Negri's socio-theoretical discussion of the 'exodus' or heavily underestimated, like in *Assembly*, their newest book. Here, 'empire' comes back into view as a potent structure of rule against which resistant actors need to fight in order to overcome the exploiting mechanism of post-Fordist production. But any capacities of capitalist 'subjectivation' (instead of simple, coercive 'subjection') are still denied, because for Hardt and Negri, 'empire' is so deprived of ideological resources of justification that, consequently, it seems to be unable to integrate contemporary societies normatively. I criticised this view by bringing to the fore the ideological forces and ethical values of neo-liberal 'empire' that have given rise to a 'new spirit of capitalism' (Boltanski/Chiapello) or a 'communism of capital' (Virno 2004) that more or less successfully translates the new-leftist desire for liberation into an affirmation of economic competition, commodification, de-regularized, but friendship-like dependency and self-exploitation. Thus, I'm also pointing towards a more complex, deep-going and entangled relationship between contemporary capitalist rule and 'communist' resistance. That conflictual relation, by also comprising the normative dimension of social practice, even permeates the inner constitution of resistant subjects. According to this notion, that still must be fleshed out in more detail, the conflictual tension and interaction between rule and resistance does also take place within the subjectivity of resisting actors themselves. Thus, any simplifying notion of a ready-made communist 'multitude' that would be only externally confronted to a merely instrumental, non-normative apparatus of neo-liberal domination must be left behind in order to theoretically inform empirical analyses of the interaction of rule and resistance that are able to grasp all scenes and dimension where this conflict emerges. For such an endeavour, it would also be necessary to start from actual, empirical actors of anti-capitalist resistance, not from an optimist ontological assumption of 'communist' subjectivity, like Hardt and Negri do. By following the perspective of actually resisting actors, it becomes much more likely to recognise realistically the economic, political, but also ideological challenges for 'communist' resistance and therefore to get a clearer and fuller picture of the complex of rule which the latter is directed against.

NOTES

1. With this term, I don't refer to statist ideas of planned economy or the so-called dictatorship of the proletariat. What's in mind here are bottom-up attempts to organise

community and economy in a more spontaneous, mutual and horizontal fashion. This anarchist strand of communism has gained renewed currency within the radical left as a reaction to the multiple historical failures of statist versions of communism. New-leftist approaches of sharing and organising the ‘common’ along informal networks and based on affective solidarities embody this tendency that is also focused by Hardt and Negri.

2. I use the term ‘postmodern Workerism’ instead of ‘Post-Workerism’ because the latter term implies a fundamental break with Workerist’s central assumptions where actually pretty much remains the same. Workerist theory presumes working class as a social subjectivity that is latently revolutionary in character and manifests the material, ethical, and political tendencies that undermine capitalist rule in the long run. ‘Postmodern Workerism’ is centred around a new conception of class that also tries to encompass the modes and subjects of creative production that characterise post-Fordism. Also, the notion of capitalist rule is altered and adapted to transnational structures of valorisation. But the basic assumption of working class being the driving agency in history and being more and more able to unfold autonomously is maintained. This assumption is not revised, but radicalised, thus reaffirming the optimism of revolutionary Marxism, instead of self-critically deconstructing it. There is no analogy with post-Marxism.

3. ‘Biopolitical production’ aims at reproducing human life, conceived of as a genuinely social or political phenomenon (Aristoteles). Hence, the centrality of communication and affectivity. Of course, the reproduction of life has also a physical dimension, but this materiality is always framed, aligned, and mediated by communicative practices that constitute life as a social fabric.

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Chapter 14

Conclusion: Approaching Rule and Resistance Beyond the Nation State

This volume has aimed to introduce and probe a new research framework for analysing rule and resistance. Its rationale is to strengthen the connections between social-movement studies and International Relations (IR) in order to generate new insights into forms of rule and resistance beyond the nation state. Each discipline's virtues complement the other's weaknesses: while research in IR has accumulated highly specialised knowledge about institutional governance beyond the nation state and its reactions to contestation (Zürn 2018; Hurd 2018), it is still struggling with the question of why these institutions are challenged and why the challenges take such diverse forms. Social-movement studies, on the other hand, offer intricate analyses of protest events and variegated movement cultures, but attempts to broaden theories of movements' consequences (Bosi et al. 2016) have not received much attention. Bringing the two disciplines together is necessary, therefore, to gain systematic insights into the interaction between the subjects and objects of resistance or, as we frame it in this volume, between *rule and resistance beyond the nation state*.

Our framework rests on two central, innovative features that advance the research agenda on rule and resistance beyond the nation state. First, the empirical analyses do not start from given institutions or organisations but focus on orders of justification to identify forms of rule and resistance. Since rule beyond the nation state is not necessarily formally constituted, focusing on the justification of resistance helps to reconstruct the structures of such rule. We observe how resistant actors justify their practices in order to learn how they perceive rule and their relationship to it. Conversely, we can also study justifications issued by the objects of resistance. Once rule is overtly attacked, it comes under pressure to justify its existence. Using this dynamic,

reciprocal relationship of justification, the chapters in this volume analyse various forms of interaction between rule and resistance.

To organise such variety, we, second, have developed a typology of rule and resistance. Differentiating between contestation, escalation and exit, the framework identifies three different types of rule—resistance relationships based on the patterns of justification. These types cover most instances of resistance and help us to understand how such patterns of interaction develop and change.

In the following, we review these contributions to the debate before explaining how the case studies deepen and accentuate them. The case studies cover a wide range of issue areas, which strengthens the exploratory nature of this volume. Despite the diversity of theoretical and methodological approaches in the case studies, our framework is applicable to the justifications of the resistant movements and actors throughout the volume, proving its analytical utility in studying rule and resistance. We close with a discussion of the limits of our typology and suggestions for future research on rule and resistance beyond the nation state.

RULE, RESISTANCE AND THEIR RESPECTIVE JUSTIFICATIONS—THREE TYPES

We advance the study of rule and resistance beyond the nation state with two innovations. The first is the focus on the justifications given by both resisting actors and the rulers they identify; the second is examining how these are integrated into specific, often conflicting world-views. Because rule always requires justification to stabilise itself (Boltanski and Thévenot 2006, 23ff.; Celikates 2018), this focus helps to reconstruct rule and resistance empirically and to evaluate their justifications normatively (Forst 2017; Daase et al. 2017, 11–12). It is this parallelism that makes the focus on justifications so valuable to our project and debates about power, resistance and domination in international politics. Emphasising justifications shifts attention away from the pathologies of resistance to the arguments made in its defence, and, therefore, it invites debate on the contradictions that inspire resistant practices in the first place (Boltanski/Thévenot 2006, 74–82; Boltanski/Thévenot 2006, 361–363; Boltanski/Chiapello 2007, 519, 22–27). This does not imply that resistance is always rational, nor that the arguments advanced by resistant subjects are always sincere and valid. Rather, their justifications confront those of the actors and institutions they oppose. By bringing critique, as it is empirically observed in social life, together with justifications of rule, we enable discussion of the political and normative aspects of rule and resistance without privileging the scholarly gaze on political developments on

the one hand, nor precluding scholarly reflection on movement practices on the other. Furthermore, engaging with the justifications of social movements contextualizes their resistance against single (international) institutions in the broader societal context. Their views on the significance and function of such institutions can serve as access points for the reconstruction of previously hidden or opaque structures of rule beyond the nation state (Daase and Deitelhoff 2018).

The second contribution of our framework to understanding rule and resistance beyond the nation state is the typology of contestation, escalation, and exit. It helps to categorise the myriad forms of interaction between rule and resistance into three ideal types. Generally speaking, resistance unfolds when critique of existing relations of rule is actively justified and based on worldviews that clash with ruling justifications, sometimes constructively (contestation), sometimes destructively with regard to an existing order (escalation), and sometimes by way of circumventing it (exit). These three ideal types emphasise theoretically important elements. Real-world cases of rule and resistance are often interstitial, containing elements of different types. At the same time, these ideal types provide the theory required to assess and evaluate empirical observations.

Beyond its ordering capacity, the typology also integrates new developments in the field of resistance studies. Following the developments in the study of political violence, which retrieved political violence from the de-politicising abyss of deviance (Della Porta 2013; Bosi, Demetriou, and Malthaner 2014), both protest and political violence are considered meaningful political resistance. The terms ‘contestation’ and ‘escalation’ suggest the scope of these phenomena, along with the interactive dynamics between resistance and rule stressed throughout the book. Furthermore, we include the politics of withdrawal—long neglected in much of resistance studies (Wallmeier 2017: 149–50, but see Kempf 2019)—in our typology, on par with contestation and escalation as meaningful political resistance.

The resulting typology—contestation, escalation, exit—is, therefore, innovative in at least two ways. First, by including exit, we expand the definition of resistance and encourage a more pluralist and comprehensive understanding of resistance studies. While previous publications (Scott 2009) have addressed a particular variety of exit as ‘everyday-resistance’, including these practices as one form of resistance among others makes them comparable and renders our understanding of resistance much more encompassing than the existing, largely behaviouralist analyses of eventful protest.

Second, this triad is innovative because the contributions show that all three forms of resistance tell us something about rule. Stressing the relational character of rule and resistance, this volume heralds a new research agenda in which social-movement studies and IR are readily compatible. The proof

is in the 12 case studies contained in this book, all applying the common framework and finding that, indeed, these forms of resistance inform about the structure(s) of rule against which they mobilise. We now briefly summarise these contributions and how they identify a given type of resistance by focusing on justification. In the course of reconstructing, they also reveal structures of rule beyond the nation state that could not have been theorised with the traditional instruments of IR.

A TYPOLOGY OF RULE AND RESISTANCE

Contestation

Contestation has recently become a buzzword in political science, particularly in IR (Deitelhoff and Zimmermann 2019, 2018; Munch 2006; Zürn 2018; Wiener 2014). Yet, what kind of resistant practice is contestation? In a debate, for instance, actors contest the logic or the arguments of their opponents. A member of the opposition in parliament is the prime example: she challenges an aspect of the rulers' practice while not necessarily questioning the legitimacy of rule itself. To contest a particular policy by such means would most likely not be understood as 'resistance' in most cases. Yet, the parliamentarian could also voice her opposition in public or stage a protest outside of parliament, which many observers would more readily identify as resistance. Similarly, she could give a speech that fundamentally rejects the legitimacy of the ruling order of the state while following the rules of the parliamentary game (the allocated speaker's time, for example).

Practices of contestation are just as diverse when actors resist rule beyond the state. While forms of contestation can diverge heavily in terms of their scope (do they contest a single policy, an organisation, or a whole order?) and their depth (do they propose to reform a particular aspect of the order, or do they want to replace it altogether?), the common denominator is that they follow the rules of the game. Since rules establish and sustain ruling structures, they are particularly direct indicators of rule beyond the nation state (Onuf 2012). Therefore, resistance that follows the rules of the order it contests lends itself particularly well to reconstructing rule beyond the nation state.

The chapters in this section have analysed the practices of contestation and how they were justified. This focus on justifications helped to reconstruct (some of) the structures of rule those practices sought to resist. Furthermore, these chapters contradict the long-held assumption in social-movement studies about the ineffectiveness of transnational contestation. Susan Park has done so by studying activists who contested the transnationalised rule of development in the 1990s by pushing for citizen-driven accountability

mechanisms in the multilateral development banks. Although these activists' priority was to address local grievances, they simultaneously contested the nature of international development financing. The activists had a clear picture of the structure of rule beyond the nation state and a good understanding of the power distribution in that structure. In fact, they even used its own procedures, as their involvement of the United States to advance transparency and accountability demonstrates. Through this contestation 'from within' the institution, activists managed to successfully promote liberal democratic transparency and accountability procedures in transnational development rule. Crucially, Park has shown that activists were only able to promote these values successfully because they sought to modify, not destroy, the international economic order.

But just how successful is such a procedural change from the perspective of resistance, if the overall structure of rule remains intact? In their chapter on contestation against the WTO, Felix Anderl, Nicole Deitelhoff and Regina Hack have shown that such successes can also induce costs for resistant movements because they often go hand-in-hand with co-optation strategies on the part of international organisations. They reconstructed this co-optation strategy as a particular aspect of the international liberal economic order. Analysing the WTO's direct and indirect communication with its opponents, they highlight how, first, the organisation communicates directly with its opponents, justifying its own course of action while denigrating that of its radical critics. Secondly, it integrates *some* of the critics into the proceedings—specifically those ready to follow the rules of the game and to contest the WTO's policies in specific, predetermined ways. Both of these modes of communication, the authors show, sow seeds of discord in the resistance movement. While reformers endorse invitations to participate, instrumentally adapt to a specific order of justification and, in effect, claim successes, more radical positions are excluded from the discourses. This partition, the authors have urged, is unlikely to be 'divide and rule by accident'.

Ben Kamis and Martin Schmetz, in their chapter, have traced practices of contestation beyond the state *by* states. They argued that the decisions of Russia and Ecuador to harbour whistle-blowers qualify as cases of international civil disobedience. These two harbouring states display several similarities in how they resist a perceived structure of (American-made) rule. As the authors have convincingly shown, Russia disobeys by pointing out the continued American refusal to sign an extradition treaty while demanding Snowden's extradition from Russia. Ecuador invokes international norms that are in line with liberal conceptions of world order, such as treaties on torture, freedom of the press and human rights. Based on these norms, the government justifies Assange's asylum. Both countries thus mobilise liberal norms against a purportedly liberal world order, justifying their actions according to the norms

that should be valid under liberal rule, an order that they, perhaps ironically, claim to defend. This chapter's counterintuitive findings are powerful arguments for the overall claim of this book: rule can be reconstructed by tracing the justifications of those who resist it.

This is also true for the resistance against coal mining in Indonesia in Anna Fünfgeld's chapter. However, she emphasised that contestation can be very diverse and may even entail (or slip into) instances of escalation and exit. She recommends analysing these 'varieties of contestation' with respect to resistant actors' ideological orientation (resistant actors' touchstone norms and narratives), their protest repertoire, and the partners they seek domestically and transnationally. Activists' justifications are, however, not always coherent. As part of their contestation, for instance, the Indonesian environmental movements point out illegal practices connected to coal mining and weak law enforcement. However, the movement's contestation practices have included illegal acts. Fünfgeld reconstructed their contestation and illustrates the dilemmas facing national movements in a capitalist world system. The sometimes-contradictory protest behaviour hence divulges the multi-dimensionality and stratification of rule that induces environmental destruction. Fünfgeld has shown that, even if the object of contestation—the Indonesian state—reacts with laws and regulations, the problems on the ground remain, which she explains by theorising rule first and foremost as a politico-economic structure. The question is whether contestation against the state might not even stabilise the problems it originally opposed.

Lesley Wood studied the consequences of lethal repression on the mobilisation of transnational solidarity. She has shown how killings, like Palestinian protesters who have fallen victim to Israeli security forces, have triggered contestation in solidarity elsewhere. Wood's chapter shows that violent interactions between rule and resistance need not lead to escalation, but they can cause contestation to propagate. Pressure on authorities from the inside can amplify the power of transnational (outside) mobilisation (cf. already Risse et al. 1999). As Wood has shown, the brokers organising solidary contestation use particular narratives to justify their protest. Only when their 'stories' resonate with local orders of justification will solidarity ignite. Wood's contribution registered the multiple orders of justification that resistance movements can, and sometimes must, invoke strategically. Still, despite the seeming ascendance of authoritarian rule and sometimes lethal repression, Wood's contribution carved out some room for hope in that the transnationalisation of resistance remains possible under certain circumstances.

Escalation

What we call *escalation* is often associated with violence, insurrection and revolution. In this volume, the term captures the specific dynamic between

rule and resistance when reconciliation no longer seems possible. In such a situation, resistance exceeds contestation, violates the 'rules of the game' and increases tension with rule, seeking confrontation that is often violent but not limited to violence.

In her chapter on Jihadism in Africa and the Middle East, Martha Crenshaw has shown how militant-jihadist resistance and counterterrorism efforts have led to an escalating, increasingly violent dynamic since the 1990s. She described how both sides came to traverse national borders, making jihadism and responses to it instances of transnational escalation. Looking at the justification of resistance, not only do resistance and rule clash, but tension inside resistance becomes apparent: Crenshaw traced how, among jihadist groups, tension developed among local, transnational and globalist justifications of resistance. These globalist justifications of resistance associated with Al Qa'ida have recently gained prominence which hints at the system of rule beyond the nation state. By studying the dynamics of violent jihadism in Africa and the Middle East since the 1990s as escalation, Crenshaw extends her detailed causal analysis beyond the interactive dynamics among individual actors to include larger structures of global order. Precisely because the jihadists see themselves as resistance against a Western empire dominated by the United States, they have chosen to escalate the conflict and broaden its spatial reach. Doing so provokes increasingly intense counter-measures against the resistance, the unintended consequences of which might eventually undermine the very order of rule and the normative justification jihadism opposes. At the same time, the contribution cautions against assuming monolithic orders of justification on either side, since this could gloss over fissures on both sides.

In his chapter on resistance and rule in high-capacity authoritarian states, Hank Johnston focused on the limits to and possibilities of escalation in contexts that should inhibit it: authoritarian regimes. In his intricate analysis of justifications for speaking up and resisting as well as state actors' justifications for inhibiting certain forms of contention and allowing others, Johnston charted both a variety of spaces of resistance below and beyond the mobilisation threshold, and the multiple and sometimes contradictory actors and strategies involved in social control. His contribution shows how private discontent in familiar spaces can grow into public, but limited, contestation. Once regimes submit to demands for limited contestation, this can lay the ground for regime-changing escalation. The chapter draws attention to the interaction between rule and resistance as a process of co-evolution and to the boundaries between two types of contestation and escalation: what starts as contestation can eventually lead to escalation and revolutionary change. Rule can hardly escape this dynamic. Johnston drew on a wealth of empirical research to describe these dynamics, referring to such diverse cases as Poland in the 1980s, the Arab Spring and budding resistance in China. Contestation

can ultimately transform into open escalation and gradually undermine the system of rule. The transnational dynamics that increasingly mark both resistance (especially through new means of digital communication) and rule, including transnational learning and diffusion among authoritarian regimes, are certainly a worthwhile avenue for further exploration.

Holger Marcks, Janusz Biene, Daniel Kaiser, and Christopher Daase examined how transnational dimensions of resistance influence escalation dynamics. They look at how cross-border cooperation between resistant actors intensifies and diffuses violence spatially in three cases of modern political violence: anarchist violence around the turn of the twentieth century, national liberation in Mozambique and recent jihadism in North Africa. In these cases, three mechanisms in particular influence escalation or de-escalation of terrorist violence: the transnational diffusion of ideas, the distribution of resources and the integration of organisational structures. Ideology in the sense of resistant actors' justifications is the key actor property affecting transnational cooperation by informing the mode of actors' cooperation, their use of resources and their organisational structures. Like Crenshaw, this chapter challenges dichotomous rule—resistance categories in thinking about cross-border cooperation between terrorist actors. Rather, cooperative relations among resistant actors are a crucial factor determining when and how interactions escalate. The contribution clearly shows that whether escalation occurs or not equally defies dichotomous thinking, and escalation can vary in degree and quality across transnational contexts.

Exit

Political scientists and researchers of social movements tend to relegate practices of withdrawal to other disciplines or ignore them completely. In contrast to collective and public forms of critique, they are often regarded as individualistic escapism of primarily psychological or aesthetic interest (Wallmeier 2017: 149–50). Consequently, the sub-cultural forms of life that emerged to radically critique 'late capitalism' have remained outside of the scope of mainstream political science. Building on Albert Hirschmann's (1985) famous distinction between 'voice' and 'exit', Philip Wallmeier and Maik Fielitz challenged the dominant view of withdrawal and described it instead as a dissident form of resistance. They argued that acts of withdrawal—even if individualistic and private—can express radical discontent with mainstream society and its institutions. By reconstructing the justifications and worldviews of the 1960s communal movement in the United States, they show have shown that the communards' withdrawal was a radical reaction to a sense of being trapped in an unbearable situation without any apparent and (politically) legitimate channel to make their voices heard. The analysis

of the actors' justifications shows that their criticism did not build upon a common vocabulary but was rather performed through a common activity. This rejection of the available orders of justification allowed for a moment of exteriority and (at least implicitly) referred back to the limits of what could be said and done under the political conditions of the 1960s. Philip Wallmeier and Maik Fielitz have shown that the exit option is a conceptually meaningful form of radical resistance.

Crucially, the communards do not realise their rejection of 'the system' through violence. Rather, they seek to escape bourgeois society by circumventing it. This is also the case for the German-speaking network of alternative communes, *Kommuja*, that Ferdinand Stenglein has explored ethnographically. Examining the ideologically constitutive justifications of this widely dispersed network clarifies its unifying and, thus, political character. *Kommuja* criticises the capitalist law of value and the institution of private property, which together produce a bourgeois, atomised, competitive and, thus, precarious self that must always commodify itself in order to survive. Absolutely opposed to this capitalist form of subjectivity, an alternative, collectively embedded and solidary self is incubated in the interstices of capitalist society. Stenglein carefully described the new modalities of caring, negotiating and 'co-exposing' to the environment that characterise communes associated with *Kommuja*. By illuminating communards' manifold conflicts, the composition of the system of rule to which the communes are opposed becomes visible. The capitalist law of value is not only reinforced and privileged by juridical structures; it is also reproduced through the cultural formation of a certain kind of subjectivity that is asocial, solitary and always obsessed with being oppressed through community. Communards' struggles demand a more variegated concept of rule that also accounts for subtler and more subjective mechanisms of domination that no centre of power coordinates or intends, but that sedimented cultural patterns nonetheless implicitly reproduce.

While Wallmeier, Fielitz and Stenglein emphasised the analytical value of withdrawal as a concept, Rina Ramdev focused on its normative content as a form of resistance. By reconstructing the political theory of Arundhati Roy, an Indian writer and public intellectual who frames her critique of contemporary India as a practice of dissidence, Rina Ramdev discussed a case of 'exit' where the political dimension of resistance is lost. She traced Roy's growing disaffection and radicalisation towards India's neo-liberal policy and repressive nationalism by reconstructing Roy's justifications for her resistance. Roy rejects the normative parameter of the Republic of India due to its patriotic ethos of belonging. In order to eschew this patriotic ethos, Roy offensively adopts a thoroughly individualistic and solipsistic worldview when justifying her withdrawal. She performs herself as a 'mobile republic' whose political judgement is based solely on her own internal ethical voice. This voice is

bound by no particular community. It communicates and justifies itself directly to humanity as a whole. In her sympathetic critique of this dissident discourse, Ramdev problematised the form of the order of justification that constitutes this kind of dissidence. By retreating to a solipsistic kind of normativity, Roy undermines the very social conditions that could collectivise and thus validate her speech acts. Confined to an individualist 'mobile republic', Roy is not part of a surrounding community that could multiply her voice, which could elevate it to the political level in the first place. Ramdev has shown in her contribution that analysing how resistant actors' justifications relate to the overall normative order is insufficient; the form of normative argumentation and the notion of the justifying subject is just as vital in deciding whether 'political resistance' is really an appropriate and convincing label for a given case.

The exit section closes with a discussion of the workerist concept of 'exodus' and its theoretical and normative limits. Victor Kempf connected the empirical discussion about withdrawal and exit as practices of political resistance to the debate about anti-capitalist movements of 'exodus' in political theory, which Antonio Negri and Michael Hardt initiated with their seminal book *Empire*. Negri and Hardt offer conceptual tools that allow us to see how deserting from structures of rule often coincides with the constitution of new forms of non-centralised, non-hierarchic and rhizomatic forms of collectivity characterised by more spontaneous and affective bonds among 'singularities' that together form a 'multitude'. However, while the workerist 'exodus' helps to elucidate an alternative, non-violent form of radical political dissidence, Kempf has also shown its shortcomings: due to its non-antagonistic perspective, practices of withdrawal can direly underestimate and banalise structures of capitalist rule. Kempf has demonstrated how Negri and Hardt wrongly deny the normative and ideological dimension of capitalist 'empire'. This results in a notion of anti-capitalist withdrawal only superficially related to its opponent. Negri and Hardt do not theorise 'exodus' as a political movement that is entangled and confronted with 'empire' throughout society, from the material and economic to the normative, ideological and subjective levels. In order to counter this blindness, Kempf argued for a conception of anti-capitalist withdrawal that also takes into account how withdrawing actors need to struggle against more subtle ideological and normative forces of capitalist rule, thus taking justification and counter-justification seriously in the interaction between rule and resistance.

Taken together, the case studies in this volume have demonstrated the analytic value of our framework. Focusing on justifications is instrumental in making sense of the resistance practices of movements and actors. It has helped us to situate resistance in relation to structures of rule. Furthermore, the typology of rule and resistance has helped to categorise the real-world manifestations of interaction between the two and has highlighted a few general patterns.

First, the cases focusing on contestation generally describe a symbiotic relationship between rule and resistance. While contestation is usually pitched against certain parts of an order of rule, it simultaneously stabilises it by helping its most contested parts to adapt (chapters by Susan Park, by Anderl et al., and by Wood) or by compelling rulers to abide by their own rules (chapters by Kamis and Schmetz and by Fünfgeld).

When rulers neglect contestation or reject its justification out of hand, escalation becomes likely. The cases studied display instability in the relationship between rule and resistance as the reaction to resistance begins to undermine the order of rule, albeit often only subtly and in the long run (chapters by Crenshaw and by Johnston). As Marks et al. and Johnston have shown, resistant actors are able to utilise both space and resources to escalate their attacks.

Finally, our decision to include cases on exit—forms of withdrawal—has helped, first, to demonstrate that these forms of resistance are indeed directed against orders of rule. Second, it has helped to illuminate yet another ambivalent (sometimes stabilising) relationship between rule and resistance. The cases of exit covered in this volume are triggered by a sense of desperation in an all-encompassing system of rule. While rejecting direct interaction and confrontation with rule allows for a moment of exteriority (chapter by Wallmeier and Fielitz) and the construction of fragile alternatives to the dominant form of life (contribution by Stenglein), Kempf and Ramdev convincingly argue that this form of resistance always risks the complicity of de-politicising resistance.

WHERE DO WE GO FROM HERE?

In this volume, we have focused on relationships between rule and resistance, categorising them as either contestation, escalation or exit. The case studies in this book go a long way towards showing the diversity of rule and resistance and relationships between them. While this diversity is eye-opening with regard to theoretical and empirical pluralism, it also has a downside. Due to the different kinds of rule and resistance covered in this book and the heterogeneous perspectives they demand, the conclusions available are limited. Here we detail some claims which may require further research and thinking. We encourage future research about the relationship between rule and resistance to employ our typology of contestation, escalation, exit, and we would like to give such research a head start.

First, there is a conceptual limit to our framework. Our typology might be too restrictive to grasp all possible relationships between rule and resistance, as particularly suggested by Kamis and Schmetz. They argue that Russia's and Ecuador's harbouring of whistle-blowers should be understood

as international civil disobedience. While practicing resistance, both states' governments claim to be resisting an arbitrary structure of rule and to be upholding universal international rules. While Russia and Ecuador purport to defend the principles enshrined in the current order, they also challenge this order so fundamentally and unconventionally that they risk overthrowing it. This kind of resistance sits uneasily between our ideal types of 'contestation' and 'escalation'. However, we believe that precisely this friction between our typology and the concept of 'international civil disobedience' could yield great returns in clarifying the latter.

Second, our framework comes with a methodological difficulty. A problem that nearly all contributors encountered is how to adequately describe the relationship between rule and resistance when focusing solely on the perception of the actors involved. This difficulty is particularly pronounced in the chapters that analyse resistant subjects who criticise an institution that denies its own responsibility. In Anderl, Deitelhoff and Hack's chapter, for instance, critics of the WTO regard the institution as a sedimentation of global rule, an institutionalisation of super- and subordination. The representatives of the WTO, by contrast, merely consider themselves facilitators in an open debate and are bewildered by this critique, which they denounce as misconstrued and ill-founded. Anderl, Deitelhoff and Hack concluded that it is impossible to adequately describe the relationship between the WTO and its critics solely based on the justifications of the actors involved. Mediating between actors' perceptions and their scientific description, the authors put the parties' conflicting justifications into a theoretical and historical context. In their historical analysis, they have shown how some segments of the resistance movement—especially the more radical groups—were gradually and subtly nudged away from more moderate ones through governing techniques. This diachronic analysis allows the authors to speak of the WTO as a sedimentation of international rule. In general, this volume shows that a reconstruction of rule from resistance cannot only rely on the justifications of the actors involved. Rather, it needs a theoretical perspective and/or historical depth to make sense of this complex relationship. This volume lays the groundwork for researchers to further develop methods that stay close to the actors while also being able to describe their relationship in terms of rule and resistance (see also Jasper and Volpi 2018).

A third and related difficulty is theoretical: though reconstructing rule from resistance, we have not painted a clear, unitary picture of global rule in this volume. This results from the fact that the case studies focus on different institutionalisations of super- and subordination that do not appear to constitute a single system of rule. Hank Johnston, for example, convincingly describes relations of super- and subordination in Russia as a system of rule-attracting resistance. However, it remains obscure how this system of rule is

related to other forms of super- and subordination, such as the one the WTO is part of. While it is plausible to conceive of these different spheres of rule as overlapping, intersectional lines of exclusion and subordination, this claim cannot be substantiated on the basis of this volume.

A fourth difficulty is related to the normative reach of this volume. Describing an institution or group as part of a structure of rule is never purely neutral, but always normatively and critically loaded (Daase et al. 2017). When made publicly, such descriptions simultaneously provoke in groups and institutions a need to justify themselves. This is empirically observable (Boltanski and Thévenot 2006, 23ff.; Celikates 2018) and at the same time a normative demand (Forst 2017). While our approach does have a critical barb, it does not allow us to engage in a more systematic critique of rule. First, the case studies show that we lack a standard sophisticated enough to criticise different manifestations of rule. We do not have an answer to the question, for example, whether the system of ‘Western’ rule opposed by the ‘Islamic State’ Martha Crenshaw described is as problematic as the capitalist international economy that the WTO represents: on what common normative basis can they be assessed? Second, while the critique of rule should not compare the different faces of rule but relate them to each other, we offer no theory of how the different instances of rule described in this volume are interrelated. Therefore, the question of how to critique rule beyond the nation state remains open. Nonetheless, this volume provides fundamental building blocks to further study the potential standards of critique of transnational structures of rule starting from the perspective of their resistance.

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