

# Essays in Philosophy

A Biannual Journal

Vol. 8, No. 2, June 2007

---

## *Civil Disobedience from Thoreau to Transnational Mobilizations: The Global Challenge*

**Abstract.** Until very recently, civil disobedience, being a deliberate infraction of the law which is politically or morally motivated, was logically interpreted by theorists as a practice rooted in the state, since the source of positive law was primarily the State. But in the context of today's globalization, the diversification of sources of power, the emergence of international laws or rules, or simply the obsolescence of viewing the government as a juridical model, lead one to question the relevance of resorting to civil disobedience. Indeed, its strategic minimalism, which consists of non-cooperation, passive resistance or non-violence, in addition to its relative acceptance of the State and the legal framework of its discourse, seem to make civil disobedience unable to face the "global challenge" that any emancipatory movement has to confront if it wants to be efficient. This paper thus proposes a new conception of civil disobedience inspired by Nancy Fraser's theory of "abnormal justice", so as to take into account the transversal nature of social contestation.

### **Introduction.**

Henry David Thoreau, to whom is attributed the paternity of the expression *civil disobedience*, emphasizes in his famous text (1849)<sup>1</sup> the ineptitude of obedience toward an unjust government, renewing reflections on the possibility of a society without a State. By refusing to pay taxes to the American government, Thoreau demonstrated that it was out of the question to legitimize the war against Mexico at the time. In this way, "the man of Walden" pleads for a retreat in the woods and a life without the State. These anarchist preferences come as a surprise from an author who is considered to be the initiator of civil disobedience, that is of the *relative* right to infringe an unjust law within the limits of the constitutional State. Indeed, civil disobedience appears today as a form of non-violent resistance within a State that we recognize as generally just. The ultimate goal of civil disobedience is thus neither overthrowing the State nor taking over the government. For Thoreau, on the contrary, the temptation for a society thriving without State remains: in *Civil Disobedience*, the right to a physical retreat outside the political community is the exact parallel of a conscientious objection. In fact, civil disobedience according to Thoreau is composed of two detachments: the first one consists in withdrawing his support of the legal system and the government, and consequently accepting the sanctions punishing this act. Hence, to demonstrate the sincerity of his intentions, Thoreau refused to appeal to the prison punishment because, declaring that "under a government which imprisons unjustly, the true place for a just man is also prison."<sup>2</sup> By acting in this way, Thoreau carried through the Socratic notion according to which it is better to suffer an injustice than to commit one. His second effort consists in renewing insubordinately with a more straightforward political tie, that of nature. Thus, civil disobedience according to Thoreau demonstrates the ultimate basis of political skepticism rather than the support of anarchism: it falls more within the Stoic perspective which advocates letting the world roam toward its errors so as to preserve

his own sincerity, taking little care of the duty to transform it. This kind of civil disobedience adheres more to the model of conscientious objection since it stresses an inalterable, personal, and perhaps monological conviction: “the only obligation that I have a right to assume is to do at any time what I think right.”<sup>3</sup> In this case, the citizen turns to a higher value than the one defended by the institutions, but without mobilizing his or her fellow citizens for that purpose.

However, civil disobedience today through its multiple forms of expression (electronic civil disobedience, virtual sit-ins, road blocks, parody ... etc.) seems to largely exceed conscientious objection insofar as it assumes more political than moral characteristics. Moreover, due to the development of media support, and especially of the internet, civil disobedience is now a collective means of action which is easily practiced because of the high visibility it causes and the low cost of effort that it demands. Among other advantages are flexibility in the means of resistance and the potential for multiplication of the contestation fronts. But both rest on an illusion: the one that the idea of borders no longer exists. The discussion of civil disobedience always carries reflections on the relation between the citizen and the State and consequently, a discussion of borders, nationality and citizenship. Civil disobedience is traditionally understood either as a criticism of the State power embodied or as a way of making visible and legitimizing claims rooted in the constitutional frame offered by the rule of law; the more and more frequent resort to civil disobedience by transnational social movements doesn't correspond only to a change in strategy, but also to a new interpretation of power. In this sense, is civil disobedience a convenient strategy for the anti-globalization movements which confront new kinds of power distribution that surpass the traditional State? How can a theory of civil disobedience resolve the contradiction between, on the one hand the relative recognition of state sovereignty by activists due to the necessarily national, territorial nature of juridical claims, and on the other hand its willingness to be efficient in a global context? Doesn't civil disobedience also lack global perspective in its strategy and not only in its perspective on power distribution? To what extent can civil disobedience theory operate in response to the shift in location of the public sphere (the world) and address global economic organizations for example? Indeed, how efficient is tactical minimalism in a global world characterized by the loss of influence of the State in legislative politics?

Civil disobedience is a dialectical concept: it functions necessarily in relation to power and the State. If one grasps the reality of power and that of the State, one can approach the originality of civil disobedience as a specific phenomenon of political contestation. The type of power and State that the citizen has to face in a context of globalization and multiplication of legal arenas (International Penal Court, European Court of Human Rights...etc) is indeed not the same as the one that Thoreau, Martin Luther King or Gandhi had to face. So it is worth evaluating the relevance of resorting to civil disobedience toward the State framed in a philosophical discourse about globalization, which claims that politics rooted in the State are coming to an end. And reciprocally one should look at how the pragmatic specificity of civil disobedience can be an epistemological opportunity for understanding effective transformations of power.

With the help of the theory proposed by Nancy Fraser on what she called “Abnormal Justice.”<sup>4</sup> the idea in this study is to defend a transversal conception of civil disobedience: neither international nor national, but transversal, so as to take into account two tendencies characteristic of the new distribution of power. The first is the apparent end of the State-Nation forms of political organization in a global world, the second is the simultaneous reinforcement of those same frontiers. A transversal conception of civil disobedience implies how activists turn strategically either to the State or to international institutions. In

fact, there are two ways of considering these two: a *protective* sense or a *critical* sense. The activists of civil disobedience usually request protection by international institutions when they consider that their State is failing or simply oppressive (as Rigoberta Menchu did in 2005 when, pleading before the Judge Garzón, she used the novel device of “universal jurisdiction” within a national tribunal, in her case the Spanish one, against the incapacity of Ecuador’s Judiciary to treat the cases submitted); and reversely, they called for the protection and the preservation of the State when it is synonymous with political democracy (civil and political rights), or social democracy (social rights). Thus, depending on what is at stake, the transversal use of civil disobedience by citizens describes either a call to international institutions (legal, economic, cultural...etc) against multinational corporations for example, or a call to state against international politics, or international institutions against State politics. The theoretic question becomes the following: does the resort to civil disobedience still imply a criticism of the State and invoke the corollary revolutionary utopia? And how is it compatible with the goals of anti-globalization?

First of all, this text will examine to what extent civil disobedience corresponds to a tactical minimalism and thus a shift to *pragmatism* proclaimed by the end of the revolutionary utopia. Secondly, it considers how non-violent political disobedience reveals a struggle for entitlement that Nancy Fraser referred to as a kind of “abnormal justice”.

## **I. Tactical Minimalism: the End of the Revolutionary Utopia?**

Taking account the loss of sovereignty that States are experiencing because of the expansion of private interests among others, it seems obvious that the means of influencing public opinion and the State also change. By definition, civil disobedience is clearly rooted in a national framework. Certainly, its objective can be international such as when contesting war or nuclear testing, but in the end these practices are aimed at legislative politics led by the State. However, we have recently experienced the emergence of new forms of civil disobedience such as the “Desobedientes de las fronteras”<sup>5</sup> that seem to take into account the contradiction between the proclaimed disappearance of frontiers and the reality of migratory politics. This Spanish movement, originally based in Barcelona, used to organize “caravans” of citizens coming from all over Europe to reach the Spanish enclaves of Ceuta and Melilla in Morocco. The aim of these pacifist demonstrations was to warn public opinion of the disastrous situation of African migrants who were severely repressed. In doing so, they pointed out the outsourcing of the State’s repressive means toward peripheral countries: so that in this case, the contestation was aimed at the political security ordered by State but practiced by a security apparatus that operated beyond State borders. In this sense, the contestation of the group “Desobedientes de las fronteras” justifies parody: it not only manages to reproduce the reverse direction of road migration (since those who march from the north to the south are European citizens), but also demonstrates the complexity of the new power distribution which is at the same time framed by the State (since the Nation-State traditionally ensures security) and trans-nationally operated. It seems then obvious that what the “Desobedientes de las fronteras” try to demonstrate is the imperative to give a cosmopolitan human meaning to globalization which the state ideology by definition can’t accept.

This is one of many examples of transnational action that employs methods of civil disobedience. Generally speaking, until the first World Social Forum in Seattle in 1999, civil disobedience was considered a way of improving democracy in a very internal way; whereas today the necessary inclusion in an international context is increasingly essential. My aim is to show how civil disobedience adapts to

this international context by showing that renouncing armed contestation, instead of corresponding to an acceptance of the State and the end of a revolutionary utopia, points to a realistic assessment of the transformation of power which is no longer only concentrated in the State. Further, this realism, leading to adopt civil disobedience tactics, doesn't affect the clear emancipatory content of some forms of resistance.

This in mind, I would first of all like to insist on the meaning of tactical minimalism as a characteristic of civil disobedience. It would be very tempting to interpret this minimalism as reformism or as what we can call a kind of "vulgar pragmatism" (contrary to the scientific pragmatism represented by William James and John Dewey). Schematically, this interpretation considers that we are experiencing the end of ideology following the collapse of the Soviet Union, and subsequently a political confrontation in a democratic context can no longer rely on a clear-cut opposite *weltanschauung*. The idea of a victory of democracy and liberty led to the silent obligation to recognize the rule of law, and thus the state as the unique democratic model. Attention to procedural minimalism (regular elections, majority rule, representation, parliamentary regime...etc.) appeared as the necessary and sufficient condition to define a government as democratic and progressive. At the same time, "civil society" began to take shape. In the seventies, during previous dictatorships (Latin America; the Soviet block) but also in the so-called liberal democracies (France in May 1968; the United States during the student movement against the Vietnam war), its significance was clearly that of dissidence. So, the political meaning of civil society has gained its consistency in the practice of resistance against a repressive state. And it is worthwhile to mention that the emergence of a political civil society coincides with the massive resort to civil disobedience, that is to non-violence as a political contestation. This coincidence is absolutely not arbitrary: the simultaneous appearance of a new kind of public sphere and the use of tactical minimalism are, on the contrary, clearly significant. According to Vaclav Havel,<sup>6</sup> given the limited potential of dissidents in a very repressive system that doesn't tolerate any freedom of expression, they lack choices other than resorting to passive resistance. The government let them express their claims only if they didn't directly threaten the legitimacy of the system itself. The tactical minimalism of the dissidents could in fact appear to be relatively pragmatic but its effectiveness was undoubtedly tremendous since it opened the way to the Velvet Revolution. So, whatever the context, it seems that resorting to civil disobedience is used by minorities devoid of the power and means to influence politics, to compensate disadvantageous power relations while maintaining its principles, and above all to deeply transform political and social organization.

In fact, there are two kinds of minorities, "true" and "false": the true minority is that which in fact is devoid of influence and power, the false on the contrary is that which directly enjoys addressing public opinion, the governments and politics in general. Consequently, the numeric composition of the group does not determine whether it is qualified as a minority. This is why, despite their number, many of the massive non-violent civil disobedience movements were first developed in the South, deprived of the means to influence politics governed by hegemonic powers. Shall we interpret, then, the pacifist march of the Chiapas peasants as the unique and ultimate way of putting pressure on the politics given the disadvantage suffered in power relations with the government? This is the theory put forward by John Holloway<sup>7</sup> who considers that the Chiapas movement's renouncing violence and resorting to civil disobedience is a strategic choice, a kind of opportunist pragmatism that doesn't effect the ideological charge of their claims directed against the government. According to Holloway, even the claims wouldn't have to be directed against the State or in favor of the State protection because this kind of reasoning is criticized as state fetishism. This latter idea gives the impression that to change the world it is necessary

to control the State apparatus. However, for Holloway on the contrary, it is better to develop autonomous zones of resistance which, though they appear at first sight to be a kind of minimal cooperation or inoffensive resistance, are in fact clearly fighting against a type of social organization based on power, which is why they renounce the traditional revolutionary objective: the taking of power, as embodied in the State. Therefore, the “shift to pragmatism” concerns only the choice of means and absolutely not the ideological goal of contestation: civil disobedience does not mean the end of revolutionary utopia.

I think that this idea is confirmed by the previous adoption of civil disobedience by the anti-globalization movement. These movements have to face a new distribution of power: new forms of monopolization and de-monopolization. In fact, in many cases one questions the presupposition of the sovereign national state being defined by its territory. The assessment of the anti-globalization civil disobedience is the following: sovereignty is no longer concentrated in a unique institutional locus. As a result, communication within the public sphere is no longer limited to the Nation-State. Sovereignty is now divided into various and distinct functions. But this fragmentation, far from demonstrating a weakening of power or renouncing violence as a means of producing obedience, is in fact increasingly coercive since its localization is less and less in the spotlight: some act at a global level, others at a regional level, others at the local and sub-national levels. This assessment doesn't mean that State sovereignty is now an illusion. Putting forward that kind of statement also is irrelevant and dangerous as it leads to minimizing the reinforcement of the traditional State prerogatives as security: “This is another thing to bear in mind when people talk about the decline of ‘sovereignty’ in the contemporary world: the main achievement of the nation-state in the last century has been the establishment of a uniform grid of heavily policed barriers across the world. It is precisely this international system of control that we are fighting against, in the name of genuine globalization”<sup>8</sup> (David Graeber, 2002). So, one of the objectives of civil disobedience is to show that the only efficient form of political protest is making visible the contradictions between the proclaimed principles of state rule of law and the obvious transgression of fundamental human rights registered by most democratic constitutions: for example, the contradiction between right of transit for merchandise, financial movements on the one hand, and freedom of movement for individuals on the other hand. The obvious objective of civil disobedience is thus to point out the pathologies of the functioning of the proclaimed rules of law. This is why the main claim of these movements is that of entitlement: in India, through pacifist marches, rural indigenous farmers want to be recognized as entitled to participate in the agricultural politics of their country in the same way that multinational farm corporations do; the indigenous people of La Pampa, the Mapuche, in Argentina want to be recognized as entitled to claim property rights against Benetton; the Greenpeace activists want to be recognized as entitled to inform on environment security...etc. This leads to the second point of this paper: the idea that civil disobedience, as a struggle for entitlement, is a form of “abnormal justice”.

## **II. Disobedience and *Abnormal Justice*: The Struggle for Entitlement**

Theoretically speaking, the deliberative imperative is supposed to be a necessity in democracy. Nonetheless, as the public sphere is now totally transformed by international directives, it is useless to specify that the concept of deliberative democracy has to change. And given these transformations it seems necessary to answer two essential questions. The first: to what extent does civil disobedience comply with the requisites of the deliberative imperative? The second: what kind of normative deliberation theory can take into account this new practice of political contestation in a global context? One has to keep in mind that the general aim of civil disobedience is to widen political participation, and in that sense it forms part of the deliberative practice that defined a positive conception of the citizenship.

But the deliberative imperative of democratic life is hardly achievable when people are deprived of the way of contesting politics that affected them. Indeed, it is obvious that today those *affected* by politics are not necessarily the *citizens* of a State carrying out an aggressive foreign policy or constituting one of several associated supranational entities: what about for example those affected by the war in Iraq? Toward which community can the victims direct their claims? What about those affected by the economic politics of NAFTA? What kind of political protest can respond to these transnational issues? The suggestion here is to understand civil disobedience in the context of the theory of social justice set forth by Nancy Fraser under the name of “Abnormal Justice”. With this expression, Nancy Fraser completes her dualist theory which was until now divided between Recognition and Redistribution. Recognizing the limitations of her national-framed perspective, she tries to resolve what she considers an essential inconsistency in globalization: the fact that the community of the affected and that of citizens no longer coincide, which makes collective mobilization difficult. The consumerist response mediating the boycott of multinationals, for instance, is politically insufficient in that it mobilizes only one of these communities (that of the affected) and consequently doesn’t lead to institutional change. So, the idea of abnormal Justice consists in completing the theory of public sphere, not from below (as Fraser did in her paper about subaltern public spaces<sup>9</sup>) but instead from the top, by adding a supra-level consisting in the global contextualization of the social and political struggles. The motivation is still the same: how to reach parity participation by the communicative power, but with a degree of complexity which takes into account the new configuration of transnational power distribution<sup>10</sup>.

However, in what exactly does this abnormal justice consist? And how can this normative theory explain or accompany this precise form of collective mobilization known as civil disobedience? For Nancy Fraser, “Abnormal” is a dynamic concept that is relevant only in that it is operative in practice: tangibly, it manifests the way that some claims infringe the limits of what can’t be received or attended to by the normal rules of the official public sphere. Its meaning intrinsically includes transgression, which is not surprising since the political can be defined as the way in which the excluded try to be included and taken into account. In fact, civil disobedience can be read as the best way for the excluded to remind those in power that they exist and that they have to take them into consideration. Civil disobedience occupies indeed a very strategic position in the political topology: according to the terminology of Hirshmann<sup>11</sup>, one can say that civil disobedience provides an exit while remaining vocal, so as to demonstrate loyalty (whether to local or national membership, humanity, ...etc) so that civil disobedience can be described as a kind of “emigration toward within”. Civil disobedience thus never implies secession: the retreat from within the normal, legal system is a way of demonstrating a shared membership. Nevertheless, in spite of this precaution, the problem precisely is to determine what is “inside” and what is “outside” and in what the membership consists: is it a community assembled by fate? through risk? Humanity in general?

The question of membership is important only to the extent that it can enlighten that of representation. Civil disobedience has to deal with this question in two ways. The first poses the question of legitimacy: from “where” and in the name of “who” and of “what” can civil disobedience make itself be heard? The second is the question of entitlement: who is entitled to express some claims and who is not? I shall begin by examining the first of these implications: the question of legitimacy. Civil disobedience can’t be understood without paying attention to the singular grammar of its claims, which we can approximately reduce to a syntax of legitimacy perceptible through the locutions used by the contestants: either “in the name of” or “on behalf of”. It seems tautological but it is worth reminding that to claim something intrinsically equates either to acting in the name of someone or something, or acting in behalf of something or someone.

What is the difference between these two locutions constituting the grammar of civil disobedience? In political philosophy, and more precisely according to Locke's theory<sup>12</sup>, the right to resistance is justified by the preservation of a political system, on the one hand, and by the existence of a superior law on the other hand: the acts of those who rebel are then executed *on behalf of* the political community and *in the name of* Nature Law. In this sense, acting "on behalf of" means acting "in the interest of" which can lead some persons or communities affected by the politics of another country to protest and refuse to cooperate. This is what occurred in relation to the problem of the paper industries of Gualeguaychu in Argentina<sup>13</sup>: what the citizens of Argentina are fighting for is recognition of the need to prevent possible ecological damages provoked by the presence of this factory in the Uruguayan town across the river. The Argentine citizens resorted to a form of civil disobedience - which has now become traditional in Argentina- similar to that used by the *piqueteros*: massively jamming traffic on the bridges linking Argentina to Uruguay. The militants' major appeal was directed to the Court in The Hague so as to decide impartially on the legitimacy of their struggle. One can say about this movement that the habitants of Gualeguaychu are fighting against the paper mills *on behalf of* the economic viability of their town that depends on tourism, as well as of a minimal concern for ecological preservation, and they are acting more substantially *in the name of* justice. In that peculiar configuration of power relations, the habitants are in fact supported by the government which obviously takes advantage of this mobilization to defend its national economic interests against Uruguay. However, this example is interesting in that it highlights what we have previously called a transversal use of civil disobedience, which now extends beyond the context of the State. Certainly in the Argentine case described, the claims seem to follow a clear transversal pattern because what is at stake is precisely a border issue, but precisely many of the social or political problems today are border-conflict. This theoretical option may seem exaggerated, and as a result may be illegitimate in shifting from a material significance of the border to a symbolic one; but one has to keep in mind, as noted above, that at the centre of politics is precisely a struggle for definitions and for delimitations of borders: "who is citizen?" which means nothing else than "who is entitled to claim?".

Thus, the first motivation for civil disobedience does not equate strictly to a struggle for an equal distribution of means of existence, nor can it be reduced to the expression of a self-valuing strategy used by a social group fighting for its interests. These movements contribute in fact to the politicization of ignored problems: the world of tangible experience, sexual identity, health, physical environment, cultural traditions and identities, but also traditionally political themes such as a decent income and quality of life. The theory of "abnormal justice" as normative theory can consequently help us insofar as it tries to take into account the border-problem of whichever political movement tries first of all to gain the legitimacy of claiming, before the content of its claim is recognized. The concept of abnormal justice thus tries to take into account the meta-dispute of the political, which is why it is necessary to understand civil disobedience as a tactic used by transnational social movements. Indeed, in the dynamic of claiming, abnormal justice refers to a regressive-concept chronologically and logically speaking, because it presupposes that so as to be able to dispute first-order political questions (as in: "what constitutes a just distribution of wealth and resources? What counts as reciprocal recognition or equal respect?" <sup>14</sup>), one of whose rules is legal contestation (parliamentary debate, petition, legal strikes and demonstrations...etc), we have to confront second-order questions (Who is entitled to claim? Who can be considered as a citizen?). And because these second-order questions lead to redefining the borders of politics, they can't be placed in a legal framework: a clandestine can't fight legally for the right to be recognized as a citizen since he isn't precisely entitled to this or that claim (capacity which relies indeed on citizenship). That's

why the only way to receive attention is to follow an abnormal path, that is to exit the legal framework so as to, paradoxically, be visible (the visible and deliberated infraction of law equating thus with a call for attention from public opinion and governments). At the same time, resorting to civil disobedience – that is to a political infraction of the law by non-violent means – becomes all the more relevant at the international level when international laws lack the effectiveness of those codified by the State, and are thus not applicable as such. In this sense, the practice of civil disobedience can be understood as a way of criticizing a juridical void that prevents some individuals or groups from claiming their rights. In this case it is not the repressive character of the law but instead its weakness that is emphasized: civil disobedience can thus appear as an attempt to establish legal order, which lacks severely in international relations.

So, it seems that the future of civil disobedience resides in this capacity to entitle some minorities – until now invisible – to claim their rights. And civil disobedience permits this due to the minimalist nature of the resources it supposes: literally, anyone can participate politically if action consists precisely in an omission, that is in refusing to do what is demanded. The minimalism of civil disobedience in fact entails an anti-contractualist perspective since it implies that “lack of will is enough” whereas the contractualist theory of democracy always maintained that the real meaning of citizenship relies on consent. Of course one can ask: is it so easy to “refuse to express will”? And, one can also ask: if civil disobedience is considered a way of exiting the system, how can we understand this idea in a globalized world which seems ideologically saturated, which makes the idea of leaving the system, the famous “passing from the outside” put forth by Foucault, seem difficult? In fact, the end of sovereignty (which is not to be confused with a supposed end of the State) allows non-State actors (women, indigenous peoples, workers with low wages..) to emerge in the face of international law, so that civil disobedience can be an effective strategy to make a voice audible and claims visible, if this action implies nothing more than withdrawing support from unjust policies.

In conclusion, the transversality of civil disobedience, understood as a way of infringing upon State law so as to contest a global order based on hegemonic politics, appears as the only way to fight what can be read as a new form of political and economical imperialism that doesn't bother with the rule of law. Thus, the individuals deprived of the normal rights of citizenship (such as “to be entitled to claim”), and having to face disadvantageous power relations, need to come up with new forms of contestation: civil disobedience and non-violence appear opportunely, like Gandhi used to say, as a way of making the adversary inoffensive. In that perspective, the theory of abnormal justice allows us to understand how the struggle for entitlement commands the topology of political contestation which can't use the legal framework. Indeed, what is at stake with the resort to civil disobedience is the definition of the frontiers of the political sphere. Of course, the effectiveness of civil disobedience was historically thought to be in the context of the State which constituted the only juridical power, but even so it is relevant to use this kind of protestation in a global context since it directly questions the idea of borders. And remaining within the context of the State does not mean that the activists recognize the State as a legitimate social organization. They use the tactics of civil disobedience above all to demonstrate that those who are *de facto* excluded can still impose their participation in the public debate by using very limited means. So, one notes that instead of corresponding to a shift toward pragmatism, resorting to tactical minimalism in the form of civil disobedience which directly targets a single portion of the power nonetheless contains a clear emancipatory component.

## Notes

1. Henry David Thoreau, *Walden and Civil Disobedience*, introduction by Jonathan Levin ( Barnes and Noble, 2005).
2. Ibid, § 22.
3. Ibid., § 4.
4. The article “Abnormal Justice” is about to be published in *Critical Inquiry*. The version used here is freely available on line through the page of the Institut For Social Research of Norway.
5. This Barcelonese group called for the regularization of illegal aliens in June 2006 and to abolishing borders after the tragic events of November 2005 in which the Moroccan and Spanish police murdered various African migrants who were trying to cross the wall that separates Spain from Morocco in the enclaves of Ceuta and Melilla. For more information about the organisation of the European Caravan for the Freedom of Movement that the “Desobedientes de las Fronteras” initiated, see their website: <http://communia.org/caravana/>.
6. Vaclav Havel, *Open Letters : Selected Writings, 1960-1990*, (Alfred A Knopf, 1999).
7. John Holloway, *Change the World Without Taking Power, the Meaning of Revolution Today*, (Pluto Press, 2002).
8. David Graeber, “The New Anarchists”, *New Left Review* 13 (January-February 2002), available online.
9. Nancy Fraser, “Rethinking the Public Sphere: A Contribution to a Critique of Actually Existing Democracy.” in Craig Calhoun (ed.), *Habermas and the Public Sphere*. MIT Press,(1992): pp. 109-142.
10. -----, “Reframing Justice in a Globalizing World,” *New Left Review* 36 (October-November 2005) : pp. 69-88.
11. Albert O. Hirschmann, *Exit, Voice and Loyalty*, *Harvard University Press*, (Harvard University Press, 1970).
12. John, Locke, *Two Treatises of Government*, edited by Peter Laslett, (Cambridge University Press 1960).
13. For more information about this mobilization, see the website of the environmental association representative for the campaign against the paper industry in Gualeguaychu, Argentina: <http://www.noalapapelera.com.ar/>.
14. Nancy Fraser, “Abnormal Justice”, op.cit., p. 4.

## References

Fraser, Nancy, "Abnormal Justice," *Critical Inquiry*, vol 32, no 3, Spring 2006.

-----, "Rethinking the Public Sphere: A Contribution to a Critique of Actually Existing Democracy." in Craig Calhoun (ed.), *Habermas and the Public Sphere*. MIT Press,(1992): pp. 109-142.

Graeber, David, "The New Anarchists", *New Left Review* 13 (January-February 2002), available online.

Havel, Vaclav, *Open Letters : Selected Writings, 1960-1990*, (Alfred A Knopf, 1999).

Hirschmann Albert, *Exit, Voice and Loyalty*, *Harvard University Press*, (Harvard University Press, 1970).

Holloway, John, *Change the World Without Taking Power, the Meaning of Revolution Today*, (Pluto Press, 2002).

Locke, John, *Two Treatises of Government*, edited by Peter Laslett, (Cambridge University Press 1960).

Thoreau, Henry David, *Walden and Civil Disobedience*, introduction by Jonathan Levin : (Barnes and Noble, 2005).