PHIL1 AN INTRODUCTION TO PHILOSOPHY 1

Why should I be governed?

Tutor: 

Group: 

Name: 

[1]
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APPENDIX V: OTHER TYPES OF DISOBEDIENCE AND DISSENT

APPENDIX VI: CASE STUDIES OF DISOBEDIENCE AND DISSENT
The Poplar Council of 1919-1925
The Westboro Baptist Church

GLOSSARY

SOURCES
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**AS level exam content**

You will sit two written papers for AS Philosophy, with the AQA board, both of which will be completed at the end of the academic year. There are no January modules or coursework options for this course.

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| PHIL1 An Introduction to Philosophy 1 | 1.5 hours 90 marks available  
Complete the 15 mark and the 30 mark question on Reason and Experience  
Complete the 15 mark and the 30 mark question on either Why should I be Moral? or Why should I be Governed? | 50% | 25% |
| PHIL2 An Introduction to Philosophy 2 | 1.5 hours 90 marks available  
Complete the 15 mark and the 30 mark question on Tolerance  
Complete the 15 mark and the 30 mark question on The Value of Art | 50% | 25% |

**What’s in this book that’s in the exam?**

This question has been selected due to the foundational nature of the question of how an individual or collection of individuals, originally free, come to be obligated or bound to obey the laws and commands of the state.

The issues to be covered are:

**The state of nature**

- Different views of the condition of mankind in a ‘state of nature’: a war of all against all in which life is ‘nasty, brutish and short’ (Hobbes); a state in which men live together according to reason, in perfect freedom and equality without superiors to judge them (Locke).
- The benefits of political organisation: why it may be rational for individuals to submit to some form of authority which regulates conduct.

**Political obligation and consent**

- Consent as the basis of obligation: the legitimate political obligations of individuals are grounded in a considered, voluntary and binding act of consent. The concepts of hypothetical consent and tacit consent.
- The concepts of power, authority and legitimacy and the relationship between them. Whether legitimacy requires popular approval.
Disobedience and dissent

- The view that we can only be said to possess obligations if we have a guaranteed right of dissent; just grounds for dissent.

- Civil disobedience and direct action: the use of unlawful public conduct for political ends. The aims, methods and targets of civil disobedience and direct action. How either might be justified.

The state of nature

Key concepts in political philosophy

Ideology

What is meant by the term political ideology? Here are two accounts of it:

(1) Ideology: Any comprehensive or mutually consistent set of ideas by which a social group makes sense of the world may be referred to as an ideology... An ideology needs to provide some explanation of how things have come to be as they are, [and] some indication of where they are going (to provide a guide to action)... The term has had very variable connotations, and at least in its dominant sense it has been necessarily pejorative, a term always to be used of the ideas of others, never of one's own. For some, notably Marxists, ideology has generally been used to describe the world-view of the dominant.

(2) [Ideology] includes a theory of society, with some explanation of the true nature of how people live in society and how society has developed. Ideologies that challenge the existing order offer a critique of existing society. Those that oppose change offer critiques of those movements that oppose change. Ideologies develop a vision of how they believe future society should be. This may be a specific blueprint, or it could be a partial idea which includes generalised aims based on fixed principles.

From these definitions, it can be said that some of what ideologies do is descriptive, in that they provide an account of how things are in a political sense, and/or how they were in the past or could be in the future. For instance, different ideologies might describe the relationship between the social classes in different ways, or offer alternative explanations of how wealth is distributed in a society.

However, another role that ideologies have is a normative one, in that they are concerned with how things should be. In other words, ideologies can and often do take a moral position on what is and is not politically justified. For instance, they might make the judgment that the current political system needs to be abandoned for a more preferable one, or they might argue for particular guiding principles to decide when it is right to go to war.
Human nature

Human nature is a term that gets used a lot in moral and political arguments, so it is important to recognise what it refers to. If something is part of human nature, then it is a psychological and/or behavioural characteristic that all humans are predisposed to. This means that with other influences removed from their lives, people would veer towards this way of thinking or acting. Furthermore, it is often argued that if something is human nature, then people are more likely to act in this way than any other, and/or that it motivates our actions – even if we profess otherwise.

Aspects of human nature can be argued to be fixed, meaning they are an unchangeable, necessary feature of humanity, or plastic, meaning they are a malleable, contingent feature which can change at different times and in different places. For example, the effects of our upbringing, culture and social/economic environment could be argued to have this effect. A further option is to deny the existence of human nature altogether, perhaps arguing that each individual chooses their own character.¹

A key area of disagreement in political philosophy is the extent to which human nature is rational. In this context, rationality can refer to our ability to correctly identify what our needs or desires are, and to work out how best to fulfil them. Another way of putting this is to say that if we are rational, we will make and act on good choices, and if we are irrational, we will not.

1. What human nature is like is a very important consideration in political philosophy. Why do you think this is?

The political spectrum

Various attempts have been made to ‘map’ political ideologies. The goal in doing this is to show the relationship between ideologies, to visually represent their similarities and differences with each other.

The linear spectrum

The linear spectrum places ideologies in a line, from far left to far right:

<table>
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<tr>
<th>Communism</th>
<th>Socialism</th>
<th>Liberalism</th>
<th>Conservatism</th>
<th>Fascism</th>
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<td>Left-wing</td>
<td>Centrist</td>
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<td>Right-wing</td>
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This is perhaps the most common, ‘traditional’ method of mapping ideologies. However, it has come under criticism for being too simplistic, and not accounting for different varieties of thought within ideologies – ones that would not necessarily be placed in the same relationship as is currently shown. For example, it was felt there were many similarities between certain types of authoritarian/state communism and fascism, which this linear arrangement fails to represent.

¹ This last view is supported by a type of philosophy known as existentialism.
The horseshoe spectrum

In response to criticisms such as this, the horseshoe spectrum was devised. One of its stated advantages over the linear spectrum is its closer placing of communism and fascism:

![Horseshoe Spectrum Diagram](image)

Despite this, the horseshoe spectrum was still felt to be deficient in other areas. A key problem, as with the linear spectrum, is it still does not show the possible varieties within different ideologies, and finds no place for anarchism.

The two-dimensional spectrum

As can be seen below, the two-dimensional spectrum is more complicated than the others. However, it has been argued to overcome some of the major limitations associated with the linear and horseshoe spectra. In the two-dimensional spectrum, ideologies are placed according to their position on these issues:

**Economic issues** – those relating to the distribution of resources and the freedom of businesses – are mapped on the left/right axis.

**Social issues** – those relating to government intervention in our lives on social matters (not related to business and trade) – are mapped on the authoritarian/libertarian axis.

As a result of ordering ideological positions in such a way, the two-dimensional spectrum gives particular meanings to the following terms, which are not necessarily captured in the two previous approaches:
**Authoritarianism** is associated with:
- Greater government power
- Fewer social freedoms e.g. relating to speech, protest, religion, lifestyle, choice
- More positive attitudes to nationalism and patriotism
- More negative attitudes to multiculturalism and diversity
- Greater focus on punishment in criminal justice
- A view that human nature is fixed and/or irrational

Extreme authoritarian positions can be described as ‘fascist’

<table>
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<tr>
<th>Left-wing is associated with:</th>
<th>Right-wing is associated with:</th>
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<td>More equal distribution of resources and wealth</td>
<td>Equal distribution of resources and wealth not being necessary</td>
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<td>Emphasis on the interests of the working classes</td>
<td>Emphasis on the interests of the middle/upper classes</td>
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<td>Fewer economic freedoms e.g. free trade, deregulation</td>
<td>Greater economic freedoms</td>
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<tr>
<td>A view that human nature is collectivist – we benefit from and are reliant on others</td>
<td>A view that human nature is individualist or ‘atomist’ – we are self-reliant and benefit from being left to shape our own lives</td>
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<tr>
<td>Far-left positions can be described as ‘communist’</td>
<td>Far-right positions can be described as ‘capitalist’</td>
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**Libertarianism** is associated with:
- Less government power
- Greater social freedoms
- More negative attitudes to nationalism and patriotism
- More positive attitudes to multiculturalism and diversity
- Greater focus on rehabilitation in criminal justice
- A view that human nature is plastic and/or rational

Extreme libertarian positions can be described as ‘anarchist’

In deciding where to place ideologies on the two-dimensional spectrum, it is necessary to look at to what extent they agree with the oppositional views of authoritarianism/libertarianism and left-wing/right-wing. The more strongly the views of one of these ‘sides’ is held, the further along that axis they will be placed. For example, if you were to agree that criminals should be punished very harshly, this would pull you towards authoritarianism. If you also agreed that human nature was rational, this would pull you back towards libertarianism. If you firmly agreed with all of the positions of the right-wing, it is likely you would find yourself somewhere at the very edge of that axis.

The following questions ask you to give reasons that could be given to support different political positions. Firstly, in doing this, make sure you provide reasons rather than just restating what these positions support. Secondly, you could focus on a specific aspect of this position when thinking of these reasons e.g. attitudes to law and justice, attitudes to economics, attitudes to human nature.
2. Give at least three reasons to support authoritarianism.

3. Give at least three reasons to support libertarianism.

4. Give at least three reasons to support being left-wing.

5. Give at least three reasons to support being right-wing.

The diagram above broadly charts a number of different ideologies. Putting them anywhere is contentious, and my placement of them in these, or any other positions, will certainly cause disagreement among some. The main concern here has been to put them in relation to each other – for instance, to show whether one ideology can be considered more libertarian or right-wing than a competing ideology. Furthermore, the area on the spectrum in which ideology appears relates to the range of views which people who identify within a particular ideology tend to express. For example, those who refer to themselves as Marxists are largely united...
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on broad economic issues, but there is a greater range of thought amongst them with regard to the legitimacy of authoritarianism (or lack of it).

Aside from this, other difficulties still face the two-dimensional spectrum, despite it being preferable to the linear and horseshoe approaches. To take one example, approval of economic protectionism is typically taken to be left-wing, as it is preventing businesses and organisations from operating under a free market. Protectionism will be likely to involve some form of enforced restriction with regard to trade, favouring some institutions over others e.g. tax breaks, production quotas, tariffs, guaranteed custom, injections of government funding, an economic law that applies to some but not to all. As also noted, support for the working classes and a preference for economic equality are also taken to be left-wing positions. But if all this is the case, where should we position a support of protectionist measures which favour the rich? The current issue of ‘workfare’ is a good example, in which companies are provided with government assistance in the form of unpaid labour, with those so employed having to take on these roles or risk losing their benefit payments. Another example is that of economic bail-outs for failing banks. Both instances are clearly protectionist, impeding capitalism in its purest form, where businesses succeed or fail on their own abilities to attract custom, but it is difficult to claim they are serving working class interests. Should examples such as these be therefore considered left-wing or right-wing? Perhaps these terms are insufficiently simple when attempting to label cases such as these.

Finally, another example of a potential problem for the two-dimensional spectrum is that it allows us to conceive of left-wing and right-wing versions of both fascism and anarchism. This has produced some controversy. For example, some communists have argued fascism can only exist within the context of capitalism, and some leftist anarchists have argued all talk of ‘right-wing anarchism’ is incoherent. I won’t go into any more detail on these arguments here, but it is worth noting that if they are correct, the two-dimensional spectrum needs still further adjustment.

The state of nature

The term state of nature refers to life without a government, and is often specifically used to refer to how human life was before government was formed. Therefore, to imagine the state of nature, we imagine away government, meaning there is no state, and consequently no such thing as the law, judiciary or police.

The reason why there is concern over what the state of nature might be like is because a number of philosophers argue it provides us with an insight regarding to what extent human life could function without a government. Someone’s view about what the state of nature is like will be strongly influenced by how they conceive of human nature. For example, philosophers who hold a positive view of human nature – perhaps claiming it is rational – are likely to argue the state of nature isn’t a wholly terrible place to live, and are also likely to believe that giving power to the government needs strong justification. Conversely, philosophers who hold a negative conception of human nature – perhaps claiming it is irrational – are likely to argue the state of nature is an unpleasant place to live, and are also likely to believe that governments should hold stronger levels of power.
In connection with this, someone's view of what human nature and the state of nature are like will also very likely influence what laws, if any, they think should be made. For instance, if someone believes human nature to be fixedly irrational and self-interested, they may well believe the law should be restrictive, and also firmly enforced, because the way that people are means they need to be strongly controlled.

When we consider what the state of nature is like, this also helps us to consider why states were originally formed, whether it was right that this happened, and whether the states we have now are fulfilling their original purpose. Are they, for example, too restrictive, or perhaps too permissive, in what they allow us to do? Are the laws that states uphold necessary and justified?

In our study of morality in the previous topic, we saw the ethical aspect of social contract theory. Here, we will also see its political application. For example, a common idea among social contract theorists is to regard the initial formation of the state as a form of contract or agreement, made between the people and the government.

Having said this, it should be noted that supporters of this theory do not necessarily regard the social contact between people and government as an actual event that happened in history. Many contractualists nonetheless feel it is relevant to discuss such an agreement in hypothetical terms, using it as a fictional, but nonetheless useful device to consider what conditions should be met for a government to be justified in exerting power over others. It can also show us how an individual or collection of individuals, originally free, come to be obligated or bound to obey the laws and commands of the state.

It is further worth noting the difference between the state of nature and the state, which refers to a society which has a government, meaning there will be such things as geographical borders placing it apart from other states, and also laws which are made and enforced.

We will now see two contrasting examples of state of nature theories, and why there may be benefits to political organisation. Both theories argue that it is rational for individuals to submit to some form of authority which regulates conduct.

**A war of all against all in which life is ‘nasty, brutish and short’**

Thomas Hobbes (b. 1588 in Wiltshire, England d. 1679 in Derbyshire, England) argues for a particular view of human nature, which can be seen to influence his beliefs about what the state of nature is like, and also what he believes the justifiable role of government to be.

Hobbes claims that people are by nature self-interested, and that this is fixed rather than plastic. A further key feature of human nature is that self-preservation and power are among our most fundamental desires. Hobbes argues that no law can overcome these desires, meaning it is pointless for a state to think people will not do whatever it takes to survive when things get desperate.

Without a state to control us, with no laws existing to restrain us in our actions, Hobbes feels it appropriate to think of the state of nature as a war of all against all. Everyone will be guided by their desire for self-preservation, and will recognise everyone else will be motivated in the same way. He also argues there will be a scarcity of resources, with not enough of what everyone wants to go around. This fact also leads to conflict between people.

Hobbes notes living in the state of nature does not necessarily favour those who are the most physically strong, as people can also gain power over others through the use of intelligence or charisma, or by teaming
up with friends against a common enemy. Nonetheless, the state of nature is a naturally combative place, and is extremely undesirable to live in.

All of this leads to a vicious circle. We might not be inclined to attack other people, but we know some of them may attack us. The best form of defence, the best way to get what we want, is to attack first. Furthermore, the only way to have enough power is to have more power than other people. So even people who are not inclined to violence have reason to become violent if they fear losing what they want. We will fight for gain, to get what we need. We will fight for security, to get what we need in the future. And, says Hobbes, we will fight for glory, meaning the reputation of being powerful, either because we simply enjoy it or because it is a kind of power in its own right. After all, people tend to be compliant towards those who are known to be powerful. He describes the state of nature as being:

No place for industry, because the fruit thereof is uncertain; and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the Earth; no account of time; no arts; no letters; and which is worst of all, continual fear, and danger of violent death; And the life of man, solitary, poor, nasty, brutish, and short.

Because of this, Hobbes regards living in a state under government control as far more desirable than living in the state of nature. Importantly, he insists the state needs to have absolute power. The reason for this is a weak government may fall and/or be struck by civil war. Therefore, the state needs to be stable and firm, and the best way to secure this is to have a strong regime in control.

We are naturally rational enough, argues Hobbes, to recognise it is in our self-interest to submit to an absolute authority which regulates our conduct. We should recognise a weaker government will be unable to do this, and even the most oppressive state is better to live in than the state of nature. After all, in the state of nature, everyone is a potential threat to our life. This is not the case when living under a strong government.

The absolutely powerful state governs all aspects of society’s organisation. For example, all laws are to be decided, interpreted, enforced and upheld by the state. Hobbes argues any division in the state’s powers threatens to weaken it, making it more susceptible to attack and therefore losing its control, meaning the state of nature may return. Consequently, the state needs to be as strong as possible. The term Hobbes uses to refer to this system of all-powerful rulership is the Leviathan.

In connection with these arguments, Hobbes is critical of the idea of people resisting the state. He argues it is only acceptable to oppose the state, possibly overthrowing those in power, iff it is failing to protect us from the situation of the state of nature. Therefore, weaker states, including those affected by internal divisions, can be more justifiably resisted that more powerful ones, as they are more likely to fail.

Finally, Hobbes can be seen as providing an argument within the tradition of social contract theories. There is an agreement between the governed and the government, in which the people submit to having their conduct regulated by an authority in exchange for protecting them from the condition of the state of nature. If the government is unable to effectively do this, then the contract has been broken. When we agree to obey the ruler, we surrender our own power to them. Those who are to be governed hand over their power to another, This individual (or individuals) with power is the sovereign, and is authorised to do anything except order another to kill themselves.

Therefore, Hobbes argues it is rational to submit to a ruler, whose authority lasts as long as they have the power to enforce it and to protect their subjects from one another. Hobbes place high political value on security. With regard to the two-dimensional political spectrum, Hobbes is an example of a particularly authoritarian conservative.
A state in which men live together according to reason, in perfect freedom and equality without superiors to judge them

John Locke (b. 1632 in Somerset, England d. 1704 in Essex, England) agrees with Hobbes that human nature is self-interested and fixed. However, he disagrees with Hobbes that human nature is so focused on self-preservation and power that we will do anything to anyone in order to survive. Furthermore, Locke also disagrees with Hobbes on the point about the state of nature having scarce resources available. Locke argues there is enough for all. Consequently, he does not think disputes will be as common as Hobbes does, meaning that people will not be in such a condition of fear and readiness to fight.

Locke claims that all humans possess a particular set of moral rights. These include:

- **The right to life** – meaning others should not kill us
- **The right to liberty** or ‘right to freedom’ – meaning we should be able to choose the kind of life we want to live (so long as it does not conflict with other people’s rights)
- **The right to property** – meaning we should be able to own our own individual property, and that others should not take it from us (unless we voluntarily give it away)

As we possess these rights, Locke also argues we possess the right to defend ourselves against them being violated. For example, because we have a right to life, we should be able to defend ourselves against those wishing to kill us. This does not, however, mean we can carry out justice as we see fit, as explained below. Locke agrees with Hobbes that in the state of nature we are all equally free. However, Locke adds that we are also equal in the sense that we all have the same rights as each other.

Given people’s naturally rational nature, Locke argues that before the state was formed, life was not too unpleasant. We were perfectly free, because there were no laws, and we were equal with one another in the sense that our rights were equal to everyone else’s. There were enough resources for everyone, which meant that disagreements, particularly over property, were rare. However, when they did occur, it was difficult to have them resolved in a way which everyone would regard as fair. The reason for this is that if we or any of our friends had been involved in such a disagreement – e.g. judging how to resolve a dispute regarding a theft involving ourselves or an associate – it would have been difficult for us to avoid bringing in our own personal biases and prejudices. Were we to carry out our own definition of justice, these would be likely to be vengeful retributions, which would not be the fairest way for people to carry on. Furthermore, Locke recognised some people would be unable to effectively defend themselves against their rights being violated, as they were simply too weak to do so.

Because of this situation, using our rational, self-interested natures, Locke argues people made the decision to form organised societies, which included having a government responsible for resolving such disputes between people. The role of the government in doing this is that of a fair, impartial umpire or referee. When the state is involved in judging disputes, it is necessary they do not have any vested interest in the outcome, which cannot be said for those personally involved in the disagreement.

For example, imagine a dispute over the ownership of a piece of land. Without a state, Locke would argue the people involved would have to work out their disagreement themselves, which they are unlikely to be able to do in an impartial way, as they both have a vested interest in the outcome. A key purpose and value of the state is they are able to distance themselves from the dispute, meaning they can make an impartial, and therefore fairer, judgment. Furthermore, given the resources that states have, such as law enforcement services and the judiciary, they will be able to ensure that the decision made on how to resolve the dispute is upheld.

In summary, Locke’s claim is we formed a governed society in order to protect our rights to life, liberty and property. As we possess these rights, a social contract was made between citizens and the government that these rights would be defended, and justly resolved if any disputes arose.
By moving away from the state of nature, we therefore lost the ability to enact justice as we saw fit, but gained a powerful, impartial judge to make rulings on any disputes we might have. Such rulings would be made to common, universal standards, meaning there is the further benefit that everyone knows what result law-breaking will have, and these standards can be comprehensively and fairly applied.

As we saw, according to Hobbes, the only thing the state should be required to do is protect us against our falling back into the state of nature. For Locke, more demands are made of the state, in that its purpose is to protect our rights. Locke argues if a state fails to do these things, then dissent is justifiable. When we agree to obey the government, we merely lend them our power rather than giving it up completely, and we reserve the right to take it back from them.

Furthermore, the kind of government which Locke supports is consequently different to the kind supported by Hobbes. Whereas Hobbes is in favour of a strong, authoritarian state, Locke supports what is called a **minimal state**, or ‘limited government’, which means the state has little intervention in our lives. Although the state is justified in setting and enforcing laws to protect our rights, Locke argues it is not justified in intruding into our lives any further. Because of this, opposition to the government can also be justified if they become too interventionist in our lives. A government which excessively interferes with us in this way has broken the contract between the people and the state. Given that we existed in freedom and equality in the state of nature, it is necessary that the government does not restrict us in these areas – otherwise, why give them power at all?

Locke believes under a strong, authoritarian government, which Hobbes supports, we are more at risk than we would be in the state of nature. The reason for this claim goes back to Locke’s more positive account of human nature, and what the state of nature is consequently like.

It can be said that a key difference between Hobbes and Locke is that Hobbes feels we cannot trust anyone. Locke assumes by and large that people respect the freedom and equality of others, but when scarcity and tricky disputes arise, we need a state to fix things. Hobbes thinks the only way to bring about trust between people is the credible threat of punishment from the state. With regard to the two-dimensional political spectrum, Locke is an example of a liberal.²

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2 Given previous responses by students to both Hobbes and Locke’s arguments, I feel it’s worth specifying neither of them say anything about the government being democratic and/or elected. While conservatism and liberalism are not necessarily anti-democratic, they are not necessarily democratic either.
We live in a state, and one of the defining features of states is they set laws which we have to follow. If we do not follow them, the state argues it is justifiable to punish us, and acts accordingly. But is this situation a justifiable one? After all, we would be unlikely to consider it justified if other people not connected to the state began punishing us for failing to go along with a set of rules which they had created. So why should we accept this behaviour from the state?

In answer to this, it can be argued there are two major reasons why someone may feel they should obey the law of the state:

**Coercion** – they obey the law because they are forced to do so. Their motivation is avoiding punishment rather than necessarily agreeing with the state’s laws.

**Consent** – they obey the law because they agree to do so.

In the last section, we focused on two contractualist theories of the state, from Hobbes and Locke, in which it was argued the state can be justified as a voluntary agreement between the government and the governed. Therefore, it can be said that social contract theories such as these argue we have consented to state rule, rather than having been coerced.

Two other terms have relevance at this point:

**Moral obligation** – if we have a moral obligation, then it is right that we act in a certain way. The reason for this is it is the ethical thing to do. Moral obligations do not typically require our having consented to them; they’re just something we should follow.

**Political obligation** – if we have a political obligation, then we have a duty to obey the laws of the state. Many contractualists argue the reason we have political obligation is because we have in some way consented to follow the state’s laws.

Furthermore, social contract theorists typically argue the consent we have given to the state has the following features:

1. Our consent has been considered – i.e. we haven’t just rushed into it.
2. Our consent is voluntary – if it wasn’t, then we would have been coerced.
3. Our consent is binding – our agreement with the state to follow its laws binds us to a particular way of behaving. Simply put, because we have consented to follow the law of the state, we now have a duty not to break the law.

Historically, these types of theories go against a previously popular view that some people have a natural or innately superior character which means they should be obeyed, as found in arguments such as the divine right of kings. Instead, what these theories attempt to show is that the state, and the power it grants some people over others, is a human creation, and one which can be justified.

We now look at how convincing this position is. We start by asking, ‘How exactly can it be argued we have consented to the state?’ If a satisfactory answer to this question cannot be found, this raises significant problems for the claim we have political obligation. To do this, we will consider four ways in which it has been argued that we have shown our consent to the state.
Tacit consent

The theory of tacit consent argues that although we may not have necessarily given our consent to the state in an explicit way, we will have done so implicitly. What is specifically meant by this is we have taken the advantages that living in a state provides. Depending on the kind of state we are living in, this almost certainly include the protection provided against the criminal actions of others and external attacks by other states. Some states provide more than this, such as state-funded educational programmes, or public roadways.

As we have benefited from the state, tacit consent theorists, such as John Locke argue we have political obligation. Furthermore, if we claim that we do not have political obligation to the state, then we are wrong to do so, as we are gaining advantages and not giving back anything in return. Tacit consent theories sometimes make the claim that someone who enjoys the advantages a state provides and does not follow its laws is nothing less than a free rider.

However, whether political obligation is implied by our benefitting from the advantages provided by the state is controversial. Firstly, it might be noted that many advantages from the state were gained when we were children, such as education, when we were unable to provide informed consent, and were in no position to accept or deny these services. Therefore, it seems problematic to claim we gave consent as children, when it is commonly argued children are unable to give informed consent.

Secondly, there is the question about the degree of obligation which can be assumed from the gains you have received from the state. For example, does the use of public roads you have received mean you are obliged to, for instance, pay student tuition fees, or fight in your country’s armed services, or obey an unjust law?

Thirdly, we can object that this view of where consent comes from leaves no room at all for dissent, meaning opposition and resistance to the state. It is extremely difficult, perhaps impossible, to avoid benefiting from the advantages of the state – such as public services, or the defence provided by law enforcement and armed services. If the argument for tacit consent is correct, then because we have all benefited from the state, we therefore have no grounds for dissent. The only possible option seems to be to leave the country. This may seem an extreme conclusion to come to.

Fourthly, it can be said consent is meaningless unless it is understood as consent by the person consenting. If we did not understand that we were consenting when we made use of the services and advantages provided by the state, then it can be questioned as to whether we have truly consented at all. Another way of putting this is to say that because we have not given consent in an explicit way, it can be questioned as to whether we really have consented.

Fifthly, the argument against tacit consent could be taken further, as it is here in a quote from Noam Chomsky (b. 1928 in Pennsylvania, USA), expressing a view that would find particular support amongst more libertarian philosophers:

_I remember a book by Norman Podhoretz... in which he accused academics in the peace movement of being ingrates because we were working against the government but we were getting grants from the government. This reflects an extremely interesting conception of the state, in fact a fascist conception of the state. It says the state is your master, and if the state does something for you, you have to be nice to them. That’s the underlying principle. So the state runs you, you’re its slave, and if they happen to do something nice for you, like giving you a grant, you have to be nice to them, otherwise it’s ungrateful._

Noam Chomsky

Notice how exactly opposite that is to democratic theory. According to democratic theory you’re the master, the state is your servant. The state doesn’t give you a grant, the population is giving you a

[16]
grant. The state’s just an instrument. But the concept of democracy is so remote from our conception, that we very often tend to fall into straight fascist ideas like that.

Sixthly, such a viewpoint can be developed further, perhaps by arguing that such things as not being killed by other people, being able to speak freely, and having certain liberties are all things which we are morally entitled to. If this is the case, and the state acts in such a way that these are protected, it could be considered rather strange to not only thank the state, but to do whatever else it tells us to do.

To draw a comparison, imagine you’re in a relationship with someone who doesn’t beat you up or abuse you, and allows you to speak your own mind and leave the house when you want to. If this person then suggested you owe them thanks for their acting like this, or went further to demand you now follow a list of rules they’ve created, it’s unlikely that you would think this to be a reasonable request, or that you had consented to their proposals.

In other words, if the state is allowing you to do things that you have a moral entitlement to, then it’s merely fulfilling its ethical obligations – it’s not doing anything that means you now have to be its servant.³

**Hypothetical consent**

The theory of hypothetical consent argues that although we may not have given our consent in an explicit way, it can be said to have been hypothetically granted. What this means is we can be taken to have given our consent if it is the case that, if we were acting rationally, then we would explicitly consent. Another way of putting this is to say that if the state deserves our consent, then we have political obligation.

This means if it is rational to consent to a state, then an irrational person who does not agree to it can still be said to have given their hypothetical agreement. In other words, if they were thinking in a proper, rational manner, their consent would, hypothetically, be explicitly given, so it is therefore justifiable to regard them as having consented to the state.

Therefore, if it is rational to consent to a state, then hypothetical consent is given, resulting in our having political obligation. Equally, if it is not rational to consent to a state, then hypothetical consent is not given, resulting in there being no political obligation.

One appealing reason to think of political obligation as founded on a hypothetical agreement is because of this focus on rationality. If it is rational to consent to the state, then dissenting voices can be ignored, because their denial of political obligation is irrational.

Firstly, it can still be objected, as with tacit consent theory, that as a hypothetical agreement is not one we have explicitly made, it is questionable to what extent we might be bound by a hypothetical agreement. Even if it is true that, if we were rational, we would have consented to it, this is still a different thing to us actually consenting to it. Consequently, it is difficult for hypothetical consent theorists to argue we have engaged in a considered, voluntary and binding act of consent.

Secondly, it is possible to imagine situations where we fully recognise it is rational to do a particular thing, but still wish to do otherwise. Just because it is rational to consent to something, this does not mean we necessarily will consent to it.

³ Admittedly, a number of states are notably poor at acting in such a way, so any state which meets these basic requirements might well stand out as being ‘special’, but perhaps that’s because the bar has been set particularly low by states overall.
create a table which summarises the following points about each of the two theories described above:

- Why it is argued we have political obligation (explain any terms used)
- Possible strengths in thinking we have political obligation for these reasons
- Possible weaknesses in thinking we have political obligation for these reasons

What if there is no political obligation?

Given the objections detailed above, it could be concluded we do not have political obligation. In other words, there is no duty to obey the laws of the state. The reason for this is it cannot justifiably be said that we have consented to the rule of the state in a considered, voluntary, and binding way.

As has been seen, such a conclusion goes against social contract theorists like Hobbes and Locke, and also goes against the political arguments of both liberals and conservatives more generally. To argue that we have no political obligation is most likely to find support among libertarian ideologies, particularly anarchist ones.

However, it is worth noting that even if there is no political obligation, this doesn’t necessarily mean we should go around breaking all the laws we can. Two key reasons might be appealed to in support of this.

Firstly, if it cannot be shown we have consented to the state, it can be argued the state and its laws are coercive. As mentioned earlier, this means they are not something we follow by choice. If this is correct, then a major reason not to break the law is the undesirability of receiving the punishment the state will exert on us.

If we start thinking like this, we might go on to conclude that if we can (1) avoid detection by the state, and/or (2) are willing to accept its punishments, then it is permissible to break the law.

Secondly, we might argue that the law (or at least part of it) correlates with our moral obligations. For instance, if we have a moral obligation not to do x, and the law of the state tells us not to do x, then we can conclude we shouldn’t do x. However, it is important to note that the reason it would be wrong to do x is because of our moral obligation not to do x, not any political obligation – because we don’t have a political obligation in the first place. In other words, the fact that there are laws against x is irrelevant. We shouldn’t do x for the reason that x is morally wrong. The law happens to agree with this, but if the law was different, our moral obligation to not do x would be unaffected.

If we start thinking like this, then we might go on to conclude that where the law and morality do not correlate, it is permissible to break those laws, and also we may even have a moral obligation to break them.

Power

In non-political contexts, we can talk of power as being power to. It is referred to in this way as it involves someone having the power to achieve a particular outcome. For example, we might have the power to run 100m in 10.5 seconds, or we might have the power to knock down a wall with our bare hands.

However, given the topic we are studying, we will be focusing on power in the political sense, otherwise known as power over or ‘political power’. It is referred to in this way as it involves someone having power over
another. Therefore, power can be thought of as a relationship between individuals or groups. To be more specific, having political power can be defined in the following way:

- Person A has power over person B if person B does x because of person A.

In other words, we have power over others when they do what they would not otherwise have done, and they do it because of us.

To this definition, the following points might also be added:

- The relationship between A and B is part of a political structure.
- The power relationship that A has over B persists over time - it cannot be just a single event.

It is worth mentioning here that when philosophers describe an individual or institution as having power is not necessarily a criticism. As we will see later on, some instances of power are considered as being legitimate, and others not.

8. Create two examples which could be used to appropriately illustrate political power. In each case, make it explicitly clear how power is being exercised.

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Authority

In non-political contexts, we can talk of authority as being an authority. Someone who has authority of this type will have a particular expertise or ability. For example, they could be an authority in the study of medicine, or an authority on British wildlife.

However, given the topic we are studying, we will be focusing on authority in the political sense, otherwise known as in authority. This can be defined as saying that someone who is in authority has the right to exert power.

Therefore, by this definition, if someone has power without authority, then although they are in a position of power, it is wrong for them to have power.

This further means that if someone has authority without power, then although it is justifiable for them to be in a position of power, they do not hold actually hold a power role.

Finally, if someone has power and authority by this definition, then they are in a position of political power, and it is also right that they hold this position.
9. With reference to either Hobbes or Locke, and following this definition of authority, outline what it would involve for someone to have (i) power but not authority, and (ii) authority but not power.

**Legitimacy**

If someone has legitimate power, then it is right that they have it. What legitimacy refers to is the particular reasons why someone has a right to power. There are a variety of accounts of legitimacy provided by different philosophers, but what they are all attempting to do is to explain what criteria have to be fulfilled by someone in order for them to have the right to power.

It can therefore be possible to think of someone having legitimacy, but not power. This would mean they fulfil the conditions that mean they would be justified in possessing power, but they do not actually hold such a position.

We can refer back to the arguments covered earlier in this handbook for two examples of theories about what legitimacy requires:

- Thomas Hobbes argues that someone who is able to protect people from the dangers and horrors of the warlike state of nature has legitimacy, and those which are weaker and unable to offer this protection do not.

- John Locke argues that someone who will uphold our rights of life, freedom and property, and who will also act as a neutral umpire in resolving disputes has legitimacy, and those that do not meet these requirements lacks it.

**Whether legitimacy requires popular approval**

As we can see from Hobbes and Locke, there is nothing in their accounts of legitimate power that requires popular approval of those being governed. Provided that the abilities specified are possessed, then it is right that such a person has political power.

However, an alternative conception of legitimacy comes from Max Weber (b. 1864 in Erfurt, Prussian Saxony d. 1920 in Munich, Bavaria). He disagrees with those who argue that legitimacy requires someone ruling in a particular kind of way, of having the right kind of character.

Instead, Weber states someone has legitimacy simply when others believe it is right they have power. In other words, legitimacy requires popular approval. Unlike philosophers such as Hobbes and Locke, he does not think that any other criteria have to be met.
As with other definitions of legitimacy, it is also possible to conceive of someone having this kind of legitimacy without also having power. In such a case, they would have popular approval, but would not actually hold a position of power.

Although this definition of legitimacy seems particularly compatible with power which has been achieved through democratic methods – e.g. voting – Weber notes that someone could have popular approval in non-democratic systems.

One example he talks of is traditional authority, whether people regard the power as legitimate because it has ‘always existed’ – it has been accepted by earlier generations. Such cases of power tend to have a hierarchical system, where everyone in society has a particular status. How society is run does not need to be questioned, because that is how things always have been. Examples include patriarchalism – where men are traditionally in control – and geontocracy – where older people are.

Another example of popular approval Weber mentions is charismatic authority, where the legitimacy comes from the power of the personality of those in charge. Their authority is not especially to do with their official position or status, but because of their own personal qualities. For instance, a ruler could encourage their citizens to view them as the saviour of the nation, as the person who is going to restore their land to its former glories. This may involve setting up what is referred to as a ‘cult of personality’.

A final type of popular approval Weber discusses is legal-rational authority. This operates through a body of clearly defined rules and laws. Any legitimacy an individual has comes with holding a particular role in office. In other words, it is the job that has the authority, not the individual who is in it, and people accept that it is right that those in the job should have certain powers. This type of legitimacy comes from respect for ‘rule of law’, where the limits of power are clearly defined.

As Weber’s arguments focus on popular approval, it is easier in such cases to claim that the governed have consented to be ruled. Because of this this, Weber’s definition of legitimacy may be appealing, as there exists some form of agreement between those who rule and those who are being ruled over.

In response, philosophers such as Hobbes and Locke could object that someone with political power may well have popular support, but they could still be failing in their duties as a ruler. As noted, Hobbes would regard a strong but unpopular ruler as still having legitimacy, and Locke would argue an unpopular ruler who resolved disputes impartially and upheld people’s rights is legitimate. It would be fine for someone in political power to be popular, Hobbes and Locke would agree, but there is no necessary connection between their being popular and being legitimate.

Further potential difficulties arise for Weber if we were to consider a tyrannical, deceitful and violent ruler who consciously manipulates the people through intimidation and thought-controlling propaganda. Provided that the people they have power over believe that it is right that they have it, their power is legitimate. Whether their beliefs are wholly rational or not is irrelevant – all that matters is that the belief is there.

10. Do you think there is a connection between popular approval and legitimacy? Explain why.
As shown, political terms such as ‘legitimacy’ are defined in different ways by different people. Another way of putting this is to say that such terms are contested, meaning there is disagreement over what they mean and how they should be applied. As the previous handbook showed, a similar point can be said about a term like ‘morality’ – different theorists will have greatly contrasting views as to what it actually is.

In the exam, any time you engage with a contested term, you need to show you are aware that its definition is controversial. For instance, if you are asked to discuss whether legitimacy requires popular approval, you should make it clear that you recognise how philosophers have approached this idea in different ways.

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**Disobedience and dissent**

**Before we even start**

Perhaps the most common objection students make when discussing disobedience and dissent is that it has no effect. This is a demonstrably false claim to make, as there are multiple historical and contemporary examples of such actions bringing about political change. Although I want to get away from these particular examples because they’re referred to excessively in topics like this one, cases such as the suffragettes, anti-slavery campaigning, the civil rights movement and the non-violent Satyagraha principles supported by Gandhi, all show the decisive impact that disobedience and dissent can make.

A regular response to any individual instance of disobedience and dissent that we might see today is ‘Will that have any effect?’ It is very important to recognise that dissenting actions, when looked at individually, rarely have any perceptible effect by themselves. But dissenting actions don’t always happen in isolation – they will often be part of a wider struggle, in which many individual actions combine to make a movement which, over time, may well be successful.

Therefore, pointing at an individual protest march, occupation, strike, demonstration, letter-writing exercise, sticker on a wall, verbal assault on a politician, attack on state property or political assassination and saying that it won’t work or didn’t achieve results immediately misses the point of how disobedience and dissent can and has been successful.

For example, if we were to look at an individual action of dissent carried out by the suffragettes or anti-slavery campaigners, we could very often note that it didn’t bring about the effects that were desired. But very rarely can this ever be done. And when a more decisive event can be identified – such as a protest that brings down a
government – the reason these events can even come about and be successful in the first place is because of the build-up and political momentum generated by previous activity that has been fighting for the same cause.

A further reason to step away from the suffragettes-slavery-civil rights-Gandhi combination is that these are causes which now have dominant support and approval in our society today. Because of this, it can be forgotten that the reason disobedience and dissent is carried out in the first place is precisely because the cause that is being fought for is not overwhelmingly popular, or at least not with those in political power.

Finally, another commonly held view is that letter-writing and petitions never work, particularly if they’re done online. This isn’t true either.

Admittedly, disobedience and dissent of any kind is not always successful. But it has consistently been shown to be far more effective than doing nothing at all.

Of course, although disobedience and dissent can be effective, it is another question entirely as to whether it is justified. So let’s begin looking at that.

**The view that we can only be said to possess obligations if we have a guaranteed right of dissent**

Earlier, we saw various arguments on why we have a political obligation to obey the state and its laws. Now, we look at arguments relating to the acceptability of purposefully breaking the laws of the state.

If we hold that the state is coercive, and/or that there is no political obligation, little argument needs to be made to justify law-breaking. As there cannot be said to be an agreement between those who govern and those they governed, there does not seem to be any special reason needed to break the law. Admittedly, we might still have moral obligations which we should follow, but as we have seen, this is not the same as having a political obligation.

On the other hand, if we hold that our relationship to the state is consenting, and we do have political obligation, then any action which purposefully breaks the law needs justification.

As we saw, political obligation was typically justified by referring to the idea of some kind of social contract between the state and the people, with the state gaining power in exchange for it behaving in a particular way.

Firstly, if a social contract account of the state is supported, then one common argument used to justify law-breaking relates to if the state is not upholding its side of the contract. In other words, if the state is failing to carry out its purpose, then the people are not obliged to follow its laws.

Secondly, if we feel that for a state’s power to be legitimate it must meet certain criteria (e.g. having popular approval, being run by those powerful enough to maintain control etc.), then it can also be argued that if the state is failing in these requirements, then this also provides justification for breaking the law.

As can be seen from the heading of this section, one thing we are looking at is whether we can only be said to possess obligations if we have a guaranteed right of dissent. This relates once again to the idea that we have consented to the state.
In our discussion of consent, we noted that giving consent is one way in which we acquire obligations. For example, if I freely promise to do something, I then have an obligation to do it. It is important, however, that my promise is freely made, and that I fully understand what I am promising and why. If I am coerced into promising, for example, by threats or after I have been mentally manipulated by such things as propaganda, then we would not usually think that I have to keep the promise.

For me to consent freely there must be an alternative – i.e. I must be able to dissent, which in political contexts means to actively oppose the state. Consent without the right to dissent is not consent at all. So it can be said that unless I have the right to dissent to something asked of me, I cannot become obliged to do it.

An important point to add here is that not all forms of dissent will be illegal. For example, someone may show their dissent to the state simply by voicing their opposition. If the state has not criminalised the expression of oppositional views, then this would be a case of a dissenting but legal action.

It is worth remembering when writing about political arguments that you are not relating them solely to how things happen to be in the state you happen to live in at the moment.

For instance, when constructing essays on dissent, do not write from the assumption that the laws of your state apply everywhere. There are many different types of state and political systems – democracies, dictatorships, theocracies, monarchies, republics, oligarchies, extremely oppressive states, comparatively free states etc.

### Types of disobedience and dissent

#### Direct action

The term direct action is very broad, and in a number of circumstances other types of dissent which follow can also be considered as being varieties of direct action (for example, civil disobedience can be described as a form of direct action). Direct action can refer to legal or illegal practices, which may or may not involve the use of violence.

What characterises an act of dissent as being direct action is its ‘do-it-yourself’ approach, where the dissenters take matters into their own hands, rather than predominantly relying on others to achieve their goals for them. Furthermore, direct action is typically used to refer to the use of activities outside of the normally used and state-accepted political activities and protest methods. Direct action characteristically takes the initiative
by doing something which those who are being confronted with it will find it difficult to ignore. It ‘makes a statement’ beyond just vocalising a particular political view.

For example, activities which do not count as direct action include (in states such as this one) lobbying the government, getting involved in electoral politics, writing letters of complaint, petitioning, and general negotiation and discussion with officials. These are all methods which meet the state on its own terms, operating through channels those in power are comfortable with and approve of. They also show a concern with requesting that others do something on the dissenters’ behalf, rather than the dissenters taking a more direct solution of their own to the problem.

Activities which can more appropriately be described as direct action include strikes, workplace occupations and sit-ins, industrial sabotage, physical/communications blockades, destruction of property, refusal to pay fines/taxes, and politically motivated intimidation and assassination.

Justifying direct action

Those involved in direct action are likely to do so because they feel that operating through the official, state-approved channels will not produce the results they are after. They feel it is necessary to take matters into their own hands.

Because of the wide variety of activities which constitute direct action (violent and non-violent, legal and illegal), it is difficult to say any more either for or against it. However, a general argument against it could claim that direct action shows disrespect for accepted methods of negotiation with the government, and undermines the party-political democratic process (if one exists in the state). For instance, it could be suggested that those engaging in direct action should instead try to achieve their aims by discussion, negotiations with political figures, or perhaps standing for election themselves.

Civil disobedience

Civil disobedience is a term used to categorise a particular variety of dissenting activity. It is non-violent (therefore it is civil), and always involves the purposeful breaking of the law (therefore it is disobedient). Furthermore, the reason for this illegality is for political ends. The dissenter believes their law-breaking is morally justifiable, in order to bring about the specific political outcome which they desire.

In states such as this one, civil disobedience in itself is not a crime. Instead, people will be punished for the specific law or laws they have broken in carrying out their act of civil disobedience. Often, those who engage in civil disobedience are willing to be prosecuted for their activities, commonly because it draws further attention to their activities and/or highlights that the law itself is unjust.

Beyond this, there is some disagreement over the definition of the term, and therefore what types of unlawful action should be considered civil disobedience. For example, John Rawls adds that civil disobedience must also be performed publically, and must also ‘address the sense of justice of the majority of the community’.

Rawls has been criticised on both these points in his definition. Firstly, it can be argued that he should not be insisting that all acts of civil disobedience are performed publicly, and/or that the authorities are alerted of the action beforehand. For example, a key tactic of the Animal Liberation Front is to release animals from laboratories. There is no way such an action could be performed successfully in...
public, but it clearly seems to be an act of civil disobedience against laws which permit animal experimentation.

Secondly, although some cases of civil disobedience may well appeal to a majority feeling, it is unclear why this has to be a necessary condition. For example, many cases of civil disobedience can be seen as attempting to change public attitudes, perhaps through highlighting a topic that most people are unaware of. For example, groups protesting the building of a road by illegally chaining themselves to trees might not be expressing majority views, either because most people don’t care about the natural destruction that is going to occur, or they are simply unaware of it. However, such an action seems to be a clear case of civil disobedience.

As a final point on defining civil disobedience, it is also questionable as to how far the requirement of non-violence goes. While violent action against people is extremely difficult to label as civil disobedience, it is more contestable whether violent action against property could be thought of as civil disobedience. For example, the ‘Raytheon 9’ group carried out destruction of military property to prevent it being used in wars they argued were immoral. Arguably, such activity could still be considered civil disobedience.

Related difficulties emerge here when thinking about actions which involve the use of minor levels of force in otherwise civil protests, such as pushing past police or security workers to gain entry to a building. Could such actions also be considered civil disobedience, or does any amount of violence disqualify them from being labeled in this way?

**Justifying civil disobedience**

The fact that civil disobedience is a contested term means it can refer to a broad range of actions. However, if we follow Rawls’ definition of the term, civil disobedience can arguably be considered as a justifiable form of dissent. The reasons for this include, (1) the public status of the action, meaning those involved are open about what they are doing and do not seek to avoid punishment, (2) the rejection of violence, which many see as a preferable tactic, and (3), the action addresses the sense of justice of the majority of the community, which means it is likely to receive broad support from others.

As mentioned above, though, there may be reasons to widen the definition of civil disobedience beyond that which Rawls gives it, which may end up rejecting any of the three points in the previous paragraph. In doing so, civil disobedience may become harder to justify. (1), actions that are not performed in public, and/or without the dissenters accepting the legal punishments for their crimes might be considered less justifiable as it may be thought that the dissenters should be willing to accept the legal consequences of their actions. (2), the use of violence in any respect, including against property, could be considered unjustifiable in itself, and also potentially leading to a loss of support among those who might otherwise be sympathetic with the cause. (3), actions which do not address the sense of justice of the majority of the community might also be considered unjustifiable, simply because there is no mainstream support for the cause the dissenters are supporting.
The Stanford Encyclopedia of Philosophy has this to say on civil disobedience:

*Throughout history, acts of civil disobedience famously have helped to force a reassessment of society’s moral parameters. The Boston Tea Party, the suffragette movement, the resistance to British rule in India led by Gandhi, the US civil rights movement led by Martin Luther King Jr., Rosa Parks and others, the resistance to apartheid in South Africa, student sit-ins against the Vietnam War, to name a few, are all instances where civil disobedience proved to be an important mechanism for social change. The ultimate impact of more recent acts of civil disobedience – anti-abortion trespass demonstrations, the damaging of military property in opposition to the Iraq war, or acts of disobedience taken as part of the environmental movement or the animal rights movement – remains to be seen.*

...Accepting punishment can also have great strategic value, as Martin Luther King Jr. Observes: ‘If you confront a man who has been cruelly misusing you, and say “Punish me, if you will; I do not deserve it, but I will accept it, so that the world will know that I am right and you are wrong”, then you wield a powerful and just weapon’.

However, a key reason why civil disobedience might be opposed is simply because it involves breaking the law. For those who hold that we have a firm political obligation, and/or that the laws the dissenters are breaking are justifiable ones, it can be argued this form of dissent is not justifiable.

It is worth pointing out that there is no need why we should feel opposed to either *all* or *no* direct action or civil disobedience. Individual cases will vary, as will reactions to them. As noted above, one reason why a particular example of civil disobedience might be opposed is because it is felt that the law being broken should not be violated. A different case of civil disobedience, which breaks a different law, might be judged very differently. Direct action, being an even broader term than civil disobedience, is very difficult to simply label as being justified or unjustified as a general tactic.

Therefore, in the exam, you should show an understanding that these terms cover many different cases of specific actions. Furthermore, it is important you provide examples to illustrate them when they are referred to. If you need to assess how justifiable direct action or civil disobedience is, this is best done through analysis of specific case studies.

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**The use of unlawful public conduct for political ends**

In this section, we will look further into arguments which evaluate whether there is justification for employing illegal methods in disobedience and dissent.

The liberal philosopher John Rawls argues if the aims of an act of disobedience are important enough, then illegal acts of dissent can be justified on certain conditions:

- All legal attempts to change the law have failed. Disobedience must be a ‘last resort’.
- The disobedience must be non-violent. The most important interest that the law protects is our safety. To threaten this is to act unjustifiably, says Rawls, because the aim of civil disobedience cannot be more important than the protection against violence. Furthermore, if we are violent, this may encourage the use of further, unjustified, violence.
The liberal philosopher John Locke argues that what makes a state legitimate is also what gives citizens the right to rebellion. A state is made legitimate by the tacit consent of the citizens, and exists for the purpose of protecting our rights to life, freedom, property, partly by defending us from the harm that others can cause us. The government can lose its legitimacy by failing in this purpose. At this point, the citizens no longer have an obligation to obey the government’s laws, as it is not a legitimate authority. If those in power try to retain power, then, in a sense, it is they who are ‘rebelling’ against the people. The people therefore have the right to respond to this assertion of power by those who are no longer a legitimate authority, and to overthrow them.

The conservative philosopher Thomas Hobbes argues the main purpose of the state, and the reason we consent to it, is to protect us against violence and the threat of violence. Our obligation to the state, therefore, lasts ‘as long and no longer’ than the ability of the state to protect us. If it fails to deliver protection, we have the right to cease to obey its laws. However, these are the only grounds on which we can justly disobey the law or revolt against the state. Any other reason is unjustified.

As we can see, liberalism, and more so conservatism, is typically critical of dissenting action which is illegal, particularly if it involves violence. However, the use of illegality and violence can be argued for, and is more commonly done so outside of these two political traditions.

In discussing the justification of violent dissent, it can be argued that there are three varieties. Firstly, there is violence against other people. Secondly, there is violence against yourself. Thirdly, there is violence against property. (A case of dissent might involve more than one of these types.)

Typically, dissenting actions which only harm yourself are considered the easiest to justify. After all, the only thing being harmed is you. Violence against other people is typically considered the most difficult to justify, with violence which is directed solely against property often falling in between.

The revolutionary political activist Craig Rosebraugh (b. 1972 in Oregon, USA) writes more in favour of the use of political violence than the philosophers mentioned above. He states that reformism, meaning a focus on making small changes to the political system, such as wanting to change a specific law or policy, is not an effective way of bringing about major political change. Instead, he argues that revolutionary activity is much more effective. A key point about revolutionary disobedience and dissent is that it frequently uses unlawful conduct, and can be violent. He writes:

Reformism is to blame for the lack of overall success in nearly all US historical political and social movements. Even those struggles we identify as being successful – labour, civil rights, suffrage, modern women’s, and abolition movements – arguably still have not achieved true success in the current time. Proof of this can be easily seen glancing at the profiles of the Federal Government and top corporate CEOs... While African Americans and women in general have made exceptional strides forward, the white, upper-class male is still in a position of political and societal domination.

Likewise, although better working conditions were obtained from the labour movement, the disparity between rich and poor continues to increase within the United States. The percentage difference between what CEOs and entry level employees take home also continually grows. As minimum wage requirements and other improvements increased, benefiting US citizens to some degree, employers have increasingly looked overseas for cheaper labour. While child labour and sweat shop conditions may be illegal in the United States, US corporations have taken advantage of horrific working conditions in countries overseas.

Historically, the various social and political movements within the United States have failed overall because they have not identified the political system as the primary problem. Thus, by their own limitations set under
the guidelines of reformism – addressing single-issue injustices while supporting the overall political system – these pursuits were defeated from the start... The most these movements could achieve would be pressuring the government to give in to reformist measures, particularly as long as they posed no serious threat to the overall power and operations of the country.

...To demonstrate reformist limitations [let us study] the civil rights movement. African Americans suffered inconceivable atrocities throughout US history, especially as they began to rise up in defiance of the white man’s set norms. Rape, torture, and murder were common forms of white repression that came in response to merely seeking enfranchisement, desegregation, and other equal rights. After all the predominantly nonviolent efforts waged in the 1940s, 1950s, and 1960s by African Americans, the most that was accomplished were minor reforms.

...Yet, even to this day, African Americans still are far from experiencing any overall equality with whites in power. Similar to poor whites, women and other ‘minorities’, African Americans continue to take a back seat to well-off whites. This is precisely due to the fact that the structure of the political system in the United States was not seriously questioned or challenged during the civil rights struggle.

Rosebraugh goes on to discuss the justification of using illegal and violent tactics in disobedience and dissent. He does so by first analysing the famously nonviolent tactics supported by Mohandas Karamchand Gandhi (b. 1869 in Porbandar, British Indian Empire d. 1948 in New Delhi, Dominion of India):

Satyagraha was the term, coined by Gandhi, labelling [the] non-violent pursuit of truth. According to Gandhi, no one is capable of knowing the absolute truth, and therefore, Satyagraha excludes the use of violence. This idea is based on the assumption that who uses violence claims to know the absolute truth. Satyagraha relies on the notion that the moral appeal to the conscience and heart is more effective than an appeal based on threats and violence.

...Rather than answering an opponent’s violence with violence, Gandhi felt it crucial to demonstrate love, respect and a certain degree of self suffering... Gandhi wrote, ‘In the application of Satyagraha I discovered in the earliest stages that pursuit of truth did not admit of violence being inflicted on one’s opponent but that he must be weaned from error by patience and sympathy’.

...The implicit assumption contained within the Satyagraha theory – that one must be weaned from error by patience and sympathy and that love and respect will win over the opponent – is based on the belief that the opponent’s conscience has the ability to function according to the Satyagrahi’s needs.

...What does it take to have a working and healthy conscience? I would suggest that directly implies the ability to decipher between good and evil, right and wrong, justice and injustice. The important question that needs to be asked: Does an individual knowingly involved in an injustice have a working or healthy conscience? Take, for instance, the example of the large tobacco companies, who for years have marketed products known to cause cancer and other health problems in humans. The problem is not that the executives of such companies are unaware of the health risks associated with tobacco, but that they are aware and proceed to market and sell their product to addicted consumers.

What signs, if any, are there that executives of the tobacco companies have working consciences? An honest look would reveal none. On the contrary, there have been clear indications for years that the consciences of these executives are far from healthy. A working conscience would have upheld the position that the human lives are more important than a company’s profits. To assume that nonviolence would have worked in this scenario, to stop tobacco companies from selling products, is a far stretch from reality. Sure, progress could
have been made perhaps with public boycotts, since these businesses are concerned with profit and loss margins.

...A more extreme example to illustrate my point can be found by referring to the case of the Nazi Holocaust. When asked if nonviolence, or Satyagraha, could be successful in stopping the Nazis, Gandhi replied that it could, but not without great casualties. While I agree the casualties would be, and were, tremendous, I take great exception to the assertion that nonviolence would have any ability to succeed against Hitler and his forces. Why? The Nazis were operating on the mythical belief that the Aryan race is superior to all, and others (specifically Jews, homosexuals, and more) were fit only to be enslaved or executed. The extremity of these beliefs and severe nature of the repressive tactics used by Hitler would strongly suggest that a healthy, working conscience was not present. To imply that a small, or even massive, movement of nonviolent resisters could have successfully stopped the Holocaust serves only to lighten and trivialise the suffering and murder of Holocaust victims.

Talking further on this particular point, Rosebraugh compares actual Jewish resistance to the Holocaust, and notes those who were most effective in preventing themselves and their comrades from being taken away to the death camps were those who used forceful resistance, not civil disobedience.

Nelson Mandela (b. 1918 in Mvezo, South Africa) led the armed wing of the African National Congress. In defence of the use of political violence in order to secure national liberation, he argued:

The time comes in the life of any nation when there remain only two choices: submit or fight. That time has now come to South Africa. We shall not submit and we have no choice but to hit back by all means within our power defence of our people, our future and our freedom.

...The conclusion was not easily arrived at. It was only when all else had failed, when all the channels of peaceful protest had been barred to us, that the decision was made to embark on violent forms of political struggle... We did so not because we desired such a course, but solely because the government had left us with no other choice.

In this debate about the use of unlawful conduct for political ends, two important questions to consider are these – ‘What counts as violence?’, and ‘Can violence be justified?’ If the state sends in law enforcement or the military to attack dissenters, or if dissenters use physical force against these state representatives, this is clearly violent activity.

A similar view can be seen in the writings of Friedrich Engels (b. 1820 in Barmen, Prussia d. 1895 in London, England), here accusing the state of committing violence against the people within it:

Murder has been committed if thousands of workers have been deprived of the necessities of life or if they have been forced into a situation in which it is impossible for them to survive... Murder has been committed if society knows perfectly well that thousands of workers cannot avoid being sacrificed so long as these conditions are allowed to continue. Murder of this sort is just as culpable as the murder committed by an individual. At first sight it does not appear to be murder at all because responsibility for the death of the victim cannot be pinned on any individual assailant. Everyone is responsible yet no one is responsible, because it appears as if the victim has died from natural causes. If a worker dies no one places the responsibility for his death on society, though some would realise the society has failed to take steps to prevent the victim from dying. But it is murder all the same.

Therefore, because of the state’s continual violence against people on a mass scale, Engels believes violence in retaliation can certainly be justified. Like Rosebraugh, he holds that reformist, non-revolutionary action will
not adequately compel the state to act any differently. The only way to significantly resist the state and bring about satisfactory change is to dissent firmly, and on a mass scale. Because states will respond violently to dissent which threatens their power, it is necessary for dissenters to be ready for violent struggle if they are to achieve their aims.

11. Provide a critical response to each of the people referred to in the previous section, with reference to their arguments on disobedience and dissent.

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Appendix I: What is a state?

A state has the necessary property of being a particular territory or section of land. In other words, it will have physical borders. However, not any piece of land can be called a state, so this cannot be a sufficient property of states.

Building further on this definition, it can be said that another necessary property of states is that they are a politically organised society. Specifically, states are an institution which has a centralised body that makes, executes and interprets laws across a particular territory. This governmental body could take a number of forms. For example, a monarchy, dictatorship, tribal elder, or representative democracy.
Another definition of the state is that it has **sovereignty**, meaning it is the only institution to have supreme power over all other institutions within a particular territory.

Max Weber defines the state as ‘a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory’. Therefore, the only use of physical force which a state accepts is the physical force which it carries out itself.

States could be argued to use physical force in a number of ways. Most obviously, through the directly assaultive actions of their armed forces and law enforcement services. However, other examples could include the carrying out of punishments, from extreme cases like execution, through imprisonment, deportation, extradition, house arrest, and enforced community service. Therefore, it can be said that Weber’s use of the term ‘physical force’ refers to any case where the state is exerting its will on others, forcing them to do something they would otherwise not do, be that get killed, be removed from the country, incarcerated, or be placed in unacceptable living conditions.

In any case, the state does not accept the legitimacy of any groups or individuals not attached to it carrying out such actions. For instance, those who do not work for the armed services or police force are not permitted to invade other countries or arrest people, while individuals not attached to the judiciary or prison services are not permitted the right to imprison others. Equally, other states are not permitted to carry out similar actions within their territory, unless express permission is given.

Another key feature of states that has been argued for is that, within their territory, any individual who lives there should submit to their rule. They have political obligation to obey the state’s laws, and it is not permitted for them to simply ‘opt out’.

Finally, it can be said that the properties which states are composed of – e.g. borders, institutions which have authority over people – only exist because we have decided they exist. In other words, if there were no people, there would be no states.

### Appendix II: Against state of nature and contractualist theories

Earlier, we saw some criticisms of the idea of political obligation and social contract theories used in a political way. This section continues with that theme.

The anarchist philosopher Mikhail Bakunin (b. 1814 Pryamukhino, Russian Empire d. 1876 in Bern, Switzerland) has this criticism of political contractualism:

* A tacit contract! That is to say, a wordless, and consequently a thoughtless and will-less contract: a revolting nonsense! An absurd fiction, and what is more, a wicked fiction! An unworthy hoax! For it assumes that while I was in a state of not being able to will, to think, to speak, I bound myself and all my descendants — only by virtue of having let myself be victimized without raising any protest — into perpetual slavery.

Mikhail Bakunin
It is not uncommon for anarchists to be hostile to social contract theories. According to contractualism, the social contract is a mutually beneficial one, with both the government and the governed giving their consent for state rule. Anarchists often object that such an event did not actually take place, it being more accurate to view the birth of states as a self-interested grab for power and resources by the emerging ruling class. All talk of a ‘social contract’ between those in control and those who are being controlled is nothing but an attempt to give legitimacy to the unequal levels of power held by the minority over the majority.

Additionally, even if the social contract were an actual historical event, there is no reason to think it fair and justified if those who had been part of it possessed unequal amounts of power and privilege at the time the agreement was made. Such an ‘agreement’ would be highly likely to primarily serve the interests of the most advantaged.

Other arguments can be made in opposition to the idea of the state of nature and the social contract. For example, focusing in Hobbes in particular, we saw his view that people are by nature irrational and motivated by a desire for personal power. But if this is true, it can be questioned how such unstable characters could ever have organised themselves into a contractual agreement. Furthermore, if these really are traits of human nature, this will also be the case after the contract has been decided, meaning the contract is essentially worthless, as every opportunity to break it for personal gain will be taken. Indeed, this is the very point the ‘free rider problem’ highlights.

A final problem is the possibility that human nature is plastic rather than fixed. If it is the case that the kind of society we are in changes the type of people that we are, it is to a degree irrelevant to speculate on what life in the state of nature was like. Even if we were the worst kind of people in that situation, this is not enough evidence to suggest that a state is desirable, whether it is Lockean or Hobbesian.

**Appendix III: Explicit consent and voting as consent**

On pp. 15-8, we looked at two theories of consent – tacit and hypothetical – both of which argued we have in some way acquired political obligation due to having consented to the state. Here, two further theories of consent are described and assessed.

The theory of explicit consent argues we have clearly and directly stated we agree to follow the laws of the state. As we have given an explicit agreement, this provides us with a political obligation, as we have given the state our promise to act in this way.

If we wish to claim we have engaged in a considered, voluntary and binding act of consent, then it is likely to be easiest to argue this if we have provided consent explicitly. And it can certainly be seen that a number of people do give their consent in such a way – e.g. pledges of allegiance.

However, this is commonly considered an unconvincing position to hold, given the great majority of us have not explicitly given our consent to the state. On this topic, David Hume (b. 1711 d. 1776 in Edinburgh, Scotland) writes:

...were you to ask the far greatest part of the nation, whether they had ever consented to the authority of their rulers, or promised to obey them, they would be included to think very strangely of
you, and would certainly reply, that the affair depended not on their consent but that they were born to such obedience.

Instead, perhaps it could be said that explicit consent was made when society was first formed, and we in later generations are still bound by these conventions.

But this approach is also unlikely to be persuasive. Firstly, it is questionable whether such agreements did take place at the historical beginnings of societies. Secondly, even if they did, we can object that as this was explicit consent made by other people, it does not necessarily apply to us.

The theory of voting as consent argues we have political obligation because we have voted. We are showing our support for the democratic processes of the state, and are thereby endorsing it.

An advantage of this theory is it focuses on a particular, explicit event on our part, where we clearly engage in a considered and voluntary act. We cannot be said to be unaware we are voting, and so voting as consent can be considered preferable to tacit and hypothetical consent theories on these grounds.

Furthermore, it gives greater legitimacy to democratic states, which has found approval among those who argue that only democracies can be said to have the consent of the people.

Firstly, one of the objections here is it seems wrong to suggest we should support whatever laws the party we have voted for goes on to pass, just because we have voted for them. This is particularly the case if they go back on election promises, or take an unexpected direction in their leadership.

Secondly, the view that voting is consent must claim that people who vote for those who fail to get elected are just as much giving their consent to obey the rules of the successful party. But it seems wrong to suggest that voting for a losing candidate who is oppositional to the representative we end up with means we are obliged to the one we disagree with. After all, by voting against the candidate who ultimately won, it can be said we were consciously trying to prevent them coming into power. So how can it be we now have political obligation towards them?

Thirdly, to take this example further, what if I cast my vote for a party that promises revolution? I am explicitly advocating the abolition of the state in its current form. If the revolutionary party fails to get in, it seems all the more bizarre that my voting for them would lead to me giving consent to the non-revolutionary group which ultimately does take control.

Fourthly, what about people who simply don’t vote? It could be argued that avoiding voting means they have avoided giving consent, and so they are consequently without political obligation. So, if we wanted to avoid political obligation, all we have to do is not vote. Which seems strange.

Fifthly, we might want to argue that a state that does not involve voting – i.e. a non-democratic state – is nonetheless legitimate, and that its citizens have political obligation. Examples of arguments against the idea that a government necessarily needs popular approval to be legitimate can be seen in theories such as those supported by Hobbes and Locke.
Appendix IV: Types of power

Like many terms in philosophy, power is regarded as ‘contested’ term or concept, meaning there are competing accounts of what it means. As we saw on p.19, political power in a general sense involves a person doing something because of the influence of another person. But how widely should this definition be applied? What can reasonably count as political power?

The following three accounts are all attempting to describe ways in which political power might exert itself – through decision-making, agenda-setting, or thought control. The first of these is the least controversial, with there being some objection to the other two being appropriate ways of considering what power involves.

**Power as decision-making**

One claim which can be made is that power is related to **decision-making**. It is claimed that if A specifically wants B to do x, and B does x because of A, then it can be said that A has power over B. Therefore, in this account, it can be said that power is the ability to get others to do as we wish.

One advantage of conceiving of power in this way is that it is easy to work out who has power and who does not. Simply put, if people are getting others to do what they explicitly want them to do, they have power. If they are not getting others to act in this way, then they don’t. However, the following two conceptions of power argue that the power relationships can be more involved than this.

**Power as agenda-setting**

The second approach to define what power is argues that power can also be related to **agenda-setting**. Supporters of this definition typically accept that having control over decision-making counts as power, but they also add that the power to set the agenda should also be considered.

What this theory also counts as power is the ability to set the political agenda – in other words, the ability to determine what issues, questions and possible choices are open to people in the first place.

For example, democratic political parties are often regarded as organisations through which the views of the people are expressed. However, if all parties agree on an issue, or consider something to be not important, this blocks topics being raised in the first place. Similarly, individuals and groups that are wealthy, first-world citizens are much more able to get their concerns on the agenda than anyone else in the world. In these cases, then, it could be said power is being exercised, as the political agenda has been set a certain way.

If we think of power in this way, it is more difficult to identify when it is happening compared to power as decision-making. It is no longer simply an issue of whether a person gets what they want, as it could well be the case that an individual or group is unaware they are setting the agenda in a certain way. For example, a cross-party discussion in the British parliament may not even consider discussing providing no state-funded education whatsoever. If so, this possibility is ‘off the agenda’, not necessarily because of any deliberate manipulation and deceit on their part, but perhaps because it didn’t even occur to them to raise it.

This highlights an important point regarding this conception of power, in that someone who has it might not consciously recognise that they do. However, it can certainly also be the case that an individual or group with
agenda-setting power is more knowing and deliberate in their use of it. For example, a ruling party could resist holding a public referendum — for instance, on capital punishment or changing the national currency — as it does not wish to engage with the result it expects (or fears).

### Power as thought control

The third approach in defining what power is argues that power can also be related to thought control. Supporters of this theory typically accept that having control over decision-making and agenda-setting counts as power, but they also add that the power to control thought should also be considered.

One key point which sets apart supporters of power as thought control from the other two conceptions of power is the view that what people think they want and need may not actually be what benefits them, and/or that what they think is true actually is true. In other words, the theory of power as thought control often includes the belief that we do not always know what is best for us, and/or have knowledge of what is the case. Various terms have been used to describe this condition, including ‘false needs’ and ‘false consciousness’. What is being suggested here is that the priorities, desires, values and beliefs people hold would be quite different if those with power were not influencing their thoughts in the way they currently are.

This means that someone may be affected by this kind of power, and not be aware of it. If this conception of power is correct, then it is possible that the kind of thoughts and feelings we have, and the kind of people we are, has been shaped by others in some way. Furthermore, the way in which our thoughts have been shaped may not be in our best interests.

A further important point about the conception of power as thought control, and one which complicates it further, is it argues that, in some cases, those who have power may not even recognise that they have it themselves. This means although they are altering the thoughts of others, they do not necessarily know they are doing so.

Power as thought control is, perhaps surprisingly, often argued by those who support it to be a bigger feature of democratic states than authoritarian ones. For example, Noam Chomsky argues in authoritarian societies it doesn’t particularly concern those in power what their citizens think. Instead, they are more concerned about how people act. After all, if you act in what the state considers to be the ‘wrong’ way — e.g. any action that threatens their power — then they’ll simply stop you, through such things as intimidation, imprisonment and assassination.

However, in more democratic states it is much more important that everyone has the ‘right’ thoughts — e.g. supporting the state — as citizens in these states have more opportunity to act on their desires. Consequently, in a democratic society it is more important that people support the state, because if they didn’t, they are freer to act on these thoughts than people in authoritarian societies are. Chomsky claims thought control plays a role in instilling the ‘right’ thoughts in the citizens of democratic societies, in an argument that we will look at in more detail below.

This conception of power as thought control is certainly a stranger one than the previous two arguments. Therefore, we will now look at some specific examples of theories which fit within this philosophical viewpoint.

Firstly, it can be argued that those who are in control of the media are exercising power as thought control. Many claims of this type are made, one of which being that mass media, such as advertising, encourages
others to want, and even demand, many things which are not necessary, and may even be harmful to them. For example, it could be said that mass media encourages the (false) need for such things as having a particular body type, amassing vast quantities of consumer goods, or regarding celebrity news as important.

Furthermore, many examples of advertising can be seen to promote an individualistic and materialist lifestyle, whereby people are encouraged to assert a particular identity through the products they buy. Various lifestyles and identities are available, with particular products associated with different lifestyle choices. For example, one effect of power as thought control can be said to be the association of rebelliousness and anti-authority with certain brands of clothing and music.

Although it could be argued the institutions putting out these influential ‘messages’ are deliberately wishing people to act in certain ways, they can equally claim that they are simply ‘doing their job’, with little or no appreciation of the wider-reaching effects of their actions. To take one example, one arguable effect of mass media is its influence in shaping people’s attitudes about gender roles and expectations. This effect of thought control may well be something beyond what the creators of the media product intended it to be, but it is still an example of their having power over what people think.

A similar point can be raised in the ongoing debate concerning the necessity for censorship, specifically with regard to the influence the media can have on people. Those in favour of greater levels of censorship typically argue that continued exposure to such things as violent and sexual imagery, poor role models, and imitable behaviour such as drug use, can affect impressionable individuals in negative ways. Furthermore, it is unusual for this view to be combined with the position that it was the intention of those making the products that some of their audience reacts in such a way. In making such claims, the pro-censorship position can be seen to be accepting the idea of power as thought control.

Secondly, a philosopher whose theories can also be seen to hold the view that power can be exercised through thought control is Louis Althusser (b. 1918 in Algiers Province, Algeria d. 1990 in Paris, France). Althusser argues certain institutions, such as the family, government, education system, church, business community and media are what he terms ideological state apparatus. By this, he means that their existence promotes certain ideas to people, a key one being that they are justified and should continue to exist. This leads to such institutions persisting throughout generations, as it requires a significant change in people’s views to seriously question and oppose them.

Althusser also argues that these apparatus ‘hail’ or address people, labelling us as a worker, student, housewife and so forth through our involvement and relationship with them. In this way, the apparatus give you identity, a position in society. This means that how you are connected to these institutions shapes your identity, altering how you see yourself and also how others see you.

In itself, Althusser argues there is nothing wrong with this, as it seems an unavoidable part of human life that we group and label different people and activities, and that communication and language are greatly enhanced by defining things in such a way. However, concerns can definitely be raised regarding whether the influences of these institutions and their shaping of our identity is positive or negative. As mentioned above, it takes a big shift in society’s thinking to significantly change how ideological state apparatuses operate, so if their influence on our thoughts is negative, this is potentially troubling.

Thirdly, and to return to one of the institutions mentioned above, the educational system can be argued to exert power as thought control. In some ways, this is an obvious claim to make, because the clearly stated purpose of education, and something that everyone expects of it, is that it changes how we think. After all, if someone left the education system in exactly the same mental state as when they entered it, their educational experience would be considered a failure.

However, various questions and criticisms can and have been raised regarding education. The following list gives a few examples, which have been made by a variety of political positions:
In putting forward a view of what makes a ‘good student’, education encourages obedience and a lack of questioning of authority, which is taken forward into adult life. It serves the purpose of training people to regard hierarchies of power as normal and necessary (e.g. teacher-student, boss-worker).

Education uncritically promotes values such as tolerance and diversity, encouraging the view that things like multiculturalism and homosexuality are acceptable, if not wholly positive. This tolerant standpoint is presented as normal, neutral or natural.

Education presents certain sources and points of view as more notable, trustworthy and important than others. This encourages views taken into adult life as to what is a legitimate authority for information.

Individual subjects are rarely, if ever, openly critical of the assumptions that they make. This means the ways in which topics analyse their subject matter relies on the acceptance of particular theoretical positions, which themselves are left unchallenged. For example, classical liberal economic theory in Economics, relativism and psychoanalysis in Media and Film studies, the use of induction/falsification in the sciences, the idea of a canon of great works in English Literature, the dominance of white, middle class, male, European views in Philosophy, and the view that capitalism, marketing, consumerism and materialism have a positive role in Business Studies. This can lead to alternative viewpoints being regarded as marginal, extremist or irrelevant.

By placing an emphasis on exam results and the requirement to excel in order to secure future success (which is unquestioningly linked to financial success through employment), the educational system encourages individualism in its students, who from an early age are to regard others as competitors who they should do better than. This serves to undermine any collectivist, communal feelings that might otherwise develop, and helps to carry on these attitudes into adulthood.

Education systems which make use of streaming, testing and grading help to position some students as successful/unsuccessful, academic/non-academic, particularly if this tactic is employed from early years onwards. Such labelling can significantly impact on their view of themselves and how others think of them.

Dividing education up into separate subjects – e.g. history, geography, science, maths – encourages the view that there are clear and set boundaries between disciplines. Further groupings – e.g. the arts and social sciences on the one side, mathematics and sciences on the other – contribute to the belief that they are clearly distinct from each other, and/or require a different kind of mind or personality to access.

Teaching techniques which focus on providing students with ‘spoon-fed’ material tailor-made to enable them to pass exams and coursework assignments discourages independent thought and responsibility, and ultimately serves to infantilise them, making them dependent on others for their learning rather than themselves.

The education system typically groups people by age, meaning they spend much of their time socialising and being socialised by those at a similar level of maturity and development. This can have significant effects on what is considered normal or acceptable behaviour, as the range of people they are mixing with is limited.

Further discussion of these and other criticisms of mainstream schooling can be found in writings on ‘deschooling’ or ‘unschooling’, which are actively opposed to currently used methods and practices in the education system. A major argument made by supporters of deschooling/unschooling is that people can achieve much more (not just in terms of grades) by being educated outside of the structures of mainstream education. Note that this is not the same as ‘home schooling’, as home schooling might well replicate many of the same conditions that make school a problem, but just do so in the home environment.
**Chomsky’s propaganda model of journalism: an example of power as thought control**

We will end by looking at Noam Chomsky’s arguments on mainstream journalism. It is included here as a further, more involved example of a theory which supports the view of power as thought control.

**Two classes**

Firstly, Chomsky states society is divided into two broad groups. These are:

- **The elite or political class.** This is the minority of the population. They have the most influence and power over everyone else, and are also far likely to be wealthier. They have a greater say in how society is run, and are more expected to be actively involved in making political decisions.

- **The spectator class.** This is the majority of the population. They have less influence and power, and are less likely to be wealthy. Although of course they can be involved politically, through such activities as voting, the main role of the spectator class is to get on quietly with their lives. Ideally, they will be good consumers, helping the economy through buying goods, and will effectively follow rules and orders.

**Two types of journalism**

Chomsky also makes a distinction between the following types of journalism. These are:

- **Mainstream journalism.** This is journalism created for the purpose of making a profit. It largely relies on advertising for its income. Most, if not all, of the journalism you are familiar with is in this category. This includes national newspapers like The Sun and The Independent, and television news such as ITV and Sky.

- **Alternative journalism.** This is journalism created with less of a focus on making a profit. In fact, some examples of alternative journalism recognise that they are likely to lose money by publishing their work. They are less dependent on advertising for their income, and in some cases do not use any.

It is important to note that the arguments made by Chomsky relate to mainstream journalism only.

**Chomsky’s main argument**

Chomsky states what people expect, or hope, from mainstream journalism is it will be fair, balanced and accurate. For example, if something is happening that is unethical, we would hope journalism would tell us. If someone is abusing their power, killing others, lying to us, or involved in fraud and deceit, we would want this reported in mainstream journalism. Unfortunately, Chomsky argues we cannot rely on this happening all the time.

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4 Given that the BBC does not rely on advertising for its funding, it presents a special case for Chomsky’s theory. If you want to know how the BBC relates to this theory, ask me and I’ll tell you.
Chomsky’s basic argument is:

- The views expressed in mainstream journalism reflect the views of the elite class.

This means whatever viewpoints are common among members of the elite class will also be common in mainstream journalism. Similarly, opinions that are rare among the elite class will also be rare in mainstream journalism.

To invent an odd example, this means that if among the elite class there is a big debate about whether strawberry or vanilla ice cream is the best flavour, there will be a similar debate in mainstream journalism. If very few people in the elite class are in support of chocolate flavour, there will be very little support of chocolate flavour in mainstream journalism. If nobody in the elite class is even seriously considering the possibility of raspberry flavour, it is likely that in mainstream journalism there will be no coverage of raspberry flavour, and/or it will only be reported on in a negative way.

Furthermore, if the spectator class hold a different view to the elite class, it is far less likely to be expressed in mainstream journalism. To continue the ice cream example, if the majority of the spectator class favour raspberry flavour while the elite class are against it, Chomsky predicts that there will be little coverage, or at least little positive coverage, of raspberry ice cream in mainstream journalism.

Having made this claim, Chomsky now needs to explain why he thinks this. The argument he puts forward in defence of his claim is known as the propaganda model.

**The propaganda model**

Chomsky argues the reason that mainstream journalism reflects the views of the elite class is not because journalists deliberately want to deceive us or report on the world in an unbalanced way. In fact, mainstream journalists often enter the job with the intention of being committed to fairness and truth, and they persistently claim they feel they are presenting their stories in a balanced, accurate manner.

To add a reason to what Chomsky claims, his argument is this:

- The views expressed in mainstream journalism reflect the views of the elite class, because of how mainstream journalism works as a business.

In other words, journalists do not need to be deliberately lying or withholding the truth from us. Because of the way mainstream journalism operates as an institution, certain views are less likely to be expressed.

Chomsky continues his argument by presenting what he calls filters. What he means by this term is something which ‘filters out’ particular views. Each of these filters are facts about how mainstream journalism operates, and because of them the views expressed in the news are skewed towards those of the elite class.

**Filter #1 – Size, ownership and profit motive**

Chomsky notes mainstream journalism is focused on making a profit. Therefore, stories which are likely to lose them money are less likely to be run. This is something to bear in mind at all times. Two major points to note in this area are:

Firstly, mainstream news companies are frequently part of much bigger companies, known as conglomerates. For example, The Sun newspaper is part of the global company News Corporation, who also own the
newspapers The Times and The Sunday Times. They also own The Wall Street Journal, 20th Century Fox films, Sky television, the Fox channels, and many other TV, magazine and newspaper businesses throughout the world. As all of the companies in a conglomerate are focused on making a profit, they will not want to do anything that is likely to lose each other money. Furthermore, they will also want to help each other to make a profit.

Secondly, smaller news companies, in order to cut costs, rely on getting their news from larger companies. Often, the news you see on smaller TV stations and newspapers will not have been created by the people who work for those companies. Instead, they will have bought it from wealthier companies, who have better resources than they do. Chomsky refers to these wealthier news companies as the ‘agenda-setting media’.

Filter #2 – Advertising

Without advertising, it is impossible for mainstream journalism to make a profit. In the case of television news, up to 100% of their income can come from advertising (other sources may involve subscription fees). Mainstream newspapers take in around 75% of their profits from advertising. Therefore, mainstream news companies will want to be as attractive to advertisers as possible, to ensure that they do business with them.

Furthermore, advertisers are mainly interested in a particular type of audience. They are not concerned with reaching audiences that have little money and low interest in consumer goods. Their ideal audience is one with a good income, and with a desire to spend this income on their products.

Filter #3 - Sourcing

Sourcing relates to where the information which makes up the news comes from. Given the focus on making a profit, journalists are more likely to use sources of information that are quick, easy and free. For example, tracking someone down hiding in the forests of Tasmania, or using your spy skills to find out what’s really going on in the offices of Starbucks is a lot more difficult and costly than having a politician’s press officer email you a story about them for nothing.

The government, along with many businesses, have people working for them whose job it is to engage in public relations (PR), which is focused on presenting a good image to the public. One common method is the creation of what are generally called press releases. These are ready-made stories which are given to journalists for free. From the journalist’s point of view, it is much quicker and cheaper to rely on – for example – Coco-Cola’s press releases for stories about Coco-Cola than it is to get involved in any detailed investigative journalism about them.

The wealthier the organisation, the more likely it is to have a well-run public relations department. The government is a particularly good example of this. Something public relations people can also do is suggest to journalists that if they are reported on in a negative way, then the source of free stories they’ve been relying on might suddenly disappear (which is another form of ‘flak’ – see #4, below).

An extremely significant amount of information is provided to journalistic companies through newswires. These are global, fact-finding services such as Press Association and Reuters, who send their news releases to
journalists all over the world. This often results in the news on different continents having used the same sources as each other. In his book ‘Flat Earth News’, the journalist Nick Davies notes that these companies, as is common across mainstream journalism, as frequently under-resourced themselves, with limited numbers of people employed in them.

Connected to all this is the role of ‘experts’. Chomsky argues some people are presented by governments and organisations as experts on particular subjects. For example, the foreign secretary will be considered an expert on what is going on in Afghanistan. The Chancellor of the Exchequer will be considered an expert on financial events. Because of this, these are the people mainstream journalists will turn to first when looking for a story.

For example, if a journalist wants to know what is happening in Iraq, they are more likely to ask a government official, or senior person in the armed services or Ministry of Defence. People like this are easily accessible, are used to dealing with the media, and will probably be able to provide a complete story to them for nothing. Someone different, such as an Iraqi factory worker, is not going to be perceived by the journalist in this way.

Another example of mainstream journalists having preferred sources can be seen when they report on the actions of companies. There will be a greater reliance on listening to the views of management figures than ‘ordinary’ workers, with management typically considered a more informed, trustworthy source of information. Chomsky argues this is still the case even when the workers are involved in a struggle with the management. For example, when there is industrial action, such as a strike.

Filter #4 – Flak

By ‘flak’, Chomsky means the negative responses that the news can receive. This can range from angry letters of complaint to being taken to court for libel or defamation. Being focused on making a profit, mainstream journalism wishes to avoid ‘flak’ wherever possible.

However, not everyone is good at delivering ‘flak’. Those with less money and legal experience are less able to take anyone to court, and are even less likely to win their case. On the other hand, those with more money and legal experience are more likely to take anyone to court, and are more likely to win.

Filter #5 – Ideology

The term ‘ideology’ broadly means the beliefs and values that someone has. Chomsky argues that because of all the other filters working together, this encourages a particular point of view, or ‘ideological perspective’. In other words, there are certain beliefs and values which mainstream journalists are likely to have.

Again, this is not because journalists are deliberately devious people, plotting together to make sure that those who don’t think like them are removed from their offices. Consider how people who work in other jobs are likely to have particular beliefs and values, otherwise they wouldn’t be in the job in the first place. For example, someone who is a teacher is unlikely to think education is worthless. If they did, they would be unlikely to enter teaching in the first place, and even if they did so, they probably wouldn’t get promoted very far, or last long in the profession. Similarly, it is fair to say that the police service is dominated by people who think that it’s important for citizens to obey the law, and that those working in the navy rarely have a hatred of ships.
Some of what Chomsky considers to be the most important beliefs and values common in mainstream journalism are in the list below:

- Business is largely a good thing
- Shopping and consumerism are generally good things
- Businesses and the government are largely trustworthy sources of information
- Our government – and governments they have friendly relations with – intend to do good in their actions in other countries
- The views of ‘experts’ are to be preferred to the views of ordinary people
- It is necessary to have an elite class

Appendix V: Other types of disobedience and dissent

As we have seen, the exam board specifically picks out ‘direct action’ and ‘civil disobedience’ as types of disobedience and dissent. This section includes a few other examples for comparison.

**Conscientious objection** is a term used to describe someone refusing to obey a law because they feel that if they did follow it, then they would be acting immorally. In this regard, it is similar to civil disobedience. However, a major difference is the aim of conscientious objection is not to get the law itself to change – the individual just personally feels it is wrong for them to go along with it.

Frequently, conscientious objectors will accept any punishment they receive for breaking the law, such as imprisonment, as their objection is not with the laws and punishments of the state as a whole – just this particular law.

The most typical example of conscientious objection is when a person refuses to fight in a war when the state requires them to do so.

Conscientious objectors can argue that their actions are justified because they are moral. In other words, they feel the law is not coinciding with what is ethically just, and so they feel it is not wrong to break the law. As the action of conscientious objection can be regarded as an individual action, and therefore not one that is intended to encourage others to act the same, it can also be claimed it is unlikely to lead to a breakdown of the rule of law on a larger scale.

However, objections to conscientious can include a denial of the moral position which is held, for whatever reason – e.g. making moral arguments in support of a war which the conscientious objector argues is unethical. Also, even though the conscientious objector may declare they are not encouraging further law breaking, it could be argued if the law is seen to be effectively undermined, then this weakens it, perhaps causing further illegal actions regardless of what the objector’s intentions were.

The aims of legal protest are frequently similar to those of civil disobedience, in that legal protestors typically seek to bring about change in laws or policies. However, by definition, legal protest never involves breaking the law. Therefore, what counts as legal protest is essentially determined by what the laws of the state are.
Legal protest is likely to be felt justified because it stays within the law, and so cannot be said to encourage further lawlessness as easily as non-legal methods might be. Furthermore, using legal means only may well have good propaganda value, in it is more likely to recruit others to the cause than using illegal tactics. This can be particularly true regarding the avoidance of violence.

However, one reason to favour civil disobedience over legal protest is that legal protest may well be less successful in communicating the intended message. This is particularly the case if those carrying out the action wish the mainstream news media to report on what they are doing. Illegal actions in connection with dissent are, typically, more likely to be publicised than dissenting actions which are wholly legal. Additionally, if the illegal actions are also violent, there is even more chance they will be reported on.

On the other hand, this may lead to further negative effects, particularly in the long run. If the intention is to promote a political cause, people who may otherwise be sympathetic and supportive towards it may be put off if they see expression of it associated with illegal action. In other words, connections with illegality may taint its appeal. The use of violence may well enhance this feeling even further.

**Radical protest** shares the same kind of intent as legal protest, in that the goal is to change laws or policies, but it also makes use of illegal methods, which in some cases could include violence. The aims of radical protest do not typically include rebellion or revolution (see below), as the intention is not to bring down those in power – although there may be strong opposition to them.

Compared to civil disobedients, radical protestors often feel there is a greater urgency in getting their aims achieved. They typically seek rapid, decisive change. Methods such as moral appeals and gaining broad public support are often secondary in priority to more blunt tactics, such as intimidation and violent action. However, this is not to say that radical protestors would prefer to be a marginal voice in society. The reason they act in such a way is because they feel immediate action is required, and their techniques are perhaps the only way to achieve their goals.

It is worth remembering in more authoritarian states, who grant their citizens few legal freedoms, what counts as radical protest is going to be much broader than in freer, more libertarian states.

Radical protest is more likely to be considered justifiable when the actions of the state are regarded as particularly damaging, and/or that the state itself is carrying out its own aims rapidly, meaning swift countermeasures are required. If legal protest alone is used, results could perhaps be achieved, but by that point the damage will have been done.

Support for radical protest will often be combined with the view that the law as it currently stands does not permit those who oppose the government in any significant way to achieve their own aims without breaking the law themselves. It may be felt that the law has – at least in part – been constructed to protect the interests of those in power, and the legal system is being used by the state to ensure that the kind of change the protestors want does not occur.

A common reason given in opposing radical protest is it might generally undermine respect for the rule of law, perhaps encouraging further law-breaking. Radical protest which uses violent methods is likely to be considered particularly hard to justify by those who are against the use of coercion and force in order to achieve political goals.
Rebellion occurs when the leader or leaders of a state are forcibly removed, and another of the same kind put in their place. For example, a successful coup against a monarch that successfully results in another monarch taking power. Revolution refers to the forcible removal of the leader or leaders of a state, who are then replaced with a different system of government entirely. For example, the successful disposal of a democratic parliament with a dictatorship. Given that states make laws which support current positions of power, and governments rarely give up their power without being forced to, rebellion and revolution are both very likely to involve illegality and violence.

Because of the significance of the change it brings about, rebellion and revolution are likely to require particularly strong justification. The type of state, and the actions which it carries out against the people, are of particular concern when considering this. The case would have to be made that the social and political upheaval caused by this type of dissent would lead to a better society. If violence is employed in the rebellion or revolution, it can be argued as being the only way to ensure that those in power are defeated, as when faced with such opposition they will certainly fight back with all means at their disposal.

Given the significant change that a change of state brings about (or even an attempt to change the state), rebellion and revolution can be criticised for their opening the door to any number of unforeseen consequences. For instance, in the struggle for power between opposing groups there may be an outbreak of general lawlessness equal to or worse than the situation which currently exists.

Also, the breakdown in political and legal order which can result during rebellious and revolutionary periods can make it easier for groups who are most able to use effective force to take control of the state. Rebellion and revolution can create worrying levels of disorder, which can end with the most brutal and oppressive groups taking political power at the end of it. Furthermore, such groups might well have popular approval at this time, as the population may feel it is better that someone is needed to take firm control of the situation. This support may later be shown to have been unwise, as the new rulers could well continue ruling with harsh measures, perhaps justifying their necessity by appealing to the need to prevent rebels and revolutionaries returning to disrupt the state once again.

Terrorism can also be seen as an example of dissent. This term is more controversial, but is generally used to refer to violence carried out for political ends. It is commonly used to refer to the actions of individuals and groups who are not acting on behalf of a state. For example, the actions of the Irish Republican Army can be characterised as terrorism, in that they made use of violent methods with the intention of bringing about an Irish republic, separate from the United Kingdom. Al-Qaeda can also be labelled as a terrorist organisation, as they have used violence as a means of forwarding a variety of Islamist fundamentalism.

However, difficulties arise in the label of ‘terrorism’, with the somewhat clichéd phrase ‘One person’s terrorist is another person’s freedom fighter’ often being said. Unlike with other types of dissent, it is very unusual for someone to describe themselves in such terms. For instance, someone is more likely to refer to themselves as a radical protestor, revolutionary or some other term, rather than as a terrorist. In practice, the label ‘terrorist’ is one that is typically used by people to describe the violent actions of those they oppose, but not those they support.
In connection with this, if we accept the definition of terrorism as being violent acts carried out for political ends, this raises the question of whether it is correct to only apply the term to groups and individuals that are acting independently of the state. For example, one difficult area regards what is sometimes called state terrorism, referring to when political violence is carried out by states rather than non-state groups. On this account, it is possible to characterise any war as being terrorism, as this meets the criteria of politically-motivated violent action.

To refine the definition further, it could perhaps be amended to say that the violence in terrorism is often directed against civilians rather than those working in the armed services.

However, this also has problems. Given that the majority of casualties in modern armed conflicts are civilians, particularly when there is a reliance on air strikes and long-ranged attacks such as missiles, civilians deaths are invariably the result in these situations.

Refining the definition further still, it could perhaps be specified that what distinguishes political violence which is terrorism from political violence which is not terrorism is that terrorists intend to target civilians, often with the purpose of encouraging fear and disorder.

However, making this amendment does not necessarily make it easier (or less controversial) to accurately label specific examples of terrorism. States and their armed forces in all conflicts are frequently criticised with, at best, taking insufficient care in ensuring that civilians are not affected by their actions and, at worst, purposefully attacking civilian targets, with the very goals of instilling fear and disorder in mind – despite what they publicly say to the contrary.

In connection with these problems with the term, Noam Chomsky writes the following on defining terrorism in 2006:

I have been writing about terror for 25 years, ever since the Reagan administration declared its War on Terror. I've been using definitions that seem to be doubly appropriate: first, they make sense; and second, they are the official definitions of those waging the war. To take one of these official definitions, terrorism is ‘the calculated use of violence or threat of violence to attain goals that are political, religious, or ideological in nature... through intimidation, coercion, or instilling fear,’ typically targeting civilians. The British government's definition is about the same: ‘Terrorism is the use, or threat, of action which is violent, damaging or disrupting, and is intended to influence the government or intimidate the public and is for the purpose of advancing a political, religious, or ideological cause.’ These definitions seem fairly clear and close to ordinary usage. There also seems to be general agreement that they are appropriate when discussing the terrorism of enemies.

But a problem at once arises. These definitions yield an entirely unacceptable consequence: it follows that the US is a leading terrorist state, dramatically so during the Reaganite war on terror. Merely to take the most uncontroversial case, Reagan's state-directed terrorist war against Nicaragua was condemned by the World Court, backed by two Security Council resolutions (vetoed by the US, with Britain politely abstaining). Another completely clear case is Cuba, where the record by now is voluminous, and not controversial. And there is a long list beyond them.
Appendix VI: Case studies of disobedience and dissent

The Poplar Council of 1919-1925

In 1918, the East London borough of Poplar had a population of 160,000, with 24% officially living in poverty. At 83 in 1,000, the infant mortality rate was very high, a direct result of the living conditions that many had to suffer. 33,000 people were officially in ‘overcrowded’ housing. A house was considered ‘overcrowded’ if the number of people living in it was more than double the number of rooms in the building. For example, a 2-bedroom house with kitchen and living room (4 rooms), would need nine people living in it to be classed as ‘overcrowded’.

Employment in the area was dominated by the docks and railways, and industries which stemmed from those sectors, such as textiles. Half of the female population worked for wages, as well as being required to carry out tasks such as child-rearing and housekeeping.

The 1918 Representation of the People Act gave the vote to women over 30, and also to all working class adult men. Previously, if someone was receiving ‘help’ from the council, such as being placed into a workhouse, they were not entitled to vote.

Following the Act, in 1919 the people of Poplar voted in 39 Labour Councillors, out of a total number of 42 seats on the Poplar council. One of the most famous of these was George Lansbury. Labour had not yet come into national power at this point, as the first Labour government did not occur until 1924. At this time, there was a Conservative-Liberal Democrat coalition in power, led by the Conservative Prime Minister David Lloyd George.

Recognising that working class people had elected them to represent working class interests, Lansbury stated that ‘Labour Councillors must be different from those we have displaced, or why displace them?’ Many significant actions were carried out by Poplar council, including the building of new housing, a TB dispensary, expanded maternity and child welfare services, the setting of a minimum wage, and providing local government employees with permanent working contracts, rather than the casual contracts which had been the norm up until that point.

Soon after, a national economic recession built up, with one of the major effects on the area being significantly high levels of unemployment on the docks and railways.

As is still the case now, different boroughs of London had different rates of council tax which residences were required to pay. Poorer areas, then and now, had higher rates than wealthier areas. Today, the council tax rates for Hackney are almost double that of Westminster, and the rates of Newham are almost double that of Wandsworth. The reason for this is that poorer areas require more money to fund services used to assist the poor, and the source of their money is the people that live there – i.e. the poor. There was even greater inequality among the rates for different boroughs in 1919, as the sourcing of money for the dole was also gathered on a local level (something that is no longer the case). Therefore, areas where more people were on the dole had higher rates – such as Poplar.
The Poplar Councillors argued the people living in their borough could not afford to pay these rates, and so refused to collect them. They were well aware such refusal was illegal, and they would face time in prison for dissenting in this way. As well as carrying out this act of disobedience, they mobilised an enormous campaign, with demonstrations, meetings and rallies, explaining why they had made this decision. This received great public support from those living in Poplar.

Many of the Councillors – 25 male, 5 female – were found guilty of contempt of court for refusing to collect the rates, and were given an indefinite sentence, to be ended when they had ‘purged’ their contempt. In other words, when they agreed to collect the rates. On the day they were to be taken away to prison, thousands of Poplar residents assembled in order to prevent this from happening. However, the Councillors accepted their sentences willingly.

Throughout their time in prison, huge crowds gathered in support of the Councillors, with Lansbury often addressing those who had arrived through the bars of his cell window. Inside, they campaigned for better prison conditions, and were successful in doing so. They were also successful in achieving their demands of continuing regular council meetings within the prison, which involved the 5 female Councillors being transported over from their prison in order to attend them.

After their sentence began, two neighbouring councils of poor London boroughs also voted in favour of refusing to collect their own rates. These were Stepney and Bethnal Green. In Stepney, the decision to act in this way was originally suggested by Councillor Clement Attlee, who later became Labour Prime Minister in 1945.

After six weeks in prison, the Poplar Councillors were let go, becoming the first people to be released on a contempt of court charge without actually having purged themselves of their contempt – the rates remained uncollected. Following their stubborn refusal and the success of the campaign within and outside of Poplar, they won the following:

- The 1921 Local Authorities (Financial Provisions) Act, which led to dole money being gathered across London rather than by individual boroughs, resulting in a lowering of council tax rates in poorer areas
- The borough of Poplar gaining more than £250,000 per year, with other poor boroughs achieving significant financial gains

Commenting disapprovingly on the whole affair, the Conservative Poplar MP Reginald Blair noted that ‘This is a great discouragement to those who believe in constitutional action and a great encouragement to those who believe in revolutionary methods’. The other Councillors agreed with this statement, but not its negativity.

**The Westboro Baptist Church**

New laws have been passed in the United States to counter the activities of a bizarre church that has been disrupting military funerals with anti-gay protests on the grounds that the soldiers died fighting for a land that tolerates homosexuality.

Since last year, the Westboro Baptist church, based in Topeka, Kansas, has been picketing funerals of soldiers killed in Afghanistan and Iraq, waving signs saying, ‘Thank God for Dead Soldiers’, ‘Thank God for IEDs [improvised explosive devices - roadside bombs]’, and ‘God Hates Cripple Soldiers’, while yelling that dead US troops will rot in hell.
The church - which consists almost exclusively of Fred Phelps, a 76-year-old preacher, and 75 members of his extended family - is definitely not a peace movement. Rather, it celebrates the violent deaths of soldiers and marines who died, it says, defending a licentious nation.

Today, it is planning to picket the funeral of an army sergeant, Daniel Sesker, from Ogden, Iowa, who was killed by a roadside bomb on April 6, near Tikrit.

‘Where in God’s name did he get the idea that it was noble to fight in a fag army for a fag nation that’s on the short path to eternal destruction?’ asks the church’s website, www.godhatesfags.com. ‘That’s right: his parents, his family, his ‘friends’, his state and his country; they are to blame for the fact that Sesker is now in a million pieces, the appropriate punishment for their filthy manner of life.’

Horrified at the church’s activities, nine states have approved laws that impose restrictions on demonstrations at funerals and burials. More than 20 other states are considering similar legislation, and the US Congress will be asked to consider possible federal laws next month.

None of the new laws involves an outright ban on funeral protests, as that would clash with the constitution’s first amendment, guaranteeing free speech. Instead, most stipulate that demonstrators must stay a certain distance from a funeral, and limit their protests to an hour before and an hour after the ceremony. Some laws prohibit the display of ‘any visual image that conveys fighting words’.

Similar laws have been passed in the past to stop anti-abortion protests outside private homes or family planning clinics, and have survived Supreme Court challenges. The Westboro Baptist church says its constitutional rights are being trampled by the new laws, and claims it is thinking of ways to challenge them.

It claims to have conducted 25,000 pickets since its formation in 1991, almost all of them anti-gay. Mr Phelps first drew national attention when he protested at the funeral of Matthew Shepard, a gay man beaten to death in Wyoming in 1998.

The church reckons it spends $250,000 (£140,000) a year on air fares and other protest expenses. The bills are paid by the family, which includes 10 lawyers among Mr Phelps’s 13 children. Three of his offspring have broken ties with the family. One, his daughter Dortha, told the Knight Ridder news agency: ‘I felt like I was being controlled, and I didn’t have any freedom.’

Before the new laws were passed, several thousand bikers, many of them Vietnam veterans, formed a group calling itself the Patriot Guard Riders, to attend military funerals and form a cordon around the protesters to shield them from view of the mourners, and to drown out their shouts by revving their engines.

Mr Phelps seems to relish the fury he stirs. He likes to quote from the Gospel according to St Luke: ‘Blessed are ye, when men shall hate you, and when they shall separate you from their company, and shall reproach you, and cast out your name as evil, for the son of man’s sake.’

### Glossary

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