

Jonathan Seglow, Royal Holloway, University of London, “Disobedience: Civil or Uncivil?”

Recently, a number of philosophers have questioned the assumption that civil disobedience necessarily ought to be civil (e.g Delmas 2018, Adams, 2018, Lai 2021). On this view, uncivil disobedience may sometimes be justified, both in principle, and pragmatically as more likely to bring about a change in the law. In this paper I consider and reject this argument. I first consider what count as civil. Insofar as the civility in political disobedience is concerned (not the only possible use of civility), I define it as respectful of citizens in their role as political co-legislators. On this basis, I suggest that several of the kinds of action which proponents of uncivil disobedience categorise as such are better categorised as civil, though much depends on precisely how they are carried out. This includes ecosabotage, hacktivism, obstructive blockades and occupations, but rules out riots and violence. Second, I suggest that engaging in uncivil disobedience risks robbing disobedients of the moral high ground, a position with a long historical pedigree if one thinks of canonical disobedients such as Gandhi and M. L. King. As the definition of civility makes clear, civil disobedience is action addressed to the people in their role as co-legislators and hence should not disrespect them. Third, I question whether pragmatically speaking, uncivil disobedience is more likely to be effective: it typically places greater burdens on citizens and hence is more likely to alienate them than its civil cousin.