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SYMPOSIUM – INTRODUCTION

SYMPOSIUM ON SIDNEY TARROW'S WAR, STATES AND CONTENTION

An Introduction and brief thoughts on the 800th anniversary of Magna Carta

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Sidney Tarrow's book, the subject of this symposium, takes inspiration from the work of Charles Tilly. Tilly, as Tarrow points out in the introduction to the book, saw states and war as mutually constitutive, each changing the other and causing developments through negotiations between citizens and authorities. Tarrow extends the point: "When states make war, this changes internal contention and thus the nature of the future state" (p. 7). To delve into how contention and the state constitute one another around wars, the book discusses three processes: mobilization for war, war-making and the conflicts that arise after wars end: the role of political contention at these different points forms the focus of the accounts contained in the book. In turn, theoretical traditions from international relations theory, comparative-historical studies and its descriptions of state power as hierarchical and infrastructural¹, and contentious politics are drawn on to probe these processes. To situate the investigation a

¹ Mann's definition of infrastructural power is taken here: '... the institutional capacity of a central state (...) to penetrate its territories and logistically implement decisions' (Mann 2012).

number of cases are used, often stemming from Tarrow's own extensive body of research, to provide a range of examples over time and, to some extent, space (the majority of examples are in the global North) to illustrate the changing dynamics in this equation of war, states and contention.

Before looking at the content of the book in more detail, some explanation of the term 'contentious politics' may be of use. The concept of contentious politics is the work of Tarrow, McAdam and Tilly, and first outlined in their seminal article in *Mobilization* (McAdam, Tarrow and Tilly 1996). Here they argue that the term contentious politics can aid students to see the essential similarities that exist between various forms of political action including social movements, revolutions and cycles of protest. In the subsequent book by the trio (McAdam, Tarrow and Tilly 2001) the idea was developed on the basis that studying contentious politics would reveal more about the different types of contention previously studied as separate entities. Later work by Tilly and Tarrow (2007) sought to address the main criticisms levelled at the earlier volume, namely that it failed to define and explicate mechanisms leading to contention adequately, did not point to methods to investigate its claims (p. xii). For the present purposes, it is enough to note that the authors define contentious politics – a key theme in the book to be discussed below – as follows:

Episodic, public, collective interaction among makers of claims and their objects when (a) at least one government is a claimant, and object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants (ibid, p. 5).

Returning to his current book, Tarrow sees contentious politics to play several potential roles in relation to war. Contention can both spark and later support war, or agitate against war-making and particularly the curtailment of civil liberties that war is argued to entail. This is illustrated with a breadth of cases throughout the book, detailing how both contentious politics, wars and states have developed in function of one another in modern history – from the English civil war to today. He charts the changes in contention wrought by changes in armies – from private armies through to the mass drafts of the twentieth century to the smaller 'smarter' armies of the latest war in Iraq. Contention, he shows, changes both to support and protest against such changes – in localised challenges, peace movements and supportive coalitions. 'Enemies' have also changed over time and affect armies, states and contention – wars have become steadily longer and less contained and today, crucially, states are at war with transnational social movements. This brings us to the crux of Tarrow's work: what happens to citi-

zens' and indeed everyone's rights in times of war? Historically, States roll back rights in wartime – in times that is of emergency only to reinstate these in times of peace (though to what extent this has happened is disputed). When war becomes 'endless' – as it may be argued is the case with the current 'war of terror' rights thus come under sustained attack without any reinstatement apparent in the foreseeable future. The theme of rights is thus central to the book – both the rights of individuals and the collective rights linked to social movements and contentious politics have changed and, ultimately, contracted over the period Tarrow investigates. In turn, the theme of how rights change and contract is fundamentally a question of state power, which can be understood as both traditional hierarchical power and 'infrastructural power' denoting 'instruments that go beyond emergency powers [...] that operate within civil society' (p. 25). The tools of this kind of power include propaganda, outsourcing, and myth-building – and eventually "allows for the possibility that the state itself is a mere instrument of forces within civil society" (Mann 1987, 115 cited p. 25)'.

To give a more specific overview of the book, these multiple and interlinked themes are illuminated through a succession of cases in a broadly chronological order. The first part of the book examines how contentious politics and states intersected in revolutionary France, America's civil war and Italy's descent into fascism. The French Revolutions saw the growth of hierarchical power, the first 'emergency script' – that is the retraction of rights during wartime, the creation of the first citizen army. The American civil war shifted the balance from infrastructural power towards hierarchical power in the US, the use of the draft, and the suspension of rights of habeas corpus for anti-war activists. In Italy, in the meanwhile, the 'government went to war in 1915 with a determination to increase hierarchical power and snuff out the ties between the state and the working class' (p. 102), and also suspended rights by extending emergency rules initiated against organised crime to the factories. The Italian case is discussed by Giovanna Procacci in her contribution to this symposium, along with the separation of the First, Second and Cold wars into more or less distinct episodes rather than a continuation of belligerence. All of the cases in this first part of the book are characterised by nationally-rooted movements and contentious politics. Rights, limited during war time, were renegotiated in the aftermath of war and sometimes extended as a result.

The second part of the book draws on more recent cases where movements become 'major players' in the opposition to war and begin to cross borders. Here Tarrow discusses the shift to 'endless war' in terms of a change from statist wars (such as those explored in part I and referring to 'the traditional distinction among interstate, intra-state and extra-state wars' (p. 103) to composite war. 'These are wars in which both nonstate and state actors employ a variety of conventional and unconventional means;

in which the laws of war are either ignored or twisted out of shape; and in which the distinction between transnational and domestic contention becomes blurred or, in some cases, is totally effaced' (p. 103). Here Tarrow draws on a breadth of more recent examples ranging from the British conflict with Northern Ireland to the US war on Al Qaeda. The continuation of the theme of the suspension or contraction of citizens' and combatants' rights in times of (now never-ending) war becomes clear through these examples, from the behaviour of the British in Northern Ireland² to the creation of the Guantanamo Bay detention camp. In her contribution to this symposium, Artioli reflects on how war affects rights in new ways both in and outside states' territories, 'blurring the boundaries' of how rights are applied (see Artioli, this issue). Examples of more subtle and insidious uses of infrastructural power in addition to the more classical definitions of hierarchical power signal another change from earlier cases. Terror alert systems keep fear utmost in citizens' minds, and the language of human rights is turned on its head to defend abuses of enemies' rights. Importantly, areas of war-making are contracted out to the private sector, thus creating economic interest in war and a stake for civil society – the clear example here is the Iraq war. Contentious politics figure in these stories in a variety of ways. The clearest change is seen in the fact that movements now become enemies in wars as well as actors supporting or opposing wars. Contentious politics also becomes markedly more transnational in scope 'to escape repression and in pursuit of their claims' (p. 11).³

In the final part of the book, Tarrow discusses the emerging 'dark side of internationalism' indicated by the mutation of 'rule of law' into 'rule by law'. In this scenario, the law is no longer used to defend the liberal internationalist conception of inalienable, universal human rights, but is instead used as merely another tool to defend or justify techniques of war entirely foreign to such ideas. Here we delve further into the depressing terrain of torture (relabelled and reframed in shocking ways), of extraordinary rendition, of detainment without charge or proof. Some glimmer of hope remains however, as attempts to roll back the surveillance state have won some small victories.⁴ The end of the second part of the book as well as the conclusions draw our attention to some examples where the work of dedicated individuals seems paramount: lawyers in particular have made some advances to roll back contracted rights, and whistleblowers from within the surveillance apparatus (Edward Snowden being a

² On the incorporation of the Irish Republican movement by the state see Bean (2011).

³ On transnational movements see also Tarrow (2010) and Andretta and Piazza (2010).

⁴ On civil disobedience in liberal democracies see Alteri and Pratesi (2013).

prominent example) have lifted the lid on the extent to which we are watched. These are small inroads, but continue to be achieved.⁵

Here in Lincoln in the UK where I write, preparations are well underway for a series of events to celebrate the 800th anniversary of the Magna Carta (and the lesser known Charter of the Forest). One of the few remaining copies of these documents is held at the city's castle. Reading Tarrow's work, it seems there is little to celebrate. The most important and famous export of Magna Carta – habeas corpus – is at best under grave threat and at worst entirely suspended for much of the world's population, including vast swathes of those of us who live in liberal democracies. Tarrow's final call to rigorous – often thankless – defence of our liberties and his description of the task as Sisyphian rings true. This struggle may also need to be extended however. Magna Carta's aforementioned accompanying text – the Charter of the Forest – provides a useful illustration. This Charter outlined the rights wrested from both King and Barons by the ordinary people, and included rights to goods such as timber and pasture in the forests.⁶ In other words, it outlined the people's rights to the *commons*. War, as Tarrow's book shows us, has to some extent become privatized through infrastructural power – contracted out to firms and private individuals whose first loyalty is to profit. War is also likely in the future to concern the commons, such as water and fertile land, bringing the cycle of in some ways back to the oldest reasonings for war and indeed the reasonings behind the ancient Charter of the Forest. This brings us to the a vaguely worrying point in the heroic defence of liberties described and explained so succinctly in Tarrow's work. The power of individuals – perfectly demonstrated by Edward Snowden's whistleblowing of the NSA's practices of surveillance at great personal risk – in this scenario is strong. Whistleblowers are also suffering in other parts of the globe, for example over their exposure of corruption in industries and governments involved in the exploitation of commons throughout Africa.⁷ In other well-known movements against the steadily increasing power of private business over our democracies we have seen collective action, but collective action understandably preoccupied with immediate and

⁵ In the UK, for example a case brought by Liberty, Privacy International and others recently saw GCHQ's surveillance of citizens as exposed by the whistleblower Edward Snowden declared illegal (at least for the period preceding recent changes in UK law to accommodate the practice). See

<http://www.theguardian.com/uk-news/2015/feb/06/gchq-mass-internet-surveillance-unlawful-court-nsa>, accessed 6 February 2015.

⁶ For a detailed discussion see Linebaugh 2008.

⁷ The right2know campaign provides more information on this: r2k.org.za, accessed 10 February 2015.

very local struggles disengaged from the global (della Porta and Parks 2015). Some of these local struggles have included battles to save the commons – for example many European countries have battled against the privatisation of water, pushed by the EU in a context of financial crisis, in Italy, Greece and most recently Ireland.⁸

To threats arising in wars levelled at our liberties emanating from Magna Carta, then, we may need to add threats – already present but likely to increase in wars - to our rights to the commons. But can even the modest victories in defence of our liberties once seen in mass movements and today seen in smaller specialised networks of lawyers or even in the acts of individuals be replicated in defence of the commons without some return to global movements of some description? If commons (like water and clean air) are clearly global, then defending our rights to them must surely be equally global. Victories and national or even municipal levels set important precedents, but the goal of universal rights – to the light side of internationalism – should be pursued if they are to last in any meaningful way. How, then, can we return to a global effort? Perhaps the connective action (Bennet and Segerberg 2012) that seized on the individual acts of whistleblowers also holds a seed here. Perhaps the struggles for liberty and a meaningful democracy are also part and parcel of the struggle to hold on (or reclaim) the commons – how they are intertwined is clear in cases like the campaign around the Italian referendum of 2011 (della Porta, Mosca and Parks 2015). The struggles that can be linked to Magna Carta's lesser known sister Charter and live today notably in the movement for environmental justice, are as essential – and of course very much inherent to - those raised in Tarrow's enlightening historical comparison.

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