

## ASAP Reading List Introduction

The aim of this reading list is to expand the reader's understanding of contemporary social movements and political activism as a field of sociological academic enquiry. Each of these articles contributes to the reader with useful sociological research, theories and case studies on activism and social movements, and contributes to the debate on the range and limitations of activism in contemporary society. This introduction presents a review of the main themes discussed in this series, and proposes an order for the reading of these articles.

### SECTION 1 : ART OF THE LITERATURE

1. Neveu, E. (2011) V. De « nouveaux » mouvements sociaux ? In *Sociologie des mouvements sociaux* (pp. 61-69). Paris: La Découverte.
2. Neveu E. & Fillieule O. (2015) *Activist Trajectories in Space and Time, An Introduction*. In *Activists Forever?: The Long-Term Impacts of Political Activism in Various Contexts*. Cambridge: Cambridge University Press.

### SECTION 2 : SOCIAL MOVEMENT THEORY AND SOCIOLOGY OF ACTIVISM

3. Rochon, T. (2000) Chapter 2 - Critical Communities and Movements. In *Culture Moves*. Princeton: Princeton University Press.
4. Benford R.D. & Snow D.A. (2000) *Framing Processes and Social Movements: An Overview and Assessment*. *Annual Review of Sociology*, Vol. 26, pp. 611-639
5. Han H. (2014) Introduction. In *How Organisations Develop Activists: Civic Associations and Leadership in the 21st Century*. Oxford University Press.
6. Becker H. S. (1960) Notes on the Concept of Commitment. *The American Journal of Sociology*, Vol. 66, No. 1. pp. 32-40.
7. Lahire B. (2017) Sociological biography and Socialisation process: a dispositionalist-contextualist conception, *Contemporary Social Science*, Published Online.
8. Agrikoliansky E. (2017) Chapitre 6 - Les « carrières militantes ». Portée et limites d'un concept narratif, in Fillieule O. et al. *Sociologie plurielle des comportements politiques*, Presses de Sciences Po. p. 167-192.
9. Fillieule O. (2010) Some Elements of an Interactionist Approach to Political Disengagement. *Social Movement Studies*, Vol. 9 No. 1, pp.1-15

### SECTION 3 : STATE ALLOCATION OF RESOURCES

10. Ostrom E. (2000) *Reformulating the Commons*. *Swiss Political Science Review* 6(1): 29 - 52
11. Chang' H.J. (1994) State, Institutions And Structural Change. *Structural Change and Economic Dynamics*, Vol. 5, No. 2, pp. 293 - 313

### SECTION 4: BUDGET REFORMS

12. Office of the United Nations High Commissioner for Human Rights (2017) *Realizing Human Rights Through Government Budgets*. Copyright © 2017 United Nations

### SECTION 5 : LEGAL ACTIVISM

13. Agrikoliansky E. (2010) « 11. Les usages protestataires du droit », in Éric Agrikoliansky et al., *Penser les mouvements sociaux*, La Découverte « Recherches », p. 225-243.
14. Liora I. (2009) « Résister par le droit ? Avocats et magistrats dans la résistance (1940-1944) », *L'Année sociologique* 1 (Vol. 59), p. 149-175.
15. Liora I. (2007) « 5. Quand les professionnels de justice revendiquent leur engagement », in Jacques Commaille et al., *La fonction politique de la justice*, La Découverte « Recherches/ Territoires du politique » p. 119-142.

The first section contains four articles that introduce the reader to the broad academic discussions on the themes of social movements and activism. The first article by **Neveu** (2011) opens this series with an introductory article on the concept and phenomenon of "new social movements" which emerged and proliferated in recent decades. **Fillieule** (2015) then discusses the socio-biographical impacts of activism and the socializing effects of participation in protest activities on individual actors. This suggests the direction that the research presented in the following articles of this series will take, with a predominant focus on the micro-level study of processes of political activist engagement. Section two is a selection of key works clarifying and debating key concepts for the sociological study of social movements. It starts with **Rochon** (2000) who emphasises the key role played by intellectuals, activists and social movements in shaping culture and society, first through the production of new ideas and the identification of problems in society, and second by spreading these ideas and advocating for change. **Benford and Snow's** (2000) paper discusses the importance of considering "activist frames", the process through which actors conceptualise and ascribe meaning to social movements and their own roles as activists. Framing processes play a crucial role in developing, shaping and spreading social movements. Next is an article by **Han** (2014) who discusses how organisations shape activists, and what types of organisational procedures, such as recruitment and training produce long-term, dedicated activists. **Becker** (1960) follows with an article focused on providing a clarification of "commitment", a key concept for the reading and understanding of the remaining articles of this series. The main approach adopted by the following papers is an interactionist approach, which uses key concepts such as socialization, sociological biography and "career", applied to the subfield of social movement studies. Interactionism uses a micro-sociological perspective, which is actor-centered and focuses on how the successive and multiple interactions of activists with other individuals, groups and structures continually shape their choices and behaviour, and therefore shape their life courses during and after their involvement with activism. **Lahire** (2017), discusses the usefulness of the sociological biography model, and clarifies the basic notion of socialization. **Agrikoliansky** (2017) sheds light on the concept of activist career, one of the key interactionist tools for the study of activists in social movements. **Fillieule** (2010) expands on this concept in his article, and uses it to understand processes of disengagement from political activism. The next section on resources presents three articles addressing the question of the management of economic resources from very different perspectives. First from the bottom as described by **Ostrom** (2000) who discusses the engagement of local self-governed organisations in the self-regulation of resource extraction in order to create more sustainable systems of harvesting. Second, economic resource management from the top as presented by **Chang** (1994) who proposes an "institutionalist" theory of macro-economic change to respond to industrial crisis. In this theory, the author challenges neoliberal conceptions of market dynamics and the state is given a central role to play as entrepreneur and conflict manager. To conclude the section on economic resources, a publication from the **UN High Commissioner for Human Rights** (2017) on the realization of human rights through efficient public budgeting argues for the necessity to take in account the availability of resources to create and develop the institutions necessary for the state to fulfil its human rights obligations. Finally, section four is composed of the last three articles which conclude this series with a contribution on the particular role of the law and legal professionals in social movements and activism. **Agrikoliansky** (2010) discusses how militants may turn to legal strategies to achieve the social reform they pursue, and questions what the effects and the limits of legal strategies are, as well as which conditions make the use of the law by militant social movements possible. **Liora** (2009) then provides insight into the historical case of the French Resistance under the Vichy regime during the period of the German occupation. She describes the different ways in which lawyers and magistrates engaged in resistance from outside the law, from within the shadow of the law, and finally, in the name of the law. At last, **Liora** (2007) discusses the question of militant engagement for legal professionals, how legal professionals reshape social movements, and how the commitment of legal professionals to social causes reshapes the field of the law itself.

## 1. "New" Social Movements

Erik Neveu

The term "new social movements" or NSM serves to identify (1) new forms of mobilisation that emerged in recent decades, and (2) a sociological theory looking to renew social movement analysis in post-industrial societies. This article presents a discussion and criticism of the tourainian sociological analysis of new social movements.

### **The texture of the new**

These new forms of mobilisation are identified by Melluci as feminism, ecologism, consumerism, regionalism, student movements, youth counter-culture, anti-institutionalism, workers struggles involving migrants and young workers. NSM theory identified four dimensions distinguishing them from "old" trade unionist and labour movements. First is (1) the **organisational** and strategic dimension. While trade union movements were highly structured and hierarchical, NSM reject hierarchy and centralisation, tending to focus on single issues, relying on non-institutionalised forms of protest. Second, (2) NSM **values and demands** diverge from traditional movements by pushing for autonomy and resistance to social control, rather than wealth redistribution and access to power. Their demands are usually non-negotiable and contain a strong emphasis on identities and lifestyles escaping from capitalist rationality. In terms of (3) **relationship with politics**, the goal is no longer to challenge, become a part of, or conquer the state, but to create spaces of autonomy and independence outside the state's sphere of influence. Finally, (4) the **identity** dimension contributes to the break between traditional and new social movements. Class based identities were replaced by socio-professional identities. However new class-based identity struggles have emerged which should not be overlooked.

### **The analysis of Alain Touraine**

Touraine's analysis rejects the resource mobilisation approach and formulates a new theory of NSM. According to him, one single social movement at the heart of society's contradictions embodies more than just a mobilisation, but a project of social change. This kind of social movement must (1) clearly define its social adversary, (2) forge its identity in the shape of a social project, and (3) formulate a vision for a new social order. Tourainian research therefore involves the pursuit of a central social movement embodying the struggle for a new social era. However, this quest has so far been unfruitful. Tourainian analysis also proposes a methodology called **sociological intervention**. This methodology involves direct contact and exchange between researcher and social movement actors, and intellectual confrontation between actors and their social adversaries to encourage mobilised groups to be more self-reflexive, and formulate their values and demands more clearly.

### **The struggles of post-industrial society**

New social movement analysis examines social change as the possible transition towards post-materialist collective action. Inglehart (1977) identifies post-materialism as the shift towards struggles over participation, autonomy, quality of life and identity. He links the young generation's antagonist attitude towards hierarchy and their rising post-materialist values to schooling processes. He associates these new systems of values and cultural trends to a transition towards a new social era.

The tourainian approach also perceives social movements as indicative of social changes. Studying social movement trends becomes a way of grasping capitalist transitions towards a highly technocratic power that has become normative of identities and lifestyles. Touraine refers to the "programmed society" to describe a system of increasingly centralised information, which creates opportunities for further control of social development. Melluci speaks of the cultural and symbolic expropriation by modern capitalism. The symbolic work of advertisements and public policies on individual and group identities acts on the constituent elements of identity. The power of "programmed" or "information" society over identities makes them a central political issue.

## A contrasted record

In this section, Neveu discusses the limitations of tourainian approaches to new social movements. Firstly, (1) Touraine underestimates the commonalities between "old" and "new" movements, which occasionally made comparable demands and employed similar tactics. An interesting continuity is shown by Neveu between certain actors and structures of "old" and "new" groups, who therefore warns us against an overuse of the notion of the "new". Secondly, (2) Touraine tends to overestimate the durability and importance of NSM. According to a study by Fillieule, traditional materialist claims supposedly typical of traditional movements remain a priority in the demands of contemporary social movements, contrary to tourainian definitions.

Melluci speaks of the ambiguity and the double dynamic of modernising mobilisations, which seem to simultaneously succeed and disappear quickly. Firstly, NSM quickly gained the sympathy and support of progressive elites in their attacks against the most conservative aspects of society, which contributed to fast changes in society. On the other hand, the emphasis on the question of identity also created market opportunities, through which new ways of consuming became comfortable alternatives to mobilisation, leading to mobilisation groups fading away as they turned into new consumers.

In his critique of Touraine, Neveu also reflects on the complex dynamic created between researchers and objects by sociological intervention. According to Neveu, tourainian methodology presents an extreme version of Giddens' circular dynamic in which the researcher captures the actor's discourse to interpret and analyse it, while the actor uses the researcher's work to better understand and legitimise their actions. The ambiguity generated by such intimate exchanges between researchers and actors blurs the distinctions between the actors' discourse and sociological analysis.

Despite this criticism, tourainian analyses made significant contributions to the study of social movements. Most importantly, its constructive challenge of the "mobilization of resources" paradigm posed a serious criticism to the **objectivist** approach that characterised it. Touraine also challenged **strategism**, an economist approach to social movements, which instead of completely undermining the agency of social movement actors like objectivism does, reduces all their choices and actions to rational calculations and tactical choices. Tourainian NSM analysis emphasised the importance of forgotten factors such as ideological and cultural dimensions, as well as the political context.

### What is the New?

Even more recent trends and emerging social movements at the end of the 1990s might push analysts to once again brand these groups "new social movements". But as Neveu stated above, an obsession with the "new" might hide important continuities with older movements. Rather, Neveu highlights four characteristics of these movements. First, (1) they create spaces of cooperation between actors and researchers, second (2) they make efficient use of expertise, third (3) their networks of mobilization are increasingly internationalised, and fourth (4) they follow a "radical pragmatism", combining conflictual yet controlled action oriented towards concrete and immediate solutions.

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## 2. Activist Trajectories in Space and Time, An Introduction

Olivier Fillieule and Erik Neveu

This paper is a review of an introductory chapter to Olivier Fillieule's (2015) book *Activists Forever? The Long Term Impacts of Political Activism in Various Contexts* written in collaboration with several other social researchers on the topic of activism and social movements. The predominantly structural theories found in the literature on social movements leave out the individual actors who remain mostly absent from research on political engagement. In an effort to remedy this gap in the research and approach the question of political engagement from another angle, this book adopts a micro-level perspective to explore the socio-biographical dimensions of protest activities on individual actors. Instead of the conventional perspective which looks at what leads to activist engagement, the authors will explore what the biographical consequences of engagement on individuals are. In other words, what socializing effects protest activities have, and how this impacts a person's disposition to act, think and perceive their environment.

### Challenging Theoretical and Disciplinary Boundaries

The research collected in this book is situated at the intersection between three subfields of social movement studies: (1) the biographical consequences of activism, (2) political socialization, and (3) political participation, and movement-parties interdependencies.

#### 1. Biographical Consequences of Activism

Three waves of research literature exist on the biographical consequences of activism. The first one (1) explores the socializing effects of political activism, or how participation in an protest activity reshapes an adult's worldview and political ideology using the case of black civil rights activists in the US. The second (2) wave looks at the long term life-course consequences of activism on different life spheres of ex-activists, including their personal, professional and affective life-spheres. This second wave explains the nature, duration and intensity of the activist experience and how it impacts their "moral career", and therefore strongly influenced their life trajectory. A third wave of feminist research also observed how women's social movements acted as agents of emancipation and socialisation by transforming and politicizing women's self-understanding and identity.

#### 2. Political Socialization

While past social movement studies have a tradition of focusing on the causes that pushed individual's to engage in political action, this research looks at the political socialization effects of engagement. Political socialisation is the process of internalization of society's norms and behaviours through which an individual develops his or her own views on the political world. Recent attention to secondary adult socialization, and an interest for the "effects" rather than the "causes" of political activity led to more research focusing on the effects of activists' involvements into political organisations. Unlike models either focusing on the primacy of primary socialization (*persistence model*) or contending that age is irrelevant (*lifelong openness model*) this book approaches political socialization as a lifelong process but contends that political dispositions and attitudes are especially open to influence during the early normative years of activism, when the young experience a "fresh encounter" with the political world at the stage of their life when they are seeking a sense of identity. These dispositions, while always susceptible to change, become stronger with time when they are regularly practiced and confirmed by a strong flow of information.

The analysis proposed here looks at the transformative effects of political socialization on individuals through their engagement in political activism, how all attitudes are affected, including those that are not explicitly political, and how these effects permeate all spheres of life, beyond the sphere of activism.

### **3. Political Participation, and Movement-Parties Interdependencies**

The last subfield explored by this book's research concerns movement-party dynamics. In order to better understand political processes, a relational approach is necessary to overcome the hyper-specialisation of academic disciplines, which prevents researchers from adopting a global vision of the situation and connecting spheres of political participation. Because political participation is usually split between conventional and non-conventional types, research looking into movement-party connections, which overcome this split are rare. Movement-party connexions create bridges between the institutionalized politics and social movements. This strategic cooperation is often highly ambiguous and even conflictual, but plays a crucial part in shaping the political landscape. They create channels for social movements to apply pressure and maintain institutionalised parties connected to grassroots struggles, and for individuals to participate in both political spheres. In current democracies, a growing disconnection between ruling parties and grassroots political movements is observed, as a shrinking number of party members remain committed to "street" politics. The phenomenon of political party renewal fuelled by social movements is therefore also decreasing, with the exception of a few cases. In this book, studies exploring a number of case-studies focus on the individual trajectories of political activists navigating between connected political spheres, to better understand party-movement dynamics.

#### **Four main objectives of the book**

The four main objectives pursued by the research in this book are:

##### **1. Studying Activism as a Process**

By focusing on individual trajectories of activist engagement and disengagement, we frame activism as a process rather than a static phenomenon. These trajectories also help us analyse the life courses of activists during and after participation, including long term and delayed effects of activism. Micro-level analysis of political actors diverge from traditional sociological studies which generally take macro-level approaches to study movement dynamics, while paying little attentions to individual activists themselves. An interactionist approach looks at the interplay between individuals, institutions and context to understand how "activist careers" are built. The notion of "career" is a continuous process, a series of steps broken down into two dimensions. (1) Objectively speaking, career is a series of statuses and positions, while (2) subjectively it is the always evolving perspective and subjective interpretation of an individual's experience. This approach concentrates of the thick description of a process, constantly asking "how" things happen, rather than on explaining the causes of a phenomenon by asking "why" things happen.

##### **2. Exposure to Political Events and Organizational Modeling**

This book suggests two directions for research on the political socializing effects of activism: (1) exposure to political events, and (2) organisational modelling.

Vivid political events may differentially affect individuals depending on a number of factors. The stage of the life-cycle the individual is at during exposure to political events, may determine whether these events reinforce already held political dispositions (more likely with older individuals), or foster a conversation or alteration of political attitudes (among the youth). Such political events do not affect individuals the way direct activist participation does, but can function as a catalyst, due to their potentially marking and even traumatic effect on engaged observers and even bystander audiences.

"Organizational modeling" refers to how organizations produce activists through the restructuring of their individual dispositions to foster activist commitment and identification with the organization. The interactionist framework provides a strong sociological conceptual toolkit to examine relationships between individuals and institutions, and therefore understand the multiple socialization effects of organisations on activists. Individuals within organization internalize their roles through secondary socialization, which itself happens through two distinct mechanisms: (1) explicit inculcations from the institution onto activists, in order to homogenise their systems of thought and action, and (2) "practical sense" (Bourdieu), an unconscious process of adjustment and adaptation to

the perceived roles and expectations within the organization. There are three dimensions to the process of institutional socialization: (1) know-how and wisdom, as resources, (2) ideology, and (3) the restructuration of social networks and the construction of individual or group identities.

### **3. Activism as a Tool for Change**

Common perceptions and analyses of social movements promote a "heroic vision" of activism which looks at macro-level structural changes to recognise victories. However, focusing strictly on this dimension hides the micro-level changes brought about by activists in all spheres of life, which is actually one of the major effects of social movements. By producing activists who then bring their acquired dispositions, skills and expertise to all spheres of society, social movements creates micro social change entrepreneurs who shake things up everywhere they go.

### **4. Individuals in Context. Towards a multi level model of analysis.**

Individual trajectories should be studied within the wider context in which they take place. Multi-level approaches must go beyond acknowledging the importance of the multiple level factors shaping activist trajectories, and actually analyse the joint concurrence of these different levels over time. An appropriate model of analysis rejects the reductive agency-structure dichotomy and resituates commitment within the plurality of an individual's life-spheres, contextualising the experience within the organizational (meso-level) and socio-political (macro-level) context. At the macro-level, the socio-political and economic environment, the absence or presence of a certain type of state intervention, the public image of the cause, and international issues are all interconnected factors. Organizational factors at the meso-level include level of development of the activist network, level of heterogeneity of the group, degree of openness etc. Finally, at the micro-level, biographical ruptures, the plurality of life spheres within which an individual is embedded, and the potentially conflictual obligations attached to each life-sphere all contribute to shaping and constraining activist trajectories.

### **Structure of the Book**

The idea of this book was born from the observation that actor-centered social movement research focusing on the production of activists were rare. Most contributors come from a Francophone academic tradition, characterized by visions of agency and human rationalities influenced by Bourdieu's habitus theory, psychological approaches, and a sociology of emotions, as well as by a strong use of ethnographic and life-histories interviews qualitative methods. The contributions are organized into three main themes: (1) the process of ageing of activism, (2) experiences of high-risk activism (imprisonment, torture, rape, killing), and finally (3) experiences of liminal situations, characterised by a suspension of usual structural and hierarchical societal constraints, replaced by conditions of freedom, egalitarianism and communion. The various contributions also touch on the themes of gender and generation, authoritarian regimes, post-communism and questions of individual ruptures and continuities.

### **From Shades of Red (or Blue) to Shades of Grey: The Ageing of yesterday's activists**

The first part of the book raises questions concerning the ageing process of activists, and how activist involvement affects an individual's other life-spheres, and vice-versa, throughout the course of their life, especially their affective and professional spheres. The research explores how the socialising effects of activism last (or not) over time and how they impact an individual's dispositions and attitudes in all aspects of their life. An understanding of how life-spheres interact over a generation requires a biographical approach, which allows the researcher to follow and compare the life-courses of individuals, and situate engagement within the mosaic of interconnected life-spheres and socializations processes it results from. In terms of interactions between activist engagement and professional path, existing literature has explored two themes. First, (1) the connections between activism and either upward or downward social mobility, and second (2) the types of professional conversions undergone by activist know-how, aspiration and self-image. Around the theme of social mobility, three mechanisms have been identified to explain its relationship to activism. Despite the frequent use of the relative deprivation model, which argues that loss of status is likely to foster

activist engagement, the first mechanism (a) describes how upward mobility may foster activism. The second mechanism (b) describes how activism itself may create opportunities for upward social mobility through the heterogeneous social networks of mobilisation, and finally, (c) activism may also lead to a drop in social status, when activists pay the price of their engagement.

### **Armed Struggle, State Repression and Activists' Experiences**

Despite a general increase in cases of violent collective action, studies on armed resistance groups are rare. This section of the book is a collection of case studies on high-risk activism in which militants experience high levels of violence by engaging in armed-struggled, or facing violent repression from state authorities. Researchers discuss questions surrounding the specific socialising effects of violent activism and the powerful identification and politicization resulting from violent mobilization. They explore questions of commitment to armed struggle, how the social practice of violence could be reduced, possibilities of transitions from violence to peaceful contentious politics, what returning to "normality" would mean, the emotional dimensions of violent experiences, the factors of context, events, the shape and ways of functioning of militant groups. With a micro-level approach to trajectories of radicalization, studies have observed how a succession of micro-cohorts of recruits experiencing strong repressive policies from state authorities leads to rising levels of violence among militants. In order to understand the effects of repression on a movement, two dimensions must be considered. First, the transformation of collective identities, group structure and ideologies resulting from the succession of militant generations, and secondly the succession of traumatic and repressive events translating in specific socializing effects for each individual and generation of activists. A succession of militant generations involves the transmission of memories of struggle, also disrupted if repression is sufficiently strong to decimate a generation.

### **Biographical Trajectories in Times of Transition. Social movement activists into politicians?**

The last collection of articles in this book look at activist conversions from militant movements to political parties. Three dimensions of this transition are explored.

How channels for jobs and career opportunities emerge from connections between social movements and party politics is the first theme explored here. Activist commitment provides individuals with skills and know-how that are translatable into marketable abilities, and with social capital, connexions with high-ranking individuals which increases the opportunities for upward mobility. The gratifications obtained from converting to party politics are very different from the ones attached to activism commitment, in terms of resources, upward mobility, access to power and possible futures. As well as these quantitative gains, the changes are also qualitative, in the sense that ex-activists now face a different institutionalised context, with different rules, new definitions of what constitutes legitimate behaviour, and new dilemmas. The question of dilemmas leads to the second dimension of this type of transition.

Conversion to party politics can be a difficult process, due to a number of reasons. The incompatibilities in moral norms and ideals of activists and politicians create serious dilemmas for converts facing feelings of guilt and accusations of betrayal. Such conversions can be perceived as threats to the activist identity or integrity. They also face accusations of incompetence or illegitimacy by other politicians. A powerful strategy used by converts to handle such accusations is to use their position as outsiders to bring in innovation, institutional reform, question the taken for granted, and push for new policies. Four variables define the question of the level difficulty attached to political conversion. The first, (1) looks at how dispositions acquired through activism may be reinvested in party politics, the second (2) looks at how activist resources can be individually appropriated, the third (3) discusses the notion of structures of political opportunities, and the fourth (4) explores cycles of openness and closure for conversion from activism to party politics.

The last dimension of research on activist conversion is a focus on the study of individual trajectories within these activism-party politics connections. As subjective experiences, trajectories are perceived in different ways depending of the activist's social profile. For example, middle class activists are more likely to perceive their engagement as a career, and therefore seek experiences and upward mobility,

and are unlikely to feel guilt or dilemmas attached to a move from militancy to party politics. Working class activists, on the other hand, usually experience their engagement as a "calling" to represent their community's interest, which they will feel they are betraying if they move up in society. The assumed upward direction of mobility, from activism to party politics, hides the opposite phenomenon, of actors moving from parties to social movements. These can happen in the context of a take over, of parties trying to control social movements, or as a result of frustration and disenchantment with party politics.

The author identifies three generations characterised by different party-social movements relations. From the middle 20th century, when strong connexions existed between social movements and parties, to the seventies which renewed these interconnections with the emergence of "new" social movements, to the present situation, in which a growing disconnection can be observed. The author proposes new direction for research to understand the dynamics of this current disconnection, and explore new possibilities for future party-social movement relations.

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### **Addendum. Life History as a Tool for Sociological Inquiry Olivier Fillieule**

In this text, Fillieule strongly stresses the value of using life history as a tool for sociological research. Unlike other research tools, life histories allow sociologists to think in terms of process. Becker, from the Second Chicago School, also emphasises the importance of understanding human behaviour from the perspective of the actor.

The approach adopted in this book is a structural interactionist one, which sees individual life courses as related to sociohistorical processes, values, belief, social standards and rules. Three elements characterise the use of biographical material as a research tool: 1) objective "social facts" and subjective "social significance" must be understood together, as interdependent, rather than opposed. 2) Both the processual and temporal dimensions of lifespans, contexts, and events must always be taken into account in order to make them intelligible. 3) The multiplicity of interdependent life-spheres must be explored. Actors are simultaneously or successively navigating work, family, activist and other life-spheres, all revealed through the collection of biographical material.

Fillieule describes examples from sociological literature relying on biographical material which reveal the value of life-history. Elias' research on Mozart uncovered the structures within which the artist evolved, the processes of transformation he experienced, his attitude toward the conflicts of norms he faced, and his response to the social constraints weighing on him. Lahire stresses that the social world in which an individual is embedded is reflected and absorbed by that individual. Biographical research must combine a mapping of institutions, fields and cultures with a micro-level investigation of individual resources, backgrounds and trajectories. This reveals the connections between individual dispositions and meso and macro-level social dimensions of structural change. Actors possess individual dispositions resulting from the process of socialization which they express within the limitations imposed by social structures, but aren't reduced to mirroring structural changes, and remain active agents in defining their trajectories.

Next, Fillieule describes the obstacles faced when using an interactionist perspective to studying activism. Researcher would ideally directly observe activists from an early age, through all the step that led them to committing to activism, to the possible stage of defection, to reconstruct the trajectory embedded in the multiple dimensions of social life that affected and were affected by activism. However, for practical reasons, researchers are limited to retrospective interviews and historical investigation to reconstruct past events, experiences and contexts that defined an activist's trajectory. While the process of retrospection itself only provides partial and already re-interpreted information, it still provides three main types of information: (1) event history, (2) the measure of where individuals were situated in a specific moment of their life, and finally (3) the individual's own subjective interpretation of their life experience. These subjective evaluations provide us with precious insight into an actor's logic, the symbolic meaning he or she ascribes to his or her life. This is both a limitation in the sense that it doesn't provide accurate and objective information about

historical events, and a an opportunity to understand what concepts and interpretations they use, their subjective experience of turning points, change and continuity, and long term incentives. To address these limitation of retrospective interviews, researchers rely on contemporary data on past events, which they compare to biographical interviews, and carry out collective biography, to remedy what Bourdieu called the "biographical illusion", or the illusion of a complete history provided by a single narrative.

Interactionist studies of activist careers may therefore rely on qualitative approaches allowing in-depth explorations of individuals cases, and/or on quantitative methods to resituate cases within their context of possible trajectories. The studies in this book allow multiple facets and patterns to emerge from the comparative study of individual cases of activism.

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### 3. Culture Moves: ideas, activism and changing values

Thomas Rochon

In the second chapter of his book *Culture Moves*, Rochon (2000) discusses how cultural changes are brought about by a two-step process involving the emergence of new ideas from "critical communities", followed by their diffusion by social and political movements. For the sake of analysis, cultural change processes are broken down in order to distinguish between the role of "critical communities" and "movements" although empirically they are not so easily differentiated. Movements themselves often contribute both to generating new ideas, and to spreading them and advocating for cultural change through political and social action. New cultural values may emerge as activists start thinking in more critical and abstract terms about what they are advocating for. So although they overlap empirically, it is useful to analytically distinguish the step of value generation at the level of discourse, and the step of value dissemination through action.

Rochon defines critical communities as groups and networks of critical thinkers that develop around the identification, analysis and prescription of specific problems in society. They do not simply look after the wellbeing of their members as common interest groups do, but challenge established cultural values, and develop new conceptual frameworks to think about certain social issues. Over time, channels of communication develop in order to spread emerging ideas and expand the network of shared discourse. Their ability to spread their critical perspective may be undermined by internal disagreements within the communities, as a cohesive discourse is crucial to exert influence on culture and society. These internal conflicts may either be resolved from within the community, or imposed from without by the predominance of one perspective over the others in the media, or its recognition as more prestigious by political authorities. Rochon reminds us not to confuse his critical communities with Hass' (1992) "epistemic communities", which are linked to political institutions and play a powerful role in policy making. Contrarily to Rochon's communities, Hass' epistemic communities reinforce conventional values and do not propose alternatives, they serve the policy establishment rather than challenge it, and their power comes from their affiliation with established political institutions, rather than grassroots mobilization. Rochon gives the historical example of the "philosophes des lumières", the 18th century French thinkers who faced censure, exile and economic hardship for challenging traditional cultural values and generating alternative paradigms to think of society, and whose work eventually set up the intellectual framework for the French Revolution. Contemporary examples of critical communities include groups such as environmentalists, feminists and groups rights activists, whose actions led to significant cultural shifts in the twentieth century. Although the philosophes and contemporary activists differ in their historical context, means of diffusion, and the speed at which they can bring about cultural change, they both retain the same quality of generating alternative discourses that identify new problems in society.

The step that follows the generation of new ideas is the spreading of these ideas into wider society through social and political movements that focus on collective action. Movements reformulate new critical perspectives into narratives that can efficiently mobilize activists to advocate for political reform and social change. As people often choose to join movements through already existing social networks and connexions, new critical perspectives must be presented in ways that resonate with these existing groups which are continuities of traditional cultural structures. They must also provide a frame for collective action. Rochon defines movements as collective actions engaged in both political and social conflict. However he distinguishes the social arena from the political arena. While social movements aim at getting mainstream society to accept and adopt new values, political movements seek to obtain the institutional changes necessary to legitimize these new values through laws and regulations. The two arenas are not mutually exclusive and successful movements are usually active in both. The chapter examines historical case studies to discuss the relationship between the political and social arenas and argues that they usually impact each other, although that impact may be indirect or delayed. Aside from the case of the "failed experiment" of the Prohibition in the 1920s, cases of political reforms are usually observed to engender social changes and vice versa. The National Organization of Women's campaign in 1967 to force the Equal Employment Opportunity Commission to include gender discrimination cases in their priorities is an example of a

rapid political victory which had no visible immediate impact on the social arena due to the absence of publicizing and media coverage. The campaign for the Equal Rights Amendments which gained momentum in the 70s on the other hand is an example of a nationwide social movement that brought about significant and long lasting changes in gender relations and equality, but failed as a political campaign. The rise of feminism in popular discourse caused controversy and polarized society in ways that may have undermined the success of the political campaign. These historical cases reveal the absence of a straightforward positive relation between the political and social arenas, contrary to what we might expect.

In conclusion, critical communities and movements (which as we have seen can be the same in practice) work together in an attempt to generate cultural change. New cultural values generated by critical communities may not systematically turn into movements, which require these values to be translatable in relatable terms to mobilize action. The combined effort of critical communities and movements may not result in institutional changes, however it will contribute to reframing problems in society that were so far invisible or considered unproblematic. Examining the interactions between the political and social arenas is very useful to understand movements, as the success in one arena might contribute to the success in the other, or on the contrary to its failure, as seen in the ERA campaign.

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#### 4. Framing Processes and Social Movements: An Overview and Assessment

by David D. Benford and David A. Snow

Benford and Snow attempt to provide a selective literature review of the research focusing on collective action frames and framing processes in relation to social movements. Examining the function of "framing" in collective actions and the process through which this framing happens is crucial to understand the dynamics behind a social movement's development, generation and dissemination. The review poses two main orienting questions: (1) does the literature provide a cohesive perspective that contributes to a more comprehensive understanding of the relationship between framing dynamics and the function of social movements? And (2) does this evolving perspective cast analytic light on aspects of movement dynamics that other perspectives missed? The article organizes the review of collective action framing literature around four main areas of concern: (a) how are collective action frames conceptualized and what are their main characteristics and variable features? (b) Which framing dynamics are relevant to the generation, elaboration, and diffusion of collective action frames? (c) What are the contextual factors that constrain or facilitate framing processes? (d) What are the consequences of framing processes for other movement processes and outcomes?

"Framing" is conceptualized as the active process of constructing meanings and interpretative frames that help individuals make experiences meaningful. It therefore functions to organize experience and guide action. In social movements, framing activity results in "collective action frames", which provide schemes of interpretation, or a set of beliefs, values and meanings that orient their aims and activities. Studying framing processes reveals how social movements are not just reproducing existing cultural ideas and meanings emerging automatically from structural arrangements and existing ideologies. Instead, movements are signifying agents actively engaged in the production and maintenance of meaning for protagonists, antagonists and observers. Just like the media and the state they are inevitably involved in the "politics of signification". Characteristic features of collective action frames are differentiated from variable characteristics. Among characteristic features, three core framing tasks are identified: "diagnostic framing", "prognostic framing", and "motivational framing". Among the variable features that differentiate types of collective action frames are a) problem identification and direction of attribution, b) the level of flexibility/rigidity, and level of inclusivity/exclusivity, c) the interpretative scope and influence, which, if sufficiently broad and inclusive result in a "master frame" that guides the orientation and activities of more than one movement, and finally d) the level of resonance.

Framing processes and dynamics include the development, generation, elaboration (which happens through discursive, strategic and contested processes), and the diffusion of collective action frames across movements, cultures and time (which happen either through strategic selection/adaptation or strategic fitting/accommodation).

Contextual constraints and/or facilitation manifest themselves in three main socio-cultural factors affecting the framing processes and continuity of the resulting frame: 1) the political opportunity structure, 2) the cultural opportunities and constraints, and 3) the audience effect.

Finally, the review ends with an examination of framing consequences for other movement processes and outcomes. The literature reviewed mainly addresses three sets of implications: 1) the implications of framing for political opportunity, 2) the interaction between framing and individual and collective identity, and 3) the impact on specific-movement outcomes.

The review of the selected literature on collective action framing suggests that the answer to both of the questions posed at the beginning is yes. Existing research on framing processes does contribute to (1) a better understanding of the links between framing dynamics and how social movements operate, and (2) does shed light on aspects of movement dynamics that other perspectives failed to explain. However, certain areas of enquiry demanding further examination still remain.

## 5. How Organizations Develop Activists

Hahrie Han

In her book on civil associations in the US, Han explores the question of - as one of her interviewees puts it - "how to get people to do stuff". More precisely, how civil organizations cultivate people's commitment and capacity for activism, and what factors intervene in differentiating the more successful organizations from the others. In this case, successful means most active and effective in transforming their members' motivations and capacities for involvement.

She examines how civic associations blend *transactional mobilizing* with **transformative organising**. Transactional mobilizing refers to the recruitment of members, while transformative organising focuses on training and developing the volunteers skills and motivation for activism. Han observes that organizations most effective in "getting people to do stuff" are those that combine both strategies without neglecting one or the other, and therefore achieve both depth and breadth of activism (quantity and quality). Han argues that civic organizations don't need to choose between mobilizing and organizing, as one strategy feeds into the other. By investing time and resources in their volunteers, they build the capacity required to increase recruitment efforts and therefore their membership. Those organizations play a crucial part in developing citizens as democratic leaders, and therefore constitute the base for a functioning democracy.

### Models of Engagement

Han describes three models of engagement (which are not all mutually exclusive), that contribute to the distinction between high and low-engagement associations. The "*lone wolves*" engagement models have very small numbers of highly knowledgeable and specialized volunteers who focus their efforts on advocacy and activism, but not on recruiting or training new members. Han observes that this model of engagement doesn't allow civic groups to grow and therefore doesn't result in highly active associations. "*Mobilizers*" are organizations that focus most of their efforts and resources on recruiting members to attain a great breadth of activism. Used alone this model of engagement doesn't result in committed and long term volunteering. "*Organizers*" on the other hand, invest a lot in transformational organizing, therefore volunteers acquire extensive training and take on shared responsibilities. This model of engagement results in more committed and long term activists whose capacity for activism was efficiently developed.

### Technology

Technology has transformed the landscape of activism and has shifted the focus on mobilizing, made easy by online recruitment techniques which are faster and easier than ever. However, technologies have not changed the main principles that differentiate transformational organizing from transactional mobilizing. Han insists that making the distinction between online and offline strategies is not so important for this discussion, but rather how associations use technology to build power.

### Conclusion: Activism as a pillar of Democracy

Han concludes that democracies function when people exercise their right to have a voice and participate in the political system, and collapse when people do not engage in political activism. Civic associations are therefore crucial actors in making democracies work because they teach people basic skills of democratic citizenship and increase citizen engagement.

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## 6. Notes on the Concept of Commitment

Howard S. Becker

Despite its widespread use in sociological literature, the concept of commitment has received little formal analysis. The term is typically assumed to be self-explanatory or intuitively understandable, resulting in very few attempts to clearly define it as a sociological concept. This raises a number of issues and limitations caused by the theoretical vagueness surrounding the unexplored concept of commitment. In this paper, Becker addresses this gap by (1) reviewing the uses of the term in sociological literature, (2) exploring the possible reasons for its popularity, (3) further examining one of the social mechanisms referred to by this concept, and (4) proposing a basic theory to explain the social processes involved.

### Definition and explanations of commitment

Sociologists typically use the notion of commitment to explain an individual or group's "consistent behavior" or "consistent line of activity". The characteristics of this kind of behavior include its persistence over a period of time, and the involvement of a wide variety of apparently contradictory activities made consistent by the actor's perception that they all align with the objective he/she is committed to. Following a consistent line of activities implies rejecting other possible alternatives, and choosing the ones in line with the actor's commitment. Becker provides a brief (and critical) summary of the provided explanations for consistent behaviour found in literature. The first set of theories are built around the notions of *social sanctions and control*, and suggest that actors act consistently in order to follow a line of behavior recognised as moral and appropriate by wider society, and because deviance is sanctioned and considered morally wrong. However these theories fail to explain deviant behavior and why people follow social rules even when deviance isn't sanctioned. The next set of theories underlines the role of *universal cultural values* in informing and constraining behavior, leading people to systematically follow lines of activities that align with those values and allow their expression. There are, however, difficulties in defining what these cultural values are, especially as "modern" society is shaped by conflicting values, and in explaining the process through which values affect behavior. Finally, some theories taken from the field of psychology or psychoanalysis explain that consistent behavior serves to satisfy stable structures of personal needs. However these assumed needs are not directly observable and are just inferred from the observation of the consistent behavior they are supposed to explain. These reviewed theories of commitment all contain significant flaws that need to be addressed. The rest of this paper discusses the definition, conditions, and consequences for behaviors, acts or states of commitment, in an attempt to theorize the concept of commitment through a more thorough sociological analysis.

### Social mechanisms of commitment: "side bets"

In order to explain the mechanism of commitment clearly, the characteristics of "commitment" must be considered independently from the consistent behavior the term serves to explain, and not inferred from it, as psychological theories wrongly tend to do. A crucial element of commitment is the "**side bets**" (inspired from Schelling's *Essay on Bargaining*, 1956) which up the stakes involved in maintaining a consistent line of activities. By placing "side bets" the committed actor involves other personal interests (originally irrelevant to the commitment he/she is making) directly in that commitment. Through the existence of these side bets, which puts additional personal interests at stake, inconsistency becomes increasingly costly or even impossible. The notion of side bets reveals crucial elements of commitment. Firstly, the actor's consistency or inconsistency has consequences over originally unrelated interests. Secondly, it is the actor's own previous actions that have put him/her in that position, and thirdly, the actor recognizes the added consequences that a side bet entails in case of inconsistency. The simplified example of Schelling's bargaining to explain side bets reveals the basic structure of a highly complex social process, and cannot realistically be applied to all real life situations where interests, side bets, acts of commitment and ensuing behavior are all entangled and confounded.

Side bets are not always made intentionally. Actors often find themselves in situations where

commitment involves side bets made for them, which they only subsequently become aware of. Four social mechanisms impose side bets unrelated to a particular line of activity on actors that later find themselves constrained to commit to that activity. (1) *Generalized cultural expectations*: penalize actors who defy them. For example the cultural expectations surrounding responsible adult men in the area of work constrain them to appear stable and trustworthy by not changing jobs too often. A person might therefore choose to keep his current job and refuse a better job opportunity to avoid the sanction of a bad reputation. (2) *Impersonal bureaucratic arrangements*: pre-set by an organisation, such as pension funds, to which actors unintentionally agree by joining that organization, and which they would lose if they were inconsistent and left. (3) Side bets may gradually emerge through the actor's *adjustment to social positions*, meaning their effort to conform their pattern of activity to their current social position makes them less fit to perform as well in other positions. Teachers might for example teach in lower-class schools for a long time while waiting for the opportunity to teach in more desired middle-class schools, but eventually refuse to change schools once the opportunity presents itself due to the standards and methods they adapted to, which are incompatible with a different schooling environment, and would therefore affect their performance elsewhere. (4) *Face to face interactions* (Goffman, 1955) during which actors claim to be a certain type of person, forces them to act in a way that is consistent with their claims about themselves to protect their reputation. The actor's activity is therefore constrained by the bet he/she made on their appearance.

### **Commitment "by default"**

Like side bets, commitments are not necessarily made deliberately, as a result of a conscious decision, but can happen by default. Individuals may only realize they have made a commitment once a change arises that challenges that commitment. Commitments by default arise from the accumulation of consciously and unconsciously taken side bets which eventually grow to be cumulatively too important to lose and therefore make a consistent line of behavior increasingly valuable. A deliberate decision to commit on its own is not sufficient to guarantee consistent behavior, they need to be complemented by the making of sizeable side bets which stabilize behavior will produce consistent lines of activities.

### **Systems of value**

Understanding the role of side bets in promoting commitment must include an analysis of the system of values in which those bets are made. These systems define how valuable a side bet is perceived to be, and therefore which ones it is worth maintaining a consistent line of behavior for. Some systems of value permeate whole societies, while other are limited to specific subcultures. A limited subcultural context also provides the sets of valuables with which bets can be made. Therefore, understanding the systems of values that define how sizeable side bets are is essential to a full understanding of the mechanisms of commitment.

### **Conclusion**

This proposed theorization of commitment doesn't resolve all the issues raised earlier about other theories, and remains itself limited in its field of application, as it doesn't explain all forms of commitment. However this contribution remains useful to frame commitment as a specific mechanism of constraint which promotes consistent behavior by linking past actions with external interests in the form of side bets. It provides a conceptual language and theoretical tools to assimilate the notion of commitment in sociological research and theory.

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## 7. Sociological Biography and Socialisation Process: A Dispositionalist - Contextualist Perspective

Bernard Lahire

Sociological research has made valuable contributions to our understanding of the social and psychological mechanisms that explain how individuals come to believe, feel and act in certain ways rather than others. Lahire advocates for the use of a sociological biography model based on a dispositionalist-contextualist conception of socialization. Before moving on to the discussion, a number of definitions are required. **Socialisation** is the process by which the social world shapes and constructs the individual living in it. A person's **disposition** refers to their *internal* (dispositional) network of constraints, built through experiences (not innate) that shape their actions, feelings and thoughts. On the other hand, **context** (or structure) refers to the network of *external* constraints and limits that shape the individual's thoughts and behaviour. The **dispositionalist-contextualist conception** therefore acknowledges the role of both internal disposition and context to understand human actions, thoughts and feelings, without privileging one at the expense of the other. **Sociological biography** is a model of analysis allowing us to *chronologically* reconstruct all the *socialization experiences* that constitute an individual's disposition. To demonstrate the usefulness of the sociological biography model, this article will (1) discuss the process of socialization during early and subsequent experiences in the life of an individual, (2) discuss the role of plurality in society, (3) show the relevance of sociological biography to understand "biographical ruptures" and "existential issues".

### The social construction of individuals through primary and secondary socialisation

As stated in the introduction, socialization is the lifelong construction work of society on an individual, which results in the transformation of a *biological being* into a *social being*, adapted to the cultural and historical context in which he/she lives. Durkheim, who studied family and schooling, and Weber who studied the sociology of religion, both contributed to our understanding of how certain types of societies and particular environments produce certain types of individuals. Sociologists traditionally differentiate between *primary* and *secondary* socialisation, referring to family socialisation, and subsequent specialised socialisations (academic, professional, religious, political, cultural, etc.). Through family, primary socialisation has a much greater weight on individuals, because it encompasses all dimensions of existence (language, morality, states, cultural preferences, relation to power, to the body, to knowledge etc.), and is at first the only world that exists for the child. Bourdieu's concept of *habitus* describes a system of durable and transferable dispositions acquired during early socialisation. Habitus cannot be compared to the weaker and more ephemeral dispositions acquired through later experiences. This is because, as Durkheim (1991) emphasised, the experiences in the family universe extend to all other life spheres (professional, religious, political etc.) which are far more restricted and relative.

### Socialisation, re-socialisation

Although useful, this traditional dichotomy of primary versus secondary socialisation is problematic. It oversimplifies sociological biography as a passage from the closed and homogenous family universe to the open and multiple social universes of a plural society. The assumption that the family universe is completely homogenous ignores that (1) a certain level of conflict and heterogeneity are always inherent within family, and that (2) individuals experience the plurality of social universes very early on (through nannies, preschool, friends etc.). Lahire identifies two common mistakes made by sociologists, who either tend to (1) neglect the effects of early socialisation when focusing on the mechanisms of secondary socialisations, or (2) adopt an overly mechanistic dispositionalism leading to an overestimation of the importance of primary socialisation in determining later experiences. To illustrate this second error, Lahire uses the bullet metaphor, whose trajectory is predictable from the moment it is shot from the revolver. This representation completely undermines the transforming power of secondary socialisation, which are *not* simply spaces of actualisation for previously acquired dispositions, but can modify the product of past experiences and produce new dispositions, and even challenge the central role of the family.

Highly pluralistic societies and precociously experienced plurality in socialisation lead to the incorporation of heterogeneous and even contradictory dispositions. This heterogeneity of dispositions challenges Bourdieu's habitus model of perfect adaptation to the context we live in. Correspondence between an individual's internal and external structures is actually rare, and the context may constrain or favour certain dispositions within the individual. Highly differentiated societies therefore provoke situations of crises when individuals experience tensions and disconnections between themselves and their social worlds. Lahire identifies three main causes of crisis. (1) *Unappeased internal plurality* happens when the present context of action doesn't offer the possibility to express previously incorporated dispositions, then forcibly inhibited. The feeling of frustration caused by this disjunction creates the illusion that an "authentic self" - independent of any social frame - exists and cannot achieve "self-realisation" in society. (2) *Problematic external plurality* is the absence of the appropriate dispositions to face what certain contexts require, and (3) *problematic plurality of commitments* refers to the incompatibility between multiple possible social commitments such as work, family, friends, who can become contradictory or competitive. This discussion on crises logically leads us to the next section on biographical ruptures.

### **Biographical rupture and existential issue**

Lahire warns sociologists against the temptation of reducing individual lives to a single principle in our attempts to explain biographical trajectories. Conducting interviews with respondents who are asked to "tell their life" often results in logical and linear representations of the biographical path due to "protective rationalisations" and the work of "naturalisation" carried out by the respondent. They conceal the complexity and the incoherence of social forces that shaped a trajectory punctuated by "biographical ruptures". Biographical ruptures are moments of bifurcation (Passeron, 1991, p.202) and modification in a trajectory when dispositions can be suddenly suppressed or reactivated. Goffman (1988) refers to the partial muting of the individual as the "theory of social deaths". Sociologists should always look to uncover the plurality hidden by over-deterministic narratives, the forgotten biographical ruptures, choices, and suppressed dispositions that marked the biographical path of an individual, which is non-linear and characterized by discontinuity.

Finally, the sociological method can also address the question of existential problems, and explain notions of worry and concern created by the crises and disconnections mentioned above. The individual's existential issue is constituted of a number of more or less articulated problems anchored in the family configuration that appear, evolve and are transformed at different stages of life. Lahire links these problems to (1) embarrassing dispositions, (2) conflict between dispositions, and (3) conflict between dispositions and context. Looking at existential issues means uncovering predominant desires and preoccupations, which are crucial elements to explain an individual's actions, choices and behaviour throughout his/her biographical path.

### **Conclusion**

In this article, Lahire demonstrated the usefulness of the sociological biography model to reconstruct the links that connect individuals to other individuals, groups and institutions. He identified the internal and external networks of constraints within which individuals operate. By identifying the social conditions for the construction of the constitutional elements of the psychic economy of individuals, Lahire contributed to our understanding of the mechanisms that determine individual behaviour and action within the social worlds he/she lives in.

## 8. Activist careers. Range and limitations of a narrative concept.

Éric Agrikoliansky

Agrikoliansky explores the range and limitations of the sociological concept of "career" applied to studies of activism with a specific focus on commitment. "Activist career" has become a very popular analytical model for the study of activist commitment. The concept of career, and more broadly the processual model for the analysis of commitment, provides essential methodological tools to make activist engagement sociologically intelligible. Its main contribution is to define activist commitment as a process. Its application spread to multiple fields of enquiry, including beyond the sphere of activism itself. This chapter first goes back to the epistemological foundations of the concept of "careers", then examines the contributions of the concept to the processual analysis of commitment. Finally, it highlights how the careless uses of the concept of careers erodes its heuristic power.

### What analyzing careers means: epistemological foundations

"Career" and more broadly the interactionist sociology of commitment provide a useful theoretical frame to study activism. Three main theoretical ambitions define career analysis. Firstly, the concept of career proposes a *sequential analysis* of commitment to understand activism. A sequential analysis requires a temporal reconstruction of the different sequences of commitment, and an understanding of the logic through which they fit into biographical trajectories. In other words, it frames activist commitment as a process rather than a fixed state. The notion "trajectory" conceptualizes an individual's evolution through society as a continuous curve resulting from the determining force of his/her initial socialization. The notion of career on the other hand rejects the overwhelming importance attached to the effects of primary socialization, and stresses the principle of discontinuity. Commitment to a social activity is therefore better represented as a series of broken "sequences" linked to one another, of which each step produces the conditions making the next one possible. A biography is conceived as an fluctuation between stable trajectories and "turning points". The second theoretical ambition of career is to shift the question from "why" to "how". When asked "how", actors are more likely to reveal relevant information allowing us to retrace the circumstances and events that concretely constitute the different steps of the process. We can see how the studied phenomenon doesn't result from causes but from a narrative. Instead of looking for abstract causalities, career analysis leads to a comprehensive sociology attempting to understand how meanings, rationalities and beliefs guide situated actions, sequence by sequence. The third aim of career is to focus on the "universes of meaning" (Chapoulie, 1985) to which social actors refer. The aim of the analysis is to reconstruct the "reality that actors create by giving meaning to their experience, and in reference to which they act" (Becker, 1985, p.196). Meanings are not a rigid set of beliefs fixed during initial socialization, but the result of a dynamic process involving actors engaged in their coproduction. Darmon (2008a) highlights the duality of the analytical range of career, which is both a tool of objectivation, and a way to put meanings that actors ascribe to their actions at the center of the analysis.

Agrikoliansky argues against the incompatibility between the notions of career and habitus, respectively issued from the interactionist sociology and the bourdieusian tradition. Career analysis focusing on individuals reveals how socialization concretely acts on the studied trajectory. The processual and temporal dimensions of careers involve an empirical reconstruction of the chain of events and situations of interdependences, and therefore the choices and constraints within which habitus can express itself.

### What do we know of activist careers?

The sequential model of careers is a narrative concept which enables the organization and contextualization of the effects of different commitment mechanisms. According to Pudal (2010, p.172) the notion of career links questions on the predispositions for activism, taking action, the variable forms of engagement in time, the multiplicity of engagements over the life cycle, and the retraction or extension of commitment. Based on Darmon's (2008b) work, we can isolate three determining sequences in the study of activist careers: beginning, continuing and leaving.

*Beginning* - Career analysis poses the question of how people take action and become activists, which means retracing the history of the meeting between an individual trajectory and an organization or social movement. Career analysis places intermediary sequences leading to commitment at the center of the analysis. An essential dimension of activism is its multipositionality, which articulates different commitments in interdependent ways. Non political institutions play a crucial role in creating interests and skills for long term activism. Socialization into the group, including socialization "against" other groups can have powerful effects on activist commitment. Itineraries of engagement shape interest for new forms of activism and how some experiences can lead to activist reconversions, continuities and discontinuities. Career analysis considers the importance of the degree of "biographical availability" of activists within the wider context of a life history. The interferences of activism with other parallel social activities are crucial to its understanding because it defines the activist's availability and the stakes of commitment. Examining "biographical availability" places "biographical ruptures" that can produce "turning points" favoring reconversions at the center of the analysis. Activist commitment can arise from moments of transition in biographies during which social identity is recomposed. Analysing these moments reveals how opportunities facilitating the work of identity redefinition arise (Voegtli, 2010).

*Continuing* - Asking "how those who engage in activism do so in a sustainable way" questions the model based on predispositions, since "attachment is both anterior to commitment and produced by it" (Fillieule, 2005a, p.40). The analysis of the benefits of activism must be reconsidered and the recognised set of mechanisms that promote commitment and loyalty widened. Career analysis puts benefits in a processual perspective, rather than considering them as fixed. What is considered a cost or a benefit is defined by the meanings conferred by the actors on what they are doing. These depend on previous phases of the biographical trajectory, and on the dynamic of their itinerary of commitment. Bargel (2009) argues that just like marijuana smokers progressively learn to recognize and appreciate the effects of smoking, the taste for politics is forged gradually as political activists progressively discover (or not) the satisfaction given by activism through their involvement. Attachment to politics is therefore less the result of a cost/benefit calculation than the product of a progressive adaptation to the logics of engagement of an organization and to the relationships with other activists. Connections between activists provide powerful ties that keep collectives together by promoting commitment. Such ties promote "communion" mechanisms through which activists feel themselves belonging to a "whole", justifying a devotion towards an engagement without a cost/benefit assessment (Kanter 1968, 1972; Fillieule 2005b). "Rituals" reinforce these mechanisms (Lacrois 2013), by tightening life spheres around the activist engagement and family, friendships, and professional ties are often entangled. Goodwin (1997) uses the term "libidinal constitution" to describe the intensity of the interpersonal relations within social movements. This "affective economy" (Sommer, 2010, p.199) contributes to a group identity construction through the categorization of "us versus them". The work of identity redefinition frequently accompanies commitment to activism. (Voegtli, 2010). The possibility of proudly claiming one's membership to a group (black, woman, worker, gay...) is a powerful motivation for commitment in search for "recognition" (Honneth, 2009).

However, sociability ties may also discourage commitment in cases of "competing emotional investments" (Kanter, 1968, p.507). "Voracious" organizations that require an uncompromising devotion from their members (e.g. guerillas, clandestine movements) often force them to give up other social ties and forbid all relations inside and outside of the group if they threaten commitment to the cause. An effect through which the cost/benefit logic is reversed is when paradoxically the importance of the cost of action creates fidelity. In order to remain internally consistent, members must consider their actions highly valuable to justify their cost, meaning sacrifices required to participate in activism generate fidelity.

*Leaving* - Disengagement from activism doesn't result from a single cause. To understand the steps that lead to different forms of disengagement, we must examine how individual itineraries cross paths with collective history (Grojean, 2013). An analysis of disengagement also confirms the

variability of the benefits of activism, and what used to be a factor of activist engagement may become irrelevant or unattractive. Leclerc (2008, 2011) and Pudal (2005) show the fragility of the boundaries between engagement and disengagement: while sociability and benefits may promote commitment to the institution, they may also result in the member's emancipation through the development of a critical mind, and a taste for autonomy. Analysis of activist careers also raises the question of the biographical consequences of activism (Leclerc and Pagis 2011). Activism can be costly and have long term consequences. Ex-activists face dilemmas, as they simultaneously attempt to remain coherent towards their past engagements and pursue professional and social conversions.

### **Careers up for auction - dangers and limitations of the concept**

The proliferation of studies on activist careers has resulted in the large diffusion of the concept in counterproductive and methodologically careless ways. Metaphorical comparisons (such as the young political activists and marijuana smokers) can be useful but risk hiding real explanations. We should clearly distinguish the term activist career from professional career, as it can wrongly lead to a careerist view of politics based on a utilitarian and strategic conception of commitment. The common use of the concept in academic language to easily give a scientific connotation to any description relying on chronology or proposing a story has progressively eroded its power of objectivation. A proper use of the term requires avoiding three traps. Firstly, the *illusion of immediate comprehension*: sociological analysis cannot simply be replaced by stories, as it must propose an interpretation of the process and its mechanisms. Secondly, the *biographical illusion* (Bourdieu, 1986): heroic interpretations of the activists' decisions when studying the singularity of individual trajectories must be avoided. There is a methodological limitation in gathering biographical information through interviews after the events have unfolded. However recognizing these limitations should only reinforce methodological caution and analytical rigor. Furthermore, interviewing can be used as an opportunity to understand the work of meaning making and identity reconstruction, consolidation and coherence done by the interviewees as they recount their past. The last trap is the *temptation of singularity*: career analysis requires a double empirical investment which is both qualitative and quantitative, in order to place each individual case study within its field of possible trajectories. Working on a select number of cases requires us to explain the selection, construction and comparison strategies used for these cases.

### **Conclusion**

The notion of career is an interpretative frame based on essential methodological principles: viewing commitment as a process evolving in time, being attentive to the contexts and interactions within which it unfolds, acknowledging the work of meaning done by actors, and focusing on the "how" rather than the "why" of activist activities. Its success lies in its capacity to explore the multiple dimensions of the process of commitment. However this should not lead to a lowering of methodological standards, which would significantly limit the reach of this model of analysis.

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## 9. Some Elements of an Interactionist Approach to Political Disengagement

Olivier Fillieule

In this article, Fillieule proposes a theory of activist disengagement based on the interactionist approach and the concept of "activist career". Few studies have been provided on the question of activist disengagement, yet some useful literature already exists in life course sociology, social psychology and the sociology of roles, all of which help to inform this analysis. Previous research has identified certain characteristics according to which the phenomenon of activist disengagement vary, such as the causes, the cost, and the form of defection, including what becomes of "ex-activists". Overall, Fillieule notes that the existing literature on disengagement frames the phenomenon as a *moment in time*, rather than as a flux or *process*. This article aims at (1) redefining disengagement as an interactive process rather than a fixed event, using a symbolic interactionist approach (Blumer, 1937). This approach looks at disengagement from a microsociological and processual perspective, according to which individuals and society are considered interdependent and mutually constructive. The concept of "**career**" (Hughes and Becker), allows us to study disengagement processes by resituating them within individuals' life histories, and helps to contextualize individual defections at organizational and macro levels, overcoming traditional oppositions between agency and structure. The article also aims (2) to show that a study of disengagement processes must consider the dialectic between an actor's personal dispositions and motives, and their structural position within society and organizations. Primary and secondary political socialization, role taking, dependence on the group, lateral opportunities, and political context all shape the *irreducible heterogeneity* of individual disengagement processes.

### 1. The Interactionist Legacy: Transformation of Identities and Social Subworlds

The concept of activist career frames activist engagement as a threefold process: initial engagement, continuation of the commitment, and defection. These three stages are articulated by two dimensions: (1) a series of *objective* changes in status and position associated with (2) a series of *subjective* disruptions, or changes in the perspective from which actors see and interpret their life and their commitment. The permanent dialectic between individual history, social institutions, and context, makes it possible to rebuild activist career as a *sequence* of steps and transformations of behaviour and perspectives, rather than to describe it as a *state*. Social identity is consequently considered from two different perspectives: (1) a *diachronic perspective*, which looks at the transformation of identities through specific social mechanisms, and (2) a *synchronic perspective*, which uncovers the plurality of social subworlds in which actors are embedded. Identities are constantly transformed and renegotiated in relation to the social structures in which an actor is positioned. Institutionalized changes (professional or marital status) and "biographical accidents" (crisis, failures, losses) may lead to significant and irreversible changes in personal representations, attitudes, and motives which all contribute to the process of identification. Plurality, on the other hand, and the belonging to different life-spheres, results in the socialization of individuals according to heterogeneous and contradictory principles which are largely internalized.

### 2. A configurational Approach to Social Characteristics and dispositions

The social characteristics of actors must be linked with the social context in which they are situated in order to understand how they function as determinants of commitment and disengagement. A configurational approach (see Elias) therefore looks at how social characteristics (age, gender, income, status etc.) develop and contribute to the creation of dispositions according to the social context in which they are situated. This approach highlights the ambivalence of individuals' social characteristics, as their value is defined by the system of competitive interrelations they are situated in. There are three levels of interpretation for this system of competitive interrelations. The widest possible is (1) the *expanded political field*, which determines the social value attached to social characteristics, to a certain type of activism, to a cause, and therefore the ways in which activist may contribute to it, depending on the moment in time and the sector. The second level is (2) the *micro level of biography*, which looks at how aptitudes result from the succession of encounters between a particular social characteristic and a specific context of socialization, at a specific biographical stage.

Lastly, (3) the *meso level of organizations* looks at how organizations relate to their members' different social characteristics by examining how they select them and orient their activities. Therefore, commitment results from the intersection of organizational requirements and individual experiences (Kanter, 1968). An interactionist perspective on the relationship between individuals and institutions (Gerth and Wright Mills, 1954), reveals that (1) activist commitment results from the adjustment between supply and demand of activism, (2) groups encourage or discourage commitment through public image and selection processes, and finally, (3) secondary socialization in the activist institution determines the strength and durability of the internalization of hierarchical roles. On the other hand, "moral career" refers to (1) the selection of members (incentives and barriers to joining, and orientation of activities), and to (2) organizational modelling: the multiple socializing effects of activism, understood as a set of constraints on individuals. The following section will further explore these two dimensions of "moral career".

### **3. Selection, Secondary Socialization and Organizational Modelling**

The selection and orientation process of an organization is determined by a set of formal rules and informal codes (Gerth and Mills, 1954). The formal criteria concerns an individual's social characteristics (age, gender etc.) which will influence their orientation towards certain groups or activities and exclude them from others. The informal selection may be more subtle but just as effective, as shown by the examples of the 1964 "Freedom Summer" movement (McAdam, 1992) and the AIDS vaccine trials (Fillieule et al 2008). Unconscious gender and class bias were shown to play an important role in discriminating against women and working class applicants. Through explicit methods and unconscious processes of internalization, organizations "leave their mark (Gerth and Mills, 1954) on their members. Individuals are effectively socialized as activists, leading to "*role taking*" through which they identify their roles and carry out their tasks. Explicit methods aim to homogenize activists' ideologies and behaviours. Unconscious processes on the other hand, also called "practical sense" (Bourdieu, 1980) are "the anticipated adjustment to the requirement of a field" acquired over the course of a "long dialectical process". The following section looks at the three dimensions of the methods and process of secondary socialization: (1) resources, or 'know-how', (2) ideology, (3) the restructuring sociability networks and identity.

**a) Resources:** they are acquired through activist commitment. They are termed rewards, and refer to the material and symbolic benefits individuals perceive in commitment. Four main characteristics define rewards: (1) they are not always perceived by actors, (2) they may be expected by actors before engagement or discovered and pursued during commitment, (3) costs are often confused with benefits (Hirschman, 1983), and (4) they vary according to context and individual experiences. The variability of rewards in the activist life-sphere is linked to the actors' involvement in other life-spheres, and the specific roles adopted in each life sphere. The process of adjusting to these roles contributes to an individual's identity construction, meaning that changes in roles can lead to intense identity renegotiations. "Critical moments" may lead to a new valuation of expected rewards within that life-sphere as well as in others. This leads to the consideration of how critical moments in the professional and emotional lives of actors may impacts activist engagement or disengagement. The value of rewards doesn't only depend on the actor's perception, but also on the changing context in which political activism occurs, which impacts the social value of a cause and the ways in which people can engage in it. Individuals manage their commitment in different ways once rewards are depleted: through psychological repression, attempts to transform their role, or defection. The latter can be made easier or more difficult by worlds of constraints such as level of dependence on the role and existence of lateral possibilities.

**b) Ideology:** The second dimension of secondary socialization concerns the actor's internalization of a vision of the world, of the place of the group in this world, and on one's place within the group. The habits and belief systems of an organization are transmitted through written and unwritten rules, and largely internalized by activists. Implicit processes play a predominant role in the internalization of ideology. When going through the process of socialization, individuals each have different capacities to either internalize, resist, redefine or renew the dominant ideology of a movement. Institutions

constrain their members by promoting certain types of discourse and practices over others, but some possess the resources to resist them, resulting in the erosion of an organization's socialization mechanism and ideological power. Weak ideological power fosters lower levels of activist commitment and therefore possible defection. Two factors work towards the weakening of ideological influence. First, (1) *changes in the political climate* such as the historical decline of a cause, because a vision or movement loses its value in the eyes of society, or because of a backlash from power institutions and the repression of activist activities. On the other hand, the success rather than the failure of the activist ideology, leading to its institutionalization and integration within state institutions, also results in demobilization. The second cause for the loss of ideological influence is (2) the *rupture of the consensus* within a movement, and the appearance of factions and splits.

**c) Social Networks and Identities:** Finally, the third dimension of socialization happens through the activists' relationship networks within and outside the activism subworld. Belonging to a group, interacting with members, and sharing a world of meaning results in the construction of identity. The affective links and emotional attachment between individuals are referred to as the group's "*cohesion*", reinforced by two mechanisms (Kanter 1968): (1) Renunciation, the withdrawal from all social relationships outside the group, and (2) communion, the generation of a "we feeling", a strong group identity that is also based on the exclusion of others. Communion is reinforced by ceremonies and rituals to build camaraderie (Turner and Killian, 1957), and various means and techniques of control, such as (a) *mortification of the self*, or the abandonment of one's identity in favour of identification with the group, and (b) denial, an unconditional dedication to the group's authority. How organizations structure sociability relations internally and externally is an important factor in understanding the logics of disengagement. Individuals who are "atypical" members, or who are involved in multiple networks, are more likely to defect from organizations, than those who fit into the "typical" activist profile, who are not involved in several other sociability networks. The exclusion of underrepresented groups from informal friendship networks causes stress and stereotypes and therefore also increases the possibility of defection. The topic of exclusion also leads us to consider how clashes between generations of activists may also cause defections.

## **Conclusion**

The notion of career applied to political activist commitment allows us to understand how the attitudes and behaviours of activists at each biographical stage continuously resituate commitment and how they may result in activist disengagement. The interactionist approach combines the questions of *predisposition* and *operationalization* of activism, and investigates the permanent interactions between (1) individual trajectories, (2) institutions and (3) social structures. A configurational approach (Elias) focuses on *how individuals behave* in particular situations when they are committed to a cause rather than on *why they commit or disengage*. Three levels interrelate: (1) the expanded political field, (2) the micro level of biographies, and (3) the level of organizations. The configurational approach highlights three characteristics at work in the process of disengagement: (1) the importance of *specific contexts and the transformation in the structure of opportunities for commitment*, (2) the *institutionalized changes and biographical ruptures*, and (3) *moral career*.

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## 10. Reformulating the Commons

Elinor Ostrom

**Common-Pool Resources** are defined by Ostrom as natural or human-made resource systems generating finite quantities of resources units, appropriated by multiple actors for consumption, exchange or production. While most common-pool resources are large enough that they can be harvested by multiple beneficiaries, in the case of high value or non-renewable resources their appropriation by a certain actor may create negative externalities to others. The uncoordinated and deregulated harvesting of non-renewable resources (such as oil) leads to a decrease in the quantity of resources units and a sharp increase in the cost of appropriation, while the overuse of renewable resources may lead to the destruction of the stock generating the resource.

### **The Conventional Theory of Common-Pool Resources**

The conventional theory applied in political-economy studies of common-pool resources is based on Gordon and Scott's (1955) open-access fisheries study. Its basic assumptions state that the resource units produced are predictable and finite, that appropriators are homogenous, and that they act as short-term, profit-maximising actors. The open access condition of the common-pool resource is taken for granted. Most importantly actors are assumed not to interact or coordinate their activities with one another, nor to have the ability to change institutions. According to this model, appropriators are trapped in the dilemma of creating negative externalities on one another, generated by the absence of property rights and the independence of actors harvesting in competition with each other. Several empirical cases confirmed this model's predictions of overuse and destruction of renewable resources. Recommendations to avert this dilemma and its consequences argued for an external authority to impose a different set of institutions in order to regulate appropriation of resources. These recommendations, however, implicitly assume that regulating authorities will act in the public's best interest and understand how ecological systems function.

This conventional theory, and the recommendations that sprang from it ignore the possibility of self-organisation between appropriators, and remained unchallenged until the mid-1980s. Empirical studies reveal that through organising, actors can specify each other's rights and duties as well as monitor and sanction each other's activities, creating a public good that all participants can benefit from. The new approach suggested by empirical cases of self-organising challenges the generalizability of the conventional theory of common-pool resource.

### **Self-Organized Resource Governance Systems in the Field**

Empirical case studies of self-organised common-pool resource appropriators reveal a complexity and diversity of settings hidden by the conventional theory. A case study of farmer-owned and run irrigation systems in Nepal reveal how self-organised settings can produce much higher outcomes than predicted by the base model. A quantitative study in Nepal measured the performance of farmer-governed and national agencies irrigation systems according to the (1) physical condition of the systems, (2) the quantity of water distributed, and (3) their agricultural productivity. The study found that farmer-run systems performed better than high-tech government-run systems in all three measures, despite the lack of advanced technology and engineering standards.

### **On the Origin of Self-Governed Common-Pool Resources**

While conventional common-pool theory can contribute to our understanding of settings in which appropriators are alienated from one another, it cannot predict the outcomes of government ownership or privatisation, nor can it explain settings where local actors have self-organised. The author therefore calls for a more inclusive theory treating the base model as a specific case, while also studying variables making self-organisation more or less likely to happen. The following quantitative analysis exploring the factors and attributes contributing to or preventing self-organisation helps to explain how self-governed common-pool resources happen. The following characteristics of resources and appropriators facilitate the formation of local associations:

*Attributes of the Resource:*

- R1. Resource conditions are not at a point of deterioration or so underutilized that little advantage results from organizing.
- R2. Reliable and valid indicators of the condition of the resource system are frequently available at a relatively low cost.
- R3. The flow of resource units is relatively predictable.
- R4. The resource system is sufficiently small that appropriators can develop accurate knowledge of external boundaries and internal microenvironments.

*Attributes of the Appropriators:*

- A1. Appropriators are dependent on the resource system for a major portion of their livelihood.
- A2. Appropriators have a shared understanding of how the resource system operates and how their actions affect each other and the resource system.
- A3. Appropriators use a sufficiently low discount rate in relation to future benefits to be achieved from the resource.
- A4. Appropriators trust one another to keep promises and relate to one another with reciprocity.
- A5. Appropriators are able to determine access and harvesting rules without external authorities countermanding them.
- A6. Appropriators have prior organizational experience, and have learned minimal skills of organization and leadership.

The larger regimes within which common-pool resources settings are embedded can either facilitate or constrain the creation of local governance, by affecting the above mentioned attributes. Macro-regimes may support local efforts to self-organise by providing information and resources, and enabling discovery and conflict-resolution, or on the contrary by ignoring the problem or concentrating resources and decision-making power at the top.

A basic cost-benefit calculation was done to show how appropriators might perceive and choose between self-governance and the open access setting. Each individual appropriator compares the costs and benefits of harvesting under the limiting set of rules of self-governance, or under the open access model potentially leading to overuse and destruction of the common-pool resource. This comparison determines whether the incentive for change is high enough for self-governance to be pursued. Obviously, individual appropriators will not all perceive the same costs and benefits, and therefore will likely not all share the same incentives for self-organisation. Collective choice rules therefore determine whether a change perceived as favourable by some, and as costly by others, can happen. If a sufficiently important coalition of appropriators in favour of change exists, then self-organisation can happen. Decision-making goes from a single leader decision, to consensus or unanimity. If big differences of perception exist, one coalition may impose changes on other appropriators. In that case, it is likely that the new set of rules will benefit the winning coalition while imposing costs or lower benefits on the losing coalition. But enforcing change is more costly than when it is desired by all appropriators, so rules benefiting the losing coalition too will also lower the future costs of monitoring and sanctioning. When it is external authorities enforcing new rules, they are also likely to benefit the winning coalition more than the others.

Both resource and appropriator attributes affect costs and benefits of institutional change. If resources are scarce but salvageable (R1), information is available on the conditions of the resource (R2), the resource flow is predictable (R3), and it is feasible to establish and monitor reasonable

spatial boundaries for the resource (R4), then appropriators have high incentives for self-organisation. On the other hand, if resources are either very abundant or already destroyed, no information is accessible, the resource flow is unpredictable, and the resource is too big to manage, then there is little benefit to be gained from regulation. In terms of the attributes of appropriators, if their main income depends on the resource (A1), they trust and rely on one another (A2), they are autonomous from higher authorities that could prevent local initiatives (A5), and have leadership and self-organisation skills and experience, then they have substantial benefits for self-regulation. The absence of one or more of these attributes increases the costs of institutional change.

The macro-institutional structures, including the economic and political context within which appropriators operate also have a high impact on perceived costs and benefits of self-governance.

Clear-cut cost-benefit ratios are very difficult to find in common-pool resource settings. These settings usually make it unlikely that appropriators will perceive enough benefits to self-governed regulation. On the contrary, theoretical expectations conclude that resources will be overused unless significant efforts are made to change cost-benefit perceptions. The number of variables, the complexity and unpredictability with which they operate, and the difficulty of measuring them precisely makes it very difficult to estimate and predict the impact of these variables on cost-benefit perceptions. Theoretical models require more empirical studies to be conducted in a large number of common-pool resources settings to better understand the mechanisms at play.

### **On the Design Principles of Robust, Self-Governed Common-Pool Resources Institutions**

The performance of different self-organised groups in common-pool resource settings varies, and consensus exists among researchers as to what are the characteristics of robust, long-surviving systems. While the particular rules used by these robust systems vary significantly making empirical generalizations impossible, certain important design principles exist, which are listed in the table below. These principles create the conditions for the success of self-governed institutions to sustain the common-pool resource and maintain itself across generations.

**Table 1:** *Design Principles Illustrated by Long-Enduring Common-Pool Resource Institutions*

#### **1. Clearly Defined Boundaries**

Individuals or households with rights to withdraw resource units from the common-pool resource and the boundaries of the common-pool resource itself are clearly defined.

#### **2. Congruence**

The distribution of benefits from appropriation rules is roughly proportionate to the costs imposed by provision rules.

Appropriation rules restricting time, place, technology, and/or quantity of resource units are related to local conditions.

#### **3. Collective-Choice Arrangements**

Most individuals affected by operational rules can participate in modifying operational rules.

#### **4. Monitoring**

Monitors, who actively audit common-pool resource conditions and appropriator behavior, are accountable to the appropriators and/or are the appropriators themselves.

#### **5. Graduated Sanctions**

Appropriators who violate operational rules are likely to receive graduated sanctions (depending on the seriousness and context of the offense) from other appropriators, from officials accountable to these appropriators, or from both.

## **6. Conflict-Resolution Mechanisms**

Appropriators and their officials have rapid access to low-cost, local arenas to resolve conflict among appropriators or between appropriators and officials.

## **7. Minimal Recognition of Rights to Organize**

The rights of appropriators to devise their own institutions are not challenged by external governmental authorities.

**For common-pool resources that are part of larger systems:**

## **8. Nested Enterprises**

Appropriation, provision, monitoring, enforcement, conflict resolution, and governance activities are organized in multiple layers of nested enterprises.

*Adapted from: E. Ostrom (1990: 90).*

## **Theoretical Puzzles**

Two main theoretical questions regarding the self-governance of common-pool resources remain unresolved.

### *Size*

The effects of numbers of participants on the performance of a self-governed system remains unclear. Many theorists, game theoretical analysis, and other studies suggest that success in resolving collective-action problems is more likely to happen in smaller groups. However, some studies by Tang (1992) and Lam (1998) on self-managed water irrigation systems in Nepal have found no significant correlation between size and performance, and a study by Agrawal (1998) on forest management actually showed that bigger sized groups could perform their monitoring duties better than small groups. The problem when focusing on size is that as it changes, other determining variables do too. In some cases group size might have a positive effect, while in others where conflict resolution and allocation of costs and benefits becomes more difficult as size increases, it will have a negative effect on performance. The author suggests a hypothesis where numbers have a curvilinear relationship to group performance.

### *Heterogeneity*

Homogeneity within a group is assumed to be needed to initiate and sustain a well functioning self-governed system. However, heterogeneity has a variety of dimensions which do not impact group performance in the same way. Different cultural backgrounds, for example, may prevent appropriators from sharing a common understanding (A2) of how the common-pool resource should be managed and harvested. Difference in interests is another example of heterogeneity, which can be a significant barrier to self-organisation. If the more powerful coalition shares similar interest as the others, chances of successful organisation are increased. Finally, significant differences of endowments can either be associated with high levels of conflict or very efficient transitions into sustainable self-governed systems. If heterogeneity of wealth and power is not combined with heterogeneity of interests, wealthy appropriators might be willing to invest in the initial cost of setting up self-regulation mechanisms, while devising fair cost-benefit distribution rules benefiting all appropriators. Institutions may be designed to efficiently deal with heterogeneity.

The author stresses that rather than focusing on the impact of size and heterogeneity, we should ask how they affect other variables and therefore the cost-benefit ratio of self-organisation in common-pool resource systems.

## **Conclusion**

This article has shown that the conventional theory predicting that local appropriators were trapped in overusing and producing negative externalities on each other was only a special case within the possible common-pool resource settings. A broader theory must take into account the possibility of self-organisation at the local level in order to self-regulate and prevent the destruction of common-pool resources. Studies on self-governing systems predict that appropriators will seek institutional changes toward self-organising systems if they perceive the benefits of such changes to exceed the immediate and long-term costs. Settings in which appropriators are alienated from each other or in which macro-institutional systems prevent it are not favourable to the development local self-governance. The success of self-organised institutions over time is determined by a series of design principles that help build a robust and resilient system. The author calls for further case studies to be conducted especially over long periods of time, and on failed attempts, to better understand the complex mechanisms that interact to determine the success of self-organised initiatives. A crucial factor that needs to be taken into account by policy-makers is the importance of having a supportive legal structure that enables appropriators to self-organise. Drawing on the cultural endowment and knowledge of appropriators, sharing information, increasing benefits of harvesting resources sustainably, and facilitating monitoring and sanctioning mechanisms are all crucial in helping design and create sustainable institutions.

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## 11. State, Institutions and Structural Change

Ha-Joon Chang

Following capitalist market slow down combined with evolving international division of labour, countries previously perceived as very similar market economies displayed very different abilities to respond to industrial crises. The widespread and popular *neoliberal* explanation for this disparity argues that those countries adopting strategies involving high levels of state intervention and imposing institutional rigidities on market forces prevent optimal growth and smooth structural change. An alternative "**institutionalist**" explanation for different economic performances by country argues that efficient restructuring and equitable economic growth are determined by the quality of a country's economic and political institutions. According to this model, the market is but one institution among others, the state plays an important organizational role, while non-state institutions play their own significant part.

The aim of this article is to develop a theory of state intervention for structural change from an institutionalist perspective. Its first section compares welfare economics, neoliberalism, and institutionalism as the three main models explaining the role of the state. Section two and three develop a new theory in which the state's key roles are (1) entrepreneurship, and (2) conflict management. Finally, section four illustrates the usefulness of this theory to understand processes of structural change by discussing East Asian "industrial policy state" and Scandinavian "social corporatism".

### **Welfare Economics, Neoliberalism and Institutionalism**

Also called the "market failure" approach, the *welfare economics* perspective argues for a strong state presence and regulation to prevent market forces from producing discrepancies between private and public sectors, which impede the development of an equitable and healthy society. From this perspective, the state is seen as a benevolent protector, while market forces driven by profit and self-interest cannot result in distributed economic and social development.

This first approach is heavily criticised by *neoliberal* thinkers on three main points. Firstly, *contractarian political philosophy* prioritises individual freedom over economic efficiency, and therefore condemns state intervention as unethical. Secondly, Austrian school economists argue that allowing the spontaneous order of the market to flow is the only viable system due to the uncertainty of market processes, which bound attempts at state planning and intervention to failure. Finally, the "government failure approach" reconceptualises the state not as a neutral and benevolent entity, but as the agent of a politically powerful minority using the state apparatus to pursue its own interests. From this perspective, the whole enterprise of welfare economics becomes pointless, and keeping economic management independent from the state becomes the safest way of ensuring economic growth.

While it is undeniable that misguided or predatory state interventions have resulted in highly undesirable consequences, certain countries have an experience of positive state intervention that promoted development. In this case, neither welfare economics nor neoliberalism provide the necessary tools to understand why certain countries perform better than others. Instead, the focus should shift to an analysis of the factors that shape the success or failure of state intervention. Furthermore, some fundamental flaws exist in the neoliberal model. Firstly, "constructed" orders established through institutions and rejected by neoliberals are a way of dealing with uncertainties, while the supposedly "spontaneous" order of the market itself was at least initially created through state efforts to establish property rights and market institutions. Secondly, despite the reality of state corruption, examples of successful state planning demonstrate that a less politicized economy is not necessarily more efficient.

While welfare economics and neoliberalism may oppose each other in the sense that one is pro-interventionist and the other anti-interventionist, they both share a vision of the economy that gives institutional primacy to the market. Alternatively, the institutionalist perspective rejects the idea of any "spontaneous" market order, it rejects the institutional primacy of the market, but rather sees it

as one economic institution among many, and finally it rejects the clear state-market dichotomy reproduced by the other two models. The following two sections will expand on the institutionalist theory, which places the state in the important position of facilitating structural change through the design and reform of institutions.

### **The State as Entrepreneur**

For widespread economic change to happen, several difficulties must be overcome. Firstly, initiating simultaneous reform within many different components of the economy, and mostly, overcoming the uncertainty created by the impossibility of knowing all existing economic possibilities let alone the best possible equilibrium. A central agent is therefore needed to coordinate movements, and provide a systemic vision. The state holds a strategic position to provide a "focal point" around which economic activity can be orchestrated. Like any entrepreneurship attempts, it is possible that state attempts fail, however this risk is not a definitive argument against state entrepreneurship, and risks can be minimised through comparison and consensus mechanisms. Another important aspect of state entrepreneurship involves building institutions to establish new principles of efficient coordination in response to the new patterns of interdependence brought about by economic transitions. The state's power to legalize makes it the only agent capable of providing institutional reality to new coordination structures. As an institution builder, the state faces three main obstacles. (1) Identifying the ideal timing of institutionalisation, (2) dealing with the constraints of the internationalization of economic activities, and (3) reducing the resistance by certain interest groups who might see their assets reduced by new property laws and institutional arrangements. How the state addresses this last obstacle is what we discuss in more detail in the next section.

### **The State as the Manager of Conflict**

As stated in the previous section, economic restructuring can be a very conflictual process when certain interest groups lose from it. When the owners of certain productive assets are negatively affected by the restructuring of production routines and institutions, they may take action to prevent it. As the guarantor of property and other rights, the state is inevitably put in the position of conflict manager, even if it didn't initiate change. Four main conflict management strategies exist. First, (1) the typically neoliberal market solution, or letting the market take its "natural" course. Second, (2) the opposite strategy, which consists in directly opposing market outcomes by taking a clear stance to regulate the market and protecting a constituency. Thirdly, (3) less visible ways of defying the market exist, such as monetary policy. And lastly, (4) the state may reset the public agenda, by politicizing economic matters and redefining the boundaries of what are the economic and the political.

In this article, the neoliberal view in favour of depoliticization of economic management is problematized. Unlike what neoliberal thinkers argue, the boundaries between economic and political are not naturally given, but determined differently across time and space.

Chang also stresses that by conflict management, it is not only the social and human dimensions that are referred to, but also the state's role in providing economic insurance. By guaranteeing a decent level of economic prosperity through income and employment, the state can also encourage risk taking and investment activities in society, which will boost economic growth. An efficient system of conflict management is therefore crucial for the economy's dynamism, which contributes to explaining the differential economic performance between countries whose states do not manage conflict the same way.

A particularly difficult element which may constrain the state's ability to efficiently manage conflict is having to deal with multinational corporations, which do not necessarily submit to that state's authority. Attempts in dealing with MNCs often result in consequences spilling over national borders, and therefore raise fundamental property rights issues. Strategies to deal with MNCs externality problems are either adopt an explicitly contractual attitude towards them, or rely on an external international body, neither of which are particularly acceptable or feasible politically.

## **Understanding the Role of the State in Different Types of Capitalism: Industrial Policy States versus Social Corporatism**

The last section of this article will discuss and compare two different types of capitalist countries in which the state played a crucial role in leading economic reform. The first type groups so-called industrial policy states, such as France, Japan, Korea and Taiwan, characterised by a right-wing coalition of political and bureaucratic elites who employed authoritarian and in some cases highly coercive means of control to impose their vision. The second type includes social corporatist states from Scandinavian countries such as Norway, Finland, and Sweden, structured around a social democratic coalition in which interest groups such as trade unions and labour associations played a key role in determining economic policy alongside the state. Although very different in many ways, these two types of countries have one commonality between them: the state played a crucial part in leading structural reform and filled the role of entrepreneur and conflict manager.

Industrial policy states were led by nationalist ideologies and strove for fast industrialisation, called "industrial upgrading" towards high-technology and high-added-value industry. This vision was implemented through medium term plans enforced through the state's extensive economic power, derived from its control over public enterprises, the banking sector and its influence over industry associations, employer organisations and trade unions. Industrial policy state entrepreneurship involved several elements of coercion, unlike the second type, discussed below. Conflict management mostly consisted in repressing or buying off opponents of change who were losing from the restructuration process. While alternative employment was easily available to displaced workers, industrial workers were still the ones suffering most from the restructuring. However, these states highly efficient ability to be the economic guarantors in time of crisis enabled rapid change accompanied by significantly reduced conflict which would have been far greater otherwise.

While they shared similar goals of modernisation and diversification of their economy towards high-skilled, high-tech and high-added-value industries, Scandinavian social corporatist states played a much less intrusive role than industrial policy states did. Conflict management for instance was done very differently, through a tripartite bargaining system involving organised labour, organised capital and the state in decisions regarding wages, employment, and investment plans. When restructuration was necessary to maintain their international competitiveness and made unemployment inevitable, the state intervened to protect displaced workers with benefits, retraining, relocation assistance, or by using the public sector to absorb some of them. Their unusual willingness to adapt the pace of restructuration to the needs of society in order to prevent high unemployment, inequality and social unrest provides them with a powerful long-term benefit of making citizens accept change where they would strongly resist it elsewhere.

### **Conclusion**

Throughout this article, it was demonstrated how the new institutionalist theory can address the limitations of the traditional welfare economics and neoliberal approach, by proposing a new model for state involvement in structural economic change. Two key roles define the responsibilities that a state should take in leading the process of structural change. First, (1) entrepreneurship, carried out through (a) the provision of a vision for the country's future economy, and (b) the building of institutions to respond to and shape emergent coordination structures, and second, (2) conflict management, facilitated by the state's position as property rights guarantor, and public policy designer and executioner. The comparison of industrial policy states with social corporatist states as alternatives to the neoliberal Anglo-Saxon model reveals two different ways in which states have played active roles in shaping and leading economic reform, and successfully carried out their tasks of entrepreneurship and conflict management. However, it was noted that a state's ability to play these roles may be constrained by (1) a lack of autonomy from interest groups opposing the state's vision, and (2) the rising multinationalisation of industries whose activities reach far beyond the national borders. Despite these difficulties, the author strongly argues that contrary to what neoliberal theory claims, the state is bound to play a crucial role in the management of modern economies.

## 12. A Normative Framework For Human Rights And The Public Budget

United Nations High Commissioner for Human Rights

The budget process is governed by three main standards:

- The right of people to participate in the conduct of public affairs (ICCPR article 25);
- The right of access to information (ICCPR article 19);
- The principle of accountability, whereby a government is accountable to its people for its actions.

A government must therefore insure that its people are able to (1) participate in public budget decisions, (2) have access to the relevant information, and (3) expect to be held accountable for the way it manages the public budget and its impact on people's lives. This chapter outlines what international human rights standards say about the content of public budgets.

### The Realisation of All Human Rights Requires Resources

A useful way of considering the relationship between human rights and public budgets is to highlight the centrality of resources and the quantity needed for the realization of specific rights. The realization of human rights, whether they are under the International Covenant for Civil and Political Rights, or the International Covenant for Economic, Social and Cultural Rights all require the mobilization of resources by the State. These resources must be allocated to the creation and running of institutions, policies, services, infrastructure, personnel, and procedures necessary for the state to fulfil its human rights obligations. To categorize human rights according to resources, we must ask whether budget resources are needed, and if so which quantity.

### Negative Obligations and Positive Obligations

In order to facilitate government budget analysis, and understand the budgetary and regulatory implications of respecting and fulfilling human rights, this paper proposes a new conceptual distinction between "*positive*" and "*negative*" state obligations. Negative obligations refer to the state's obligation *not* to take any action that would undermine a person's rights. Positive obligations, on the other hand, require the state to adopt positive measures to create the necessary conditions for the protection and realization of a person's rights. Negative obligations usually require few or no resources. On the contrary, a state's positive obligations are closely related to its public budget as they require the development and implementation of policies and programmes, without which the realization of human rights would not be possible. This paper focuses mostly on positive obligations.

### Positive Obligations and Public Budget

Treaties and general recommendations on human rights often speak either explicitly or implicitly of the need for resources. While it is said that some rights must be realized immediately, regardless of the availability of resources, other are resource-dependent. Therefore the conditions for their realization depend on the public budget.

#### ***Positive obligations, immediate implementation and the budget***

The "unconditional implementation" of a positive obligation on the government means that the relevant rights must be ensured immediately, regardless of availability of resources, because its realization is not considered resource-dependent (such as civil and political rights under the ICCPR). Treaties also refer to the adoption of "appropriate", "effective" and "adequate" measures to realize rights. For example in the cases of right to vote, freedom of the press, and right to fair trial. The implications for government budget are as follows:

- *Appropriate* budget expenditure are well suited to the realization of human rights, responsive to people's needs, and not unnecessary or wasteful.

- An *effective* budget is designed and implemented to have the best results, and shown to have a positive impact for the realization of rights.
- An *adequate* budget is sufficient, and allocated enough resources for the realization of human rights.

### Positive Obligations and "Taking Steps"

Treaties require states to take concrete steps to realize rights mentioned, including in terms of investing the most possible resources in progressively achieving the full realization of the rights, and in adopting the necessary laws guaranteeing those rights. The important dimensions of the obligation to "take steps" are:

- Governments are required to take steps *immediately*;
- Failure to comply immediately is *unjustifiable*;
- Steps taken should be *appropriate*, meaning both *effective* and *adequate*, as well as *deliberate*, *concrete*, and *targeted* towards the realization of rights.
- It is recognised that the necessary steps for some rights will be *limited* by the availability of resources;
- Step taken must lead to the *progressive* realization of the rights in question;
- The government must use the *maximum of available resources* for the realization of these rights.

#### The obligation to progressively achieve the full realization of rights

Progressive realization entails two complementary obligations:

1. The obligation to continuously improve conditions, and increase the budget allocated to the realization of right proportionately to any global increase in available resources.
2. The obligation to refrain from taking deliberately retrogressive measures, such as the adoption of laws or policies with negative impact of the realization of rights, or making unjustified reductions in public expenditure without adequate compensatory measures.

While the Commission for Economic, Social and Cultural Rights recognises that certain conditions of severe resource constraints make the adoption of retrogressive measures *unavoidable*, it insists that (1) vulnerable members of society affected must be protected, and that (2) minimum essential levels of rights must be guaranteed in all circumstances. A state failing to comply with its obligations due to resource constraints must demonstrate that every effort has been made to (1) use all available resources, to (2) satisfy minimum obligations, to (3) protect vulnerable groups, and finally, once resource constraints disappear, to (4) rescind retrospective measures and repair negative effects on affected groups.

#### The obligation to use the maximum of available resources

The Committee on Economic, Social and Cultural Rights has provided general guidelines for States to interpret their obligation to use "maximum of available resources" or MAR to realize human rights.

- A government must do the *maximum* it can to mobilize resources within the country, and if national resources are inadequate, to secure international assistance;
- A government must give *due priority* to Economic, Social and Cultural Rights in deciding its budget allocation and expenditure;
- Government expenditure must be *efficient*, and avoid wasteful expenditure;
- Government expenditure must be *effective*, aiming to the actual realization of ESCR;
- Failing to curb *corruption*, which is an inefficient use of resources, also means failing to comply with MAR;

- Fund allocated to ESCR must not be diverted to other areas of expenditure;
- A government adopting deliberately retrogressive measures must prove that it used MAR to avoid taking such steps.

### **Cross-Cutting Obligations of Non-Discrimination and its Relation to Resources**

The obligation of non-discrimination is cross-cutting, unconditional, and of immediate application.

- Governments must eliminate both direct and indirect *de-facto* discrimination.
- Governments must sometimes take positive measures implying preferential treatment towards neglected groups in order to suppress conditions that perpetuate discrimination.
- Recognised prohibited ground of discrimination include race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability age, nationality, marital and family status, sexual orientation, gender identity, health status, place of residence, economic and social situation.
- Governments must eradicate discrimination in both public and private spheres.

The implications of the obligation of non-discrimination for government budgets are:

- Budget revenues must be raised in a way that does not discriminate against any specific groups on the grounds mentioned above;
- Allocations and expenditure must be non-discriminatory;
- Additional funds may be allocated to benefit historical disadvantaged groups to enable the realization of their rights on an equal ground with the rest of society.

### **Human rights budgeting and gender budgeting**

Both ICESCR and ICCPR address the obligation of governments to ensure gender equality and the advancement of women's rights through resource allocation and so-called "gender-responsible budgeting". The UN Development Fund for Women described Gender Responsive Budgeting (GRB) as necessary to identify and address gender gaps through specific interventions in sector and local government policies, programs and budgets. It must also analyse the gender-differentiated impact of revenue-raising policies.

### **Governments' Budgets, the Violation of Human Rights and Remediation**

A budget decision in itself may constitute a human rights violation in case where the state fails to fulfil its positive or negative obligations to uphold rights, or it may be part of a series of government actions resulting in a violation. Treaties require that state adopt effective remedies for human rights violations through positive action, such as the design and implementation of specific policies. The remediation process should use the same standards of appropriateness, effectiveness and adequacy in allocating resources and spending them.

### **Key Points to Remember about human rights obligations when considering the content of the budget**

- The human rights obligations formulated in international human rights treaties articulate standards that have multiple implications for government budgets.
- International human rights treaties establish negative and positive obligations. Positive obligations often require the allocation of budget resources.
- Where a human rights treaty requires immediate and full realization of the rights or aspects of rights set out in the treaty, budget constraints are not acceptable as an excuse for non-compliance with this obligation.
- Governments are obligated to take immediate steps to realize all human rights guaranteed in treaties. The steps taken must be appropriate, adequate and effective for realization of these

rights.

- Where the treaty recognizes that budget limitations may delay the full realization of the treaty rights, States must progressively realize the rights using the maximum of available resources (MAR).
  - The obligation of non-discrimination is common to all international human rights treaties and means that governments should take utmost care not to discriminate against any group or groups through the budget.
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### 13. The Uses of Law as a Protest Strategy

Erik Agrikoliansky

Bringing about social change often requires changing definitions of legality. Militant groups usually pursue this aim by challenging and going against the law through informal subversive strategies. However, militant groups may also act with the help of legal institutions rather than in opposition to them, turning the law into a tool for emancipation rather than repression. "Because the State acts through the law, the State may be constrained by the law" (Abel 1998). Agrikoliansky poses two principal questions around which he structures his article. (1) What are the effects and the limits of legal strategies? (2) What are the conditions making the use of the law by militant social movements possible?

#### **At the risk of the law: effectiveness and limits of legal strategies**

The law and legal militant strategies are often perceived not only as inefficient but dangerous for social movements. As legal institutions are closely connected to and representative of the state apparatus, they are also often conceived of as an expression and instrument of capitalist domination. However, several instances of the law as a tool for action and resistance in situations of militant conflict exist. Studies of the uses of law as a tool for resistance must turn to the essential question of the consequences of resorting to the law on mobilisation dynamics. Galanter (1983) emphasises the indirect power of law to shape and reshape social representations of victims, and their ability to resist and protest. Through this "radiating effect" the law may become essential in the emergence of protest movements.

#### *The law and the construction of causes*

In the early phases of mobilisation in a social movement, the law can play its part in the transformation of perceptions and definitions that constitute the moral order of a society. These definitions include what is right or wrong, as well as what is normal or pathological. The law creates the language used to define social groups and identities, and reformulates them as victims. It also defines their grievances, and reformulates them as injustices. The law is armed with the linguistic and procedural tools of naming (victims of injustices), blaming (causes or perpetrators), and claiming (sanctions and reparations). This gives it the power of calling a social order into question, and making injustices previously hidden or not considered as such, visible and condemnable. *Cognitive liberation* is the transformation of perception towards believing that something can be done to change the current social order, and insuring that mobilisation and protest are possible. Through language, law can make it conceivable to protest collectively and challenge the dominant norms and definitions, which also means challenging the symbolic order of society. Law can therefore be instrumental in the development of emerging social movements. It has the ability to fuel mobilization, frame injustices and generalise the demands of a movement. The legal space is propitious to the publicisation of struggles and mobilisation of support for a cause. The legal discourse's generalising power is described by Bourdieu as the symbolic power of naming, which leads to the production and formation of categories of identity suitable for mobilisation. As well as producing new categories, the legal discourse allows for a *scale shift*, the expansion of categories of injustice into larger and more polysemic ones through universal abstractions.

#### *The law as a confrontation tactic and leverage*

Legal action offers two kinds of opportunities to social movements: (1) leverage and (2) influence over public policies. The example of the income equality trials in the US illustrates well the dissuasive power of legal action to pressure adversaries into making concessions, out of fear of facing long, expensive trials and earning a bad reputation. In some cases, resorting to legal action also creates the possibility of involving the state as a powerful ally in private conflicts, when vulnerable groups claim fundamental rights. On the other hand, legal action may be taken against the state, when claims are formulated in a way that challenges public policy.

#### *The risks of law*

Taking militancy into the legal sphere does not only contain advantages and new possibilities, but also significant risks and limitations. First, (1) legal action may have the impact of dispossessing on-the-

ground militant actors from their control over the struggle for the cause. This is because legal disputes revolve around obscure techniques, procedures and language in which only legal professionals are fluent. Second, (2) legal procedures being very slow, they can become very disconnected from struggles that happen much faster. Third, (3) the risk of having legal action fail includes seeing the cause delegitimised in the eyes of society and on-the-ground militant action made illegal, while adversaries are protected and legitimised, which would be an enormous set back for the social movement. Finally, (4) one of the risks of law resides in the difficulty of de-singularising cases into general political arguments. The "tyranny of the singular" means that the best strategy to protect a specific individual in a specific legal case is to highlight its exceptional and singular nature. This goes directly against the law's capacity to broaden categories and create inclusive political arguments calling on general principles, which could further a political cause. The conditions for an individual case to become a political case are rare.

### **The conditions for the use of law: Contexts and resources**

In order to explain why certain causes rely heavily on legal action, while others never resort to the law, it is necessary to examine the conditions for legal militancy according to different countries. There are two main conditions for the law to be used as a tool for protest. First, the institutional, political and cultural context, and second, the availability of resources, especially to mobilise legal professionals.

#### *A "structure of legal opportunities"?*

A hypothesis formulated by studies of *cause lawyering* stressed the link between the degree of accessibility of the legal system and the degree of democratisation of the political system. Liberal democracies that guarantee political rights and access to the legal system to their citizens are more likely to enable the use of law by militant causes than authoritarian regimes. For a more precise analysis it is necessary to examine specific factors within democracies that determine opportunities for the use of law by militant groups. First (1) the structure of legal institutions themselves determines how accessible they are. Second, (2) the openness and receptivity of the legal system to the cause's values and claims. This is in part determined by the political climate and the openness of the political and social context to the ideas and objectives of a cause. However, this model of structure of legal opportunities has its downfalls. First, (1) the internal diversity and complexity of legal systems, their different forms and applications depending on their different sectors, prevents us from mapping "legal opportunities" as clearly as this model would suggest. Certain types of legal mobilization which do not involve trials and tribunals are not subjected to the same limitations. Second, (2) the established correlation between political system and legal opportunities is not so clear cut, given that a repression of public liberties could lead to a more aggressive resistance against the state within the legal arena. The legal system becomes a targeted space of resistance where state power can be challenged. Protesters may deliberately go against the law in order to provoke legal action which they will use to question and challenge definitions of the legal and illegal. A purely structural analysis is therefore insufficient to determine what conditions the use of law by militant causes.

#### *Legal Strategies and the mobilisation of law professionals*

Agrikoliansky turned his attention to non-structural factors, and the capacity of actors to identify and seize legal opportunities. He formulates two hypothesis. On the one hand, (1) the use of law depends on the ability of militants to insert social movements into the complex legal space. This insertion can happen as a tool to institutionalise a movement in a phase when it is necessary to negotiate with public institutions. Institutionalisation and the use of law must be analysed as one strategy out of the many possible actions that militant groups can take to further their cause. The coexistence between professional lawyers resorting to legal tools and more radical militants resorting to on-the-ground mass mobilisation should not be seen as contradictory, but rather as a continuum of mutually-reinforcing strategies. On the other hand, (2) multiple types of resources are necessary to access the costly, complex and highly technical spheres of the law. There are several barriers to the mobilisation of law professionals, including the principle of neutrality which defines their profession and directly inhibits their ability to commit to militant causes as professional lawyers. Incentives for lawyers to become engaged combine systemic factors and biographical predispositions. (1) Systemic conditions refer to the

structure of legal institutions, and most importantly the existence of an independent legal academic field which enables a critical practice of the law, and therefore a more militant use of the law. The absence of such an independent academic field promotes an apolitical approach to the practice of law which rejects criticism against the legal system. (2) Biographical predispositions which are determined by the social, professional and personal trajectories of lawyers are also a crucial factor for their engagement in social movements. Militant engagement arises from their ability and the opportunities to reconcile their militant convictions with professional success.

The effects of militant engagement of law professionals on the dynamics of a protest movement also require analysis. The participation of professionals is often perceived as having a negative effect on militant movements, due to their monopoly over decision-making and representation of the group. Agrikoliansky argues that this perception is unfounded, since the mobilisation of law professionals doesn't always result in the institutionalisation of movements and the limitation of their actions to the legal sphere. He describes three categories of engagement professionals. (1) *Mercenaries*, who only intervene in the exceptional cases with very high visibility, (2) *activists*, who work for the organisation, adopt the cause and take positions of responsibility within it, and finally (3) *technicians*, also employed by the cause but limited to technical positions. Activist lawyers holding positions of representation are more likely to draw connections between the law and confrontational action, and therefore favour the cause without limiting the movement to the legal sphere. In certain cases, lawyers may even contribute the radicalisation of a movement and promote illegal action, after having witnessed the abuses of the legal system and lost faith in it, such as the Student Nonviolent Coordinating Committee in its civil rights campaigns that eventually led to "black power" claims.

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## 14. Resistance through law? Lawyers and magistrates in "La Résistance" (1940-1944)

Liora Israël

This article aims to fill a gap in sociological studies which rarely link the law with militant collective action. This research proposes a study of the engagement of legal professionals in the French "Résistance" under German occupation and the Vichy regime between 1940 and 1944. In this context the act of resisting happened in conditions of secrecy, of "clandestinité", and therefore illegality. The following sections of the article will discuss three forms of resistance in relations to the law. The first, (1) *resisting despite the law*, presents the law as an obstacle to resistance and the participation of professionals in illegal action as a paradox. The second, (2) *resisting in the shadow of the law*, discusses the hidden subversive uses that legal professionals made of the resources given to them by their profession. The third, (3) *acting in the name of the law*, articulates resistance in legal terms in order to establish the legitimacy and legality of resistance against an illegitimate regime.

### Acting "despite the law"

Changes brought about by the new regime created favourable structures of professional opportunities which contributed to the conciliatory attitude of most legal professionals despite their opposing liberal values. Conscious transgression requires the distancing from the legal order and a crossing over to the forbidden/illegal. The lawyers' awareness of the definitions and boundaries of legality should have made it harder than regular citizens to go against the legal order. Legality being an important dimension of their professional careers, academic training, and even worldview, it should be expected that legal professionals would not decide to engage in illegal activities. Given all these factors, how can we explain the choice of a few legal professionals to engage in resistance against the new regime?

The emotional dimension of defeat, and the moral shock caused by the rupture of the occupation and instauration of a new regime must be included in the analysis to explain engagement in resistance. The resisters' choices were a manifestation of their loyalty to other values, ideals and identities. These elements help us understand the organisation of collective resistance and the shift of certain legal professionals' relation to politics from legalism to opposition. Being confronted with the illegal nature of the resistance was a fundamental problem for justice professionals, who struggled to reconcile their profession with their parallel and distinctly separate actions of resistance. This tension between their moral indignation and their obligations to exercise their legal professions suggests an incompatibility between resistance and legal professions. Therefore early forms of resistance among lawyers and magistrates were not characterised by the use of legal tools and practices.

### Resisting "in the shadow of the law"

A form of resistance more clearly relying on legal professional practices emerged following the evolution of three factors. First, the increased engagement of the legal apparatus in the campaign of repression; second, legal professionals were increasingly confronted with moral dilemmas in the practice of their profession; and finally, the development of resistance organisations. Engagement in resistance involved a complex distancing from legality: given that resistance was happening within the legal professions and institutions, pursuing ideals of justice involved using legal tools to achieve ends qualified as illegal. This was a paradoxical use of the law, which went against the definitions of legality imposed by the regime in place. Such complex relations and paradoxical uses reveal the plasticity of the law. Resisters had to adopt techniques that reconciled their apparent respect for the law with the subversive use they were putting it to.

The unusual position of lawyers and magistrates, due to the protection given by the respectability and official nature of their profession, opened new opportunities of resistance inaccessible to regular citizens. This allowed them to engage in forms of resistance within the legal apparatus itself. Judgement procedures offered opportunities to resist. For example, they had opportunities to defend the resistance through the defence of their clients. Legal cases could become platforms for political statements justifying the resistance in the name of patriotism. Magistrates had an even wider

capacity for action than lawyers, through the rendering of verdicts that went against the regime's policies. Examples of magistrates supporting the resistance also include helping detainees escape, and destroying evidence against them. Magistrates could engage in professional resistance in three ways: (1) By slowing down and sabotaging legal procedures, (2) by rendering judgements opposed to the politics of the regime, and (3) by using the first strategy to cover up the second one.

There was a high plurality of resistant actions in the shadow of the law, and inherent contradictions in the use of the law as a resistance strategy within the repressive apparatus itself. Engagement required a constant reevaluation on the part of actors, which must be taken into account to understand their choices and actions. This analysis refutes a monolithic conception of actors, who were capable of acting within various and contradictory spheres using deceit, secrecy, and clandestine actions, which were all essential elements of resistant actions.

### **Resisting "in the name of law"**

In order to resist, law professionals first had to distance themselves from the legal imperatives that seemingly forbid their participation in resistance, and secondly elaborate legal practices for resistance. Unlike previously discussed engagements in "resisting in the name of the law" consists in the construction of the legal legitimisation of resistance. As regime decisions were in contradiction with the values of legal professions, these values could be summoned to justify opposition to the regime. Some official bodies such as the "Conseil de l'Ordre" released resolutions contesting the abusive politics of the Vichy regime in the name of respect for institutions and the separation of powers. The principal movement for legal resistance, the "Front National des Juristes" wrote publications in which they constructed the necessary vocabulary to legitimise resistance against the Vichy regime in legal terms. Their strategy of analysis and interpretation allowed them to use the power of the law to redefine definitions and boundaries of legality.

Militant organisations and publications followed two strategies to defend the legitimacy of resistance while relying on legal institutional and professional values. First (1), they exploited the "*salience of identity*" of lawyers and magistrates. This strategy is employed by movements to mobilise potential militants, by highlighting the violations against the most prominent dimensions of their identity. In this case, resistant publications emphasised the regime's attacks against the professional values and norms which define the identity of lawyers and magistrates under the Vichy regime, therefore calling on the idea of respect for and belief in the law as a reason to support the resistance. Second, (2) resistant publications released academic critiques and analysis concluding the legal justification and validity of resistance, despite its illegal appearance. The symbolic struggle between the Vichy regime and the Resistance (both internal and abroad) revolved around the capacity of each side to demonstrate and embody the continuity and legitimacy of power. Proving the illegitimacy of the Vichy regime, and therefore the legitimacy of resistance required a work of interpretation of legal texts, legitimisation of the exiled government, and the critique of the Vichy institutions and decisions. Several publications questioned the political and legal legitimacy of the Vichy regime and called on patriotic sentiments to rebel against it, while recognising the legitimacy of the Gaullist resistance. Demonstrating the illegitimacy of the Vichy government was also crucial to convince allied powers that the "Libération" was necessary. Although legal professionals are usually unwilling to use and debate around the question of legitimacy in the application of the law, the extraordinary case of the German occupation and the Vichy collaboration brought the question of legitimacy to the forefront of the legal discussions around power and resistance.

The law was therefore used as a tool by official bodies and institutions for establishing the legal legitimacy of resistance against the regime. Resistant legal professionals constructed a counter-doctrine crucial to challenge the supposedly legal power of the regime, and a counter-frame of the situation which proved its efficiency by its increased diffusion.

### **Conclusion: The resistance of legal professionals or the right of subversion**

Unlike common representations which suggest that the illegal nature of resistance makes it inaccessible to legal professionals, this article demonstrates how lawyers and magistrates could, and

did, engage in the French resistance in many ways. They did so *despite the law*, by circumventing its power; *in its shadow*, by using the exceptional capacity for action it provided them in subversive ways; and finally, *in its name*, by justifying resistance in legal terms and in the name of the values that uphold respect for the law. This demonstrates the plurality of the law and its uses, and the multidimensionality of legality itself. While the formal nature of legal institutions may constrain the actions of professionals, it doesn't necessarily prevent legal structures from offering opportunities for resistance, and even contribute to the legitimisation of resistance. Professionals conscious of the practical and political applications of their profession have shown that multiple courses of actions were possible. The power of law comes from its capacity for action, that certain professionals know how to use it for subversive ends, even in opposition to the authorities. The author stresses the importance of the dimension of action, even within highly constraining environments. Despite this positive approach regarding the capacity of the law for resistance, Israël reminds us that the law doesn't naturally or directly challenge power, but must be mobilised by engaged professionals in order to demonstrate all its expressive and political power. Through this article, Israël revealed the usefulness of studying this historical example of resistance within the complex institutions of a justice system, to demonstrate the subversive uses and powers of the law and legal professionals, often forgotten in sociological studies.

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## 15. When Justice Professionals Assert their Engagement

Liora Israël

One of the constantly supposed qualities of legal professionals is "neutrality". Openly asserting one's engagement is therefore a challenge to this "ideal" of neutrality. The claims made by engaged lawyers and magistrates not only put the value of neutrality into question, but also criticises the pretence of neutrality displayed by most legal professionals and institutions. This article structures its analysis into three sections. First, (1) the author will show how legal professionals asserted their engagement in different ways across contemporary history, reminding us that it is not a recent phenomenon. Then, (2) these forms of engagements will be put in perspective using US sociological literature on *cause lawyering*. Finally, (3) the author will analyse the influences of engagement on the legal space as an increasingly political one in French society.

### Rewriting Engagement in a Historical Sociology of Justice Professionals

In socio-legal studies, the question of engagement on the part of legal professionals remains marginalised due to the monopoly of the value of neutrality and to the fairly recent visibility of engagement. Two types of lawyer engagements have traditionally been explored. The first approach is limited and simply highlights the high presence of trained lawyers in French politics, which it justifies with their suitable skills for political office. However this approach has a limited conception of political engagement and fails to explain how the practice of legal professions may translate into political engagement. The second approach - more relevant to our analysis - stresses the continuity between legal professions and political engagement. It argues that the construction of legal professions happened through a real commitment to the State and the public, and an affinity with liberal political values. Magistrates, on the other hand, have remained largely ignored partly due to the perception of their engagement as structurally impossible due to the more constraining nature of their profession. Unlike lawyers, judges are expected to uphold greater impartiality, at the risk of jeopardising their reputation, or having their rulings overturned. However, despite these constraints, historical cases of their engagement exist, such as their participation in the French Resistance, and the asserted political syndicalism which developed in the 1960s in France. Conditions shaping the assertion of engagement can be summarised in three points. Firstly, (1) the duty of impartiality, especially important for magistrates, strongly restrains their personal convictions from manifesting themselves through their decisions. Second, (2) engagement within the law contributes to establishing professional boundaries of action, and constructing a professional identity. Lastly, (3) the intersection between profession and engagement, which depends on (a) the extent to which professionals themselves keep their personal convictions separate or on the contrary use their profession to pursue their engagement, and on (b) how clients, colleagues and other relations perceive their convictions and ascribe them a particular identity.

### Engaged Justice Professionals at the Heart of Analysis

To further her analysis, the author draws from contributions of *cause lawyering* studies from the US which helps to describe and criticise the figure of the engaged lawyer. Three types of engaged lawyers are identified. The (1) procedurals, (2) the elite/vanguard, and (3) the militants. This typology differentiates them not according to their field of specialty, but their conception of the legal system, and the cause they defend. A conceptualisation of cause lawyering was founded on a continuum of transgression, from the least subversive activities and a perception of justice as an element of social stability, to highly subversive actions seeking political reforms. Studies of cause lawyering aim to situate the actors within a structure-agency problematic through a micro-sociological approach. Engagement within contemporary society is characterised by the plurality of the fields of engagement which legal professionals participate in. The activities of engaged legal professionals are situated at the intersection of the fields of (1) the law and legality, (2) their profession, and (3) politics. Historical cases across countries remind us that this is not a new phenomenon, and allow us to study how different forms of engagement contribute to the politicisation of the legal space.

## **A Politicisation of Justice by its Professionals in France**

This second section of the article addresses the question of the politicization of legal institutions by analyzing how the law was used by militant movements. The creation of trade unions, of law-based militant organisations, and the use of legal action by activists, are relevant examples for our analysis.

### *The Development of Syndicalism Within the Legal Sphere in the 1970s*

In the past, the unionization of legal professions was seen as incongruous, and was even illegal. The term "trade union" was rejected by the liberal and elitist legal tradition. In the 1960s, however, both magistrates and lawyers started claiming and asserting their right to unionization. French magistrates started unionizing even before the reforms of May 68, and did so faster than lawyers. The adoption of a unionized organisation was accompanied by a rupture with old institutions, and was characterized by frequent interventions in the public space on questions of justice, security, police violence and repression, prisoners rights, etc. Unionization also corresponded to the emergence of new forms of speech, a new conception of the profession, and the expression of opinions of social and political matters. A few years later, the lawyers' union was created, and exhibited more prominent political dimension. Unionization was seen as a justification to defend the professions of lawyers and magistrates, as well as promoting a better and more democratic legal system. The creation of trade unions brought about important changes in the 1970s, due to their political orientation to the left, and to the claims of professionals who no longer claimed neutrality. They took a stance on the institutions they served and the evolution of the law and justice.

### *Beyond Professional Representation: Militant Professionals in the 1970s Social Movements*

Lawyers and magistrates engaged in militant action that went beyond creating trade unions, and took part in what we refer to as "new social movements". Although not legal organisations, new types of activist groups appeared that relied on the contributions of legal professionals, and impacted the evolution of the field of law and justice. Here we will discuss three of these movements. (1) The *Mouvement d'Action Judiciaire* (or MAJ) believed in the subversive power of the law to reverse power dynamics, however its radical positions facilitated its instrumentalization by violent radical groups, forcing its dissolution. This revealed the inevitable paradox between radical social critique and the use of the law, and the vulnerability of radical legal groups. On the other hand, (2) the *Groupe d'Information et de Soutien des Travailleurs Immigrés* (or GISTI), which specialized in migrant workers rights, reconciled Marxist social critique with the use of the law to protect human rights. Their specialization, their tactics of direct action, and excellent work earned GISTI both political and legal legitimacy. Finally, (3) the legal journal *Actes*, enabled the publication of critical academic papers bringing together law and social sciences to question the legal institutions and the dominant ideology.

### *Failure of Radical Attempts and use of Law for Political and Social Struggles.*

New movements reconciling law with protest and left-wing politics broke away from the "neutrality" and conservatism that characterized traditional "bourgeois law" (Bourdieu). The more radical nature of new movements also distinguished them from past legal professional engagement and brought about deeper changes within the professions in the 1970s. Three observations can be made on the evolution of new activist legal organisations. First, more radical mobilizations tend to fail, either due to attempts at instrumentalization by far-left groups, the exhaustion of activists in the face of challenges, or their inability to mobilize new generations. Second, some organisations are eventually institutionalized and even normalized, as lawyers' and magistrates' trade unions have been. Third, the militant use of law has spread and diversified across social movements. Activist lawyers often contributed to several causes and remained active even after certain radical groups dissolved, legal offices specialized in cause advocacy, and engaged or politicized organisation supported the closer relations between law and politics.

## **Conclusion**

This articles broadly reviewed the relationship between the engagement of legal professionals in militant causes and the evolution of the law within French society. The role played by engaged legal professionals in social and political struggles is crucial not only in shaping the causes, but also in re-shaping law itself, and therefore the margin of maneuver for legal mobilization.

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