



# A Criminology of *Dis/Obedience*?

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## Abstract

The increasing criminalisation of solidarity and human rights and earth defenders, and the deep polarisation around and the policing of the pandemic, have shed light on the importance of, but also of the ways in which our societies respond to dis/obedience. In this article, I use dis/obedience as an umbrella concept that opens up a line of thinking that includes obedience, conformism, apathy, silence, denial, but also dissent, counter-conducts, resistance, indocility, or disobedience. What role do these concepts play or for that matter could play in criminology? Condensing its gaze on crime and deviance and particularly on the individual has led criminology to a sustained disregard for large scale “crimes of obedience” and for entrenched situations, contexts and cultures of obedience that lead to major social harm, but also for the criminalisation of dissent and disobedience. In this article I propose an interdisciplinary and sustained engagement with a criminology of dis/obedience.

## Introduction

The increasing criminalisation of those who support refugees and of environmental activists, and the deep societal polarisation around and the policing of the pandemic, have shed new light on the importance and the impact of *dis/obedience* in our societies, but also on the ways in which we respond to it. During the pandemic, civil society and academics rang the alarm about the curtailing of civic spaces, with the UK making the headlines in 2021 with proposed amendments to its already draconian policing bill that granted the police powers to restrict protests deemed disruptive to public order or daily life which would directly target, among others, environmental activism and climate disobedience (Di Ronco 2021). In addition to highlighting the killings of the hundreds of environmental defenders in the Global South (Global Witness 2021) more than 400 academics signed an open letter to raise attention to the increasing criminalisation and intimidation of environmental protestors everywhere (Alberro 2021). What also made the headlines were the draconian 13 years prison sentence given to Italy’s world famous Riace’s mayor Domenico Lucano for “irregularities” in managing migration, and the 25 years prison sentence faced

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in Greece by Seán Binder and Sarah Mardini, two young volunteers from Emergency Response Centre International, on charges of espionage and human-smuggling. These were only the latest highlights of what has been of increasing concern in Europe for more than a decade (Council of Europe 2018; Carrera et al. 2019; Caritas Europa 2019; ReSOMA 2020; Amnesty International 2020; CIVICUS 2021).

The unusual use of the word *disobedience* essentially signals that I propose to investigate simultaneously both “obedience” and “disobedience”. It also suggests that in studying *disobedience* I propose to engage with broad genealogies that go beyond the terminology. Such genealogies include at least two interrelated clusters of concepts: on the one hand, obedience, conformism, compliance, apathy, indifference, silence, denial; and on the other hand, disobedience, dissent, solidarity, objection, counter-conducts, resistance, and indocility. Both “obedience” and “disobedience” are more qualified and complex phenomena than are usually thought to be (Haslam and Reicher 2017; Gibson 2018). Obeying the law, for example, does not typically consist of situations in which we are given commands by a police officer or a similar authority figure, but ‘indexes normative understandings of what constitutes legally sanctioned behaviours that have come to be regulated without the need for direct orders’ (Gibson 2018: 255). There is no reason to expect power to be exercised through the issuing of direct commands, but rather through the operations of more subtle techniques of control, including internalised norms of conduct (Foucault 1979). At the same time “disobedience” is not simply the absence of “obedience” (Morselli and Passini 2010); it can both enhance or undermine the principles of democracy and governance (Habermas 1985; Smith 2013), and; can reveal important, and sometimes unbridgeable, tensions between sources of legitimate agency for governance, morality, and justice (Zinn 1968; Welch 2009).

In this article I argue for an interdisciplinary, critical and sustained engagement with a criminology of *disobedience*. As Pavlich (2000) has argued, the development and unification of criminology as a discipline and as a distinct terrain of knowledge has largely revolved and condensed around legally defined crimes or deviance from accepted social-moral norms, and the criminalisation, control and punishment that relate to these. In the words of Day and Vandiver (2000: 56):

“Deviant behavior is a primary object of our field. Understanding how people can overcome moral ‘proscriptions’ and commit deviant acts, and understanding why certain groups or their behaviors become the objects of criminalisation, are two of our most important goals”.

Condensing its gaze on crime and deviance and particularly on the individual has led criminology to a sustained disregard for large scale “crimes of obedience” (Kelman and Hamilton 1989) and entrenched situations, contexts and cultures of obedience that lead to major social harm (Canning and Tombs 2021), but also for sustained disregard for the constant criminalisation of dissent and disobedience (Lovell 2009). The extremely varied critique directed at criminology for having ignored social and environmental harms, crimes of the powerful, war and international crimes has highlighted overall the importance of expanding the scale (beyond the individual towards states, structures and corporations) and expanding the scope (beyond crime towards social harm and the politics of criminalisation).

While my intention here is certainly not of a paradigmatic type -claiming that criminology should stop focusing on the deviant-, it nevertheless highlights the need for “changing lenses” and for radically shifting the criminological gaze. This inevitably asks for an interdisciplinary, sustained and critical scientific reinvestment. In orienting criminology towards *disobedience*, a whole new analytic grammar and conceptual framework is

needed, one which we have to borrow, among others, from the sciences of social psychology, socio-legal studies, political science and philosophy. Even though criminology is often referred to as “a rendezvous discipline”, a meeting space of different disciplines, this meeting space is often more assumed than real. In addition, there is no direct or significant heritage in criminology that engages with *disobedience* the way in which is intended here.

More specifically, in this article I propose an engagement with an interdisciplinary genealogy of *disobedience*, structured essentially around three interrelated yet distinct threads and continuums: (1) the “banality of evil” continuum; (2) the “evil of banality” continuum; (3) the “dissent and disobedience” continuum. After introducing this tentative interdisciplinary genealogy, I now sketch the main lines of what I believe a future research and theoretical agenda of a criminology of *disobedience* could potentially consist of.

## An Interdisciplinary Genealogy of Dis/Obedience

### The “Banality of Evil” Continuum

Social psychology and philosophy (via genocide studies) have long argued that virtually anyone is capable of committing “crimes of obedience” (Milgram 1974; Haney et al. 1973; Kelman and Hamilton 1989; Arendt 1992; Browning 1992; Lifton 2000; Waller 2002; Forti 2012). Kelman and Hamilton (1989: 307) defined “crimes of obedience” as ‘an illegal or immoral act committed in response to orders or directions from authority’. While the definition seems to suggest a narrow understanding and a direct link between “crimes of obedience” and obeying orders, the authors engaged in a much more differentiated analysis that aimed to account for processes and conditions that led people to either commit or resist “crimes of obedience”. The “banality of evil” (Arendt 1992) was only one of the concepts in a whole constellation of concepts made available by these works—such as conformity, thoughtlessness, calculating compromises, grey zones, escalating commitments, habitual obedience, indifference, apathy, passivity, silence and denial—, which leave people vulnerable to various forms of manipulation and prevent people from resisting authorised abuse (Levi 1989; Neubacher 2006; Leebaw 2018).

Pursuing this conceptual heritage, more recently Busch (2016) has theorised on the social nature of evil, which implicates perpetrators, victims and bystanders as part of a complex web or knot of actors and dynamics that are in constant interaction. He has also argued that the development of perpetrators is a gradual process taking place in small and often insignificant steps and influenced by a complex interplay of actors and factors. This has been referred to in different contexts as a “continuum of destruction” (Staub 1989), “cumulative radicalisation” (Mommsen 1997), or “continuum of otherisation” (Taylor 2009). Initial ‘acts that cause limited harm can in time result in psychological changes that make further destructive actions possible.’ (Staub 1989: 17). Milgram’s experiment on obedience showed how difficult and costly it became to withdraw and distance oneself from a certain role after having played it for some time, and to explain this “escalated commitment”, Bauman (1989) used the “swamp metaphor” to visualise its sucking power.

These analyses were as enlightening as they were disconcerting. They seemed to imply that we could not point to an external form of “radical evil” to explain away atrocities and genocides, but had to look inwards and be on the guard against ourselves and ‘normal’ others around us. In addition to challenging the idea of “radical evil”, what these analyses

clearly showed, was the need to better understand how “evil deeds” are perpetrated not by individuals but originate instead within complex social contexts and processes.

Harrendorf (2014: 233) has argued that it was this notion of banality, normality, conformity associated with perpetrators of “crimes of obedience” that made them invisible and uninteresting to criminology as a discipline devoted to deviant behaviour (for an early exception see Christie 1952). Nevertheless, in the last decades two arguments have been made quite clearly and strongly within criminology: (a) criminology has ignored genocide and international crimes; and (b) criminological theories developed to explain relatively mundane forms of deviance can help explain seemingly incomprehensible acts of mass violence and help the study and understanding of genocide, war crimes, crimes against humanity, and state and international crimes more generally (see Alvarez 1997; Day and Vandiver 2000; Yacoubian 2000; Hagan and Greer 2002; Brannigan 1998; Brannigan and Hardwick 2003; Roberts and McMillan 2003; Hagan et al. 2005; Neubacher 2006; Woolford 2006; Hagan and Raymond-Richmond 2009; Haveman and Smeulers 2008; Hoffman 2009; Maier-Katkin et al. 2009; Harrendorf 2014; Feierstein 2015; Rafter 2016; McGarry and Walklate 2021).

As Alvarez (1997) has highlighted, none of the criminological theories has gone as far as neutralisation theory (Sykes and Matza 1957) to make sense of how “ordinary” people can commit “extraordinary evil”. At the heart of neutralisation theory is the idea that criminal behaviour becomes possible when individuals are able to rationalise the behaviour in a way that reduces its apparent immorality. More ambitious attempts include Jäger’s (1989) expansion of the theoretical approach from a theory of mere techniques of neutralisation to a full-fledged neutralisation theory which takes into account all possible factors, and Cohen’s (2001) attempt at launching a sustained sociology of denial. Cohen (2001) expanded and integrated the techniques of neutralisation into the larger concept of “denial”, providing a vocabulary and roadmap for understanding the means through which we all learn to ignore, deny, forget and even tacitly approve of “evil deeds”. What makes this approach highly interesting for the study of *disobedience* is the fact that Cohen used the concept of denial not only to explain the behaviour of perpetrators, but also of victims and bystanders (Alvarez 1997; Grunfeld 2008; Varona 2021).

This brief review of the existing literature aims essentially at arguing that following the “banality of evil” continuum is important in the study of *disobedience* as it can provide extremely useful concepts, constellations and frameworks that help making more robust links between “banality” and social systems of “evil”. In what follows, I argue that an equally productive engagement in criminology would be with an interrelated, yet distinctive thread, something we can call the “evil of banality” continuum.

### The “Evil of Banality” Continuum

An investigation of *disobedience* is useful for understanding not only the “crimes of obedience” but also the everyday, mundane and entrenched phenomena that are characterised by silence, denial, apathy, and indifference (see Weber 2005; Basaran 2015; Bueno Lacy and van Houtum 2021). Today, some of the worst harms taking place in refugee camps, in the asylum-seeking procedures, and in our seas, shores, institutions, and environment, originate from bureaucracy, routine decision making, management, indifference, apathy, nonjudgement, and normality (Forti 2012). They often are not a result of intentional or spectacular acts, but of a failure to act or of societal indifference to suffering (Pember-ton 2015: 8). Whereas our societies (and the discipline of criminology) tend to be more

concerned with processes and acts which cause physical and individual suffering, there are forms of entrenched and continuous violence and oppression that produce less visible but much more sustained damage and perhaps, just for this reason, are more insidious and worrying. These kinds of harms may go unseen or are so deeply embedded in everyday lives that their damaging impact becomes normalised and thus totally overlooked (Canning and Tombs 2021: 114). An example is our ordinary and everyday harmful consumerist behaviour which is the result of our utter indifference to the suffering of non-human animals, plants, ecosystems, biospheres, etc. (see Agnew 2012).

The question we have to ask in criminology then is, what if major social harm does not result from any spectacular and individual form of “deviance” but from a continuum of banality, routine and normality, and perhaps even from a violence that is structural and institutional and thus organised and administered through legitimate means (Galtung 1969; Cooper and Whyte, 2017)? There is a rich thread in critical criminology and zemiology on corporate and state crimes and harms (Sutherland 1949; Schwendinger and Schwendinger 1970; Pearce 1976; Chambliss 1989; Hillyard et al. 2004; Green and Ward 2004; Passas 2005; Dawn and Friedrichs 2006; Friedrichs 2010; Barak 2015; Pemberton 2015; Rothe and Kauzlarich 2017; Bittle et al. 2018; Ruggiero 2021a, b) where attention has moved towards the harms arising from colonialism, racism, sexism and economic exploitation and the argument has been made that these should be central to the discipline of criminology (or -as proposed by zemiology- to move beyond criminology). Feminist, anti-colonial, anti-racist, and environmental perspectives argue that harms against women, Black and Indigenous peoples and the environment are better understood when conceptualised as entrenched, continuous, exploitative and endemic social injuries, instead of as individual acts.

Kelman and Hamilton (1989) saw bureaucracies as one of the primary vehicles for the promotion of “crimes of obedience” within the modern nation state. This can be traced back to Max Weber’s iron cage of rationality in which modern actors have become alienated from their life course and experience moral paralysis. Many have raised ‘awareness of the potential for bureaucracies to diffuse individual responsibility for wrongdoing by elevating efficiency over ethical concerns and disguising the true nature of collective acts’ (Weber 2005: 91; Bauman 1989). Following this lead, the framework of “crimes of obedience” (Kelman and Hamilton, 1989) has been applied also to the study of ‘less destructive’ processes such as sexual harassment and other harms in the workplace (Hamilton and Sanders 1995), detention of asylum seekers (Weber, 2005), or the torture that took place in the prison of Abu Ghraib (Post and Panis 2011). In the 1980s there was also a wave of significant experiments on “administrative obedience” conducted at Utrecht University (Meeus and Raaijmakers 1995). More recently, border criminologists have turned their gaze towards the everydayness of “administrative evil”. Interested in the relations and interactions between detention staff and detainees and the ways in which these are mediated through administrative practices, various scholars have looked at immigration detention, by mobilising concepts such as “moral distancing” (Gill 2016), “administrative power” (Bosworth 2016), and “denial” (Canning 2018).

As argued in this section, even though not yet mainstream, realising its importance for the study of harm, crime and punishment, several criminologists have started engaging more seriously with an “evil of banality” continuum. In what follows, I turn my attention to the third and last interdisciplinary genealogical thread: the “dissent and disobedience” continuum.

## The “Dissent and Disobedience” Continuum

Criminology has not only ignored the mundane, the normal, the un-eventful, but also—with few exceptions (see for example Lovell 2009)—disobedience, dissent, and resistance to unjust social and political orders. “Deviance” has usually been dissociated from “principled disobedience”, deemed to be a terrain of political science or political and moral theory (Arendt 1971; Singer 1973; Raz 1979; Rawls 1999; Habermas 1985; Smith 2013). Those who exercise civil disobedience has generally been viewed as paradigmatic good citizens (Kelman and Hamilton 1989; Smith 2013), but also as “ambivalent dissidents” (Habermas 1985). As Lovell (2009: 7) has argued, the study of dissent has relevance to those studying the politics of crime and deviance, and yet despite the apparent importance, the attention within criminology paid to these topics is extremely scarce:

“The idea that the breaking of laws might sometimes be warranted as a precursor to the attainment of social justice is one that too often is overlooked by scholars within the fields of criminology, criminal justice, and justice studies”.

An exception to this trend is constituted by conflict and Marxist criminologists, who read crime and deviance as a clear expression of dissent within the prevailing political and economic order (Vold 1958; Quinney 1980; Greenberg 1993).

While it has been argued that those who exercise civil disobedience should not be treated as deviants or as criminals (Merton 1968; Arendt 1971; Lefkowitz 2007; Ackerman and Duvall 2000; Della Porta et al. 2006), acts of dissent and civil disobedience are often criminalised and punished (Barkan 2006; Brownlee 2008), as made evident by the increasing—both in breadth and quantity—criminalisation of solidarity with migrants and refugees and of environmental activists in the last decades (see Council of Europe 2018; Carrera et al. 2019; Caritas Europa 2019; CIVICUS 2021; Amnesty International 2020). Experts working on “crimmigration”, “border criminology” or “a criminology of mobility” (Aas and Bosworth 2013) have centred on the criminalisation of immigrants and the expansion of categories of outsiders, while overlooking that this process has also affected nationals, particularly activists defending migrant rights who have been found guilty of “intolerable solidarity” (Fekete 2009). At the same time, the perspective of “green criminology” which is concerned with the study of crimes and harms affecting human and non-human species, the environment and the planet (White 2008), has also understudied the realities of environmental activism and climate disobedience (for a few exceptions, see Cavalli 2017; Di Ronco et al. 2019; Di Ronco and Allen-Robertson 2021; Lynch et al. 2013; McClanahan 2014). But while viewed from the point of view of a criminology of deviance, the “crimes of solidarity” (Fekete 2009) and “crimes of dissent” (Lovell 2009) might be uninteresting, they can be instead quite interesting when viewed from the point of view of “selective criminalisation” (Vegh Weis 2018).

Given the high costs of dissent and disobedience, such as social ostracism, harassment, intimidation, blame, retaliation, and criminalisation, it is not surprising that only a small minority of people perform such extraordinary acts. But despite their relative scarcity, these acts are highly important. Looking for instance at solidarity shown under extraordinary circumstances in history, we have the example of the Righteous of the Nations, rescuers who saved Jewish lives during World War II and who as a result are recognised and commemorated by Yad Vashem. The European Parliament 2012 Declaration on support for the establishment of a European Day of Remembrance for the Righteous, to pay tribute to those who helped the Jews during the Shoah and those who saved lives during all

genocides, mass murders and the other crimes against humanity perpetrated in the twentieth and twenty-first centuries, is extremely important for various reasons. It highlights the need and duty of teaching the positive examples from difficult human history to young generations, to remember those who safeguard human lives and dignity at times when others do not, and to draw an alternative landscape of moral culture which is imbued by a sense of responsibility for the safety of others.

In particular, the notion of “moral courage” (or “civil courage”) has been used to study the conduct of diplomats, border guards, bureaucrats and ordinary citizens who risked their careers, social standing, and in some cases their lives, to assist and shelter others (Swedberg 1999; Monroe, 2004; Oliner and Oliner 1988, 1991; Fogelman 1994; Paldiel 2007; Bejski 1989; London 1970; Tec 1986; Geras 1995). While most scholars study the concept of “moral courage” from a rather individualised perspective, others highlight instead its social dimension (Press 2018). The role played by bystanders in general is overlooked or limited to the study of mass crimes (Vetlesen 2000; Guiora 2017; Smeulers and Grünfeld 2011), but increasingly there are voices that highlight the importance of the study of bystanders and the duty to help and rescue (Ripstein 2000; Fletcher 2004), also when applied to less extreme contexts of violence and atrocity (Botte-Kerrison 2017). An important strategy in addressing the dark sides of obedience, has been, for example, the tendency to pay more attention to the pedagogical potential of “exemplary disobedience” and highlight the “banality of goodness” (Franco and Zimbardo 2006; Luban 2014; Leebaw 2018; Kohen et al. 2019). As Ferrara (2008) has argued, exemplars facilitate the exercise of practical judgement in contexts characterised by the breakdown or inadequacy of prevailing standards and norms and offer a basis for illuminating the general with reference to the particular.

## Sketching a Research Agenda for a Criminology of *Dis/Obedience*

Our social and collective existence, our laws and institutions, our political systems depend on striking the right balance between obedience and disobedience. A criminological engagement with the study of *dis/obedience* is therefore as timely as it is important. A criminological engagement with *dis/obedience* would closely align itself with critical currents in criminology that focus on social harm (Canning and Tombs 2021), border criminology (Weber 2005; Bosworth 2016), green criminology (White 2008), criminology of genocide (Harrendorf 2014), and crimes of dissent (Lovell 2009) but also differ in its transversal, specific and focused inquiry on *dis/obedience*. The organisation of the discipline of criminology into compartments (for ex. theoretical vs. empirical, or critical vs. administrative) or into always narrower subsections (for ex. border criminology, criminology of genocide, feminist criminology, green criminology, etc.) can be limiting for investigating complex and transversal social phenomena such as *dis/obedience*.

An exemplary work that inspires the pursuit proposed here is Stanley Cohen’s (2001) *States of Denial: Knowing about Atrocities and Suffering*, where the author who is morally and politically concerned about the apathy towards suffering and injustice in the world asks himself the simple question “what do we do with our knowledge about the suffering of others, and what does this knowledge do to us?”. He sets himself the task of developing a sociology of “denial”, an umbrella term he uses to cover a wide range of phenomena such as apathy, indifference and unresponsiveness, while uncovering the conditions for what he called “acknowledgment”, conditions when people are actively aroused by information and

knowledge about the suffering of others. The double intention of, on the one hand, understanding the phenomena of concern (such as “denial” in Cohen’s work) as it applies across a range of different issues, and, on the other hand, of identifying conditions that enable resistance to such propensities, is an important drive for all scholarship that matters. Taking inspiration by Cohen’s pursuit, the main lines of criminology’s engagement with *dis/obedience* that I have proposed here could consist of the following interrelated threads and directions.

### **Developing a Conceptually Rich and Innovative Genealogy of Dis/Obedience**

This task can be achieved only by crossing disciplinary and subdisciplinary boundaries and exploring within a large interdisciplinary scholarship a continuum of interrelated concepts, constellations, and frameworks that can help establish robust and innovative links between *dis/obedience*, crime, harm, justice and punishment. We could ask which disciplines and subdisciplines study “obedience” and “disobedience”; whether the two concepts are studied in a narrow/specific or in a broad way; which additional concepts do “obedience” and “disobedience” relate to and in what ways; what are the main agreements and main controversies in these disciplines and subdisciplines about the study of *dis/obedience*?; what are the main theories or theoretical frameworks used in such studies, and; in what ways these concepts or their use relate explicitly or implicitly to crime, harm, punishment and justice? In this article, I modestly proposed three interdisciplinary genealogical threads that could serve this purpose (but there certainly could be more): (1) The “banality of evil” continuum is based on the rich heritage within social psychology, philosophy, genocide studies, criminology of international crime (theories of conformity, groupthink, obedience, the bystander effect, grey zone, cumulative radicalisation, escalated commitment, deindividuation, dehumanisation, routinisation, techniques of neutralisation, moral distancing, and denial); (2) The “evil of banality” continuum inherited by philosophy and genocide studies, border criminology, zemiology, but also criminology of “ordinary crimes”; (3) The “dissent and disobedience” continuum inherited by political sciences, social movements research and socio-legal studies.

### **Uncovering the Contribution that Criminology Can Bring to the Study of dis/Obedience**

Criminology can offer a significant contribution to the study of *dis/obedience*, especially by turning and sustaining our criminological gaze and critical scientific inquiry towards: (a) the mundane, the normal, the non-eventful, the obedient, the conform, and the cultures of “obedience”, indifference and apathy that lead to significant and sustained social harm; (b) the complex relations of *dis/obedience* with law, order, and justice; (c) but also towards the identification of conditions that can foster and sustain cultures of “disobedience” towards the unjust and the unethical. In what follows, I elaborate briefly on each of these.

### **Understanding How the Mundane and Cultures of “Obedience” Relate to Social Harm**

Developing a better understanding of embedded and entrenched cultures of “obedience” and their relation to social harm, is considered quite important in this article. Thinking



in these terms implies focusing on harms created by a continuum of obedience, conformism, compliance, apathy, indifference, silence, denial, that are slow, accumulating, non-eventual, and are nourished on persisting and ingrained cultures of “obedience” instead of spectacularly impactful events.

### **Understanding How Disobedience and Dissent Relate to Law, Order, and Justice**

A central contention of this article is the importance of making the study of dissent and disobedience central within criminology by shedding light on the tensions and ambivalences inherent in the relation between law, order and justice. This could be studied, for example, by focusing on those actors who show dissent and disobedience to what they perceive to be unjust social, ethical and political orders, on their criminalisation, and those who engage with them during these processes, such as the police, judicial actors, supporters, media and the public. We would uncover, among other things: the tensions produced by acts of disobedience and dissent; the relation with and the contours of law, order and justice; the risks around the delegitimisation of the justice systems if they are overstretched; the types of laws and legal logics that criminal justice systems use to punish dissent or to neutralise the political claims of dissenters; the ways in which civil society resists and responds to criminalisation; the types of laws, legal orders or morality used as sources of authority for ‘disobedience’ (human rights, international laws, consciousness, and religion). Socio-legal methods could be used to address questions that dive into the relationship between legal orders and social orders and questions that concentrate on the reciprocal connection between law and attitude, behaviour, institutions and organisations in society, maintenance and change of society.

### **Investigating Conditions in Which Our Societies Can Foster and Sustain Cultures of Dis/Obedience Towards the Unjust and the Unethical**

Last, but not least, at the heart of my proposal lies the ultimate aim to study through interdisciplinary analysis the conditions in which our societies can cultivate and sustain capacities and cultures of disobedience and dissent towards the unjust and the unethical laws and norms. Moral and civil courage can be contagious, learned, and therefore normalised. Principled and civil forms of disobedience are consonant with the ethos of human rights and a manifestation of a political virtue and fundamental human aspiration to live according to the highest principles of justice and solidarity and to one’s conscience (Megret 2008). But which sources of authority, orientations and societal changes (law, morality, ethics, experience, justice, education, and religion) can best safeguard dissent cultures? How can we mitigate the individual costs of dissent and disobedience, ensure that we move beyond the hero individual paradigm towards cultures of dissent, and ‘train’ active bystanders that respond to situations of injustice in everyday life?

### **Conclusions**

What are the implications for the study of crime and punishment if we turn our criminological gaze away from the deviant, the individual, and the event, towards the mundane, the normal, the non-eventful, the banal, and the cultures of obedience, conformism, indifference and apathy that lead to significant and sustained social harm? Which tensions and

ambivalences between order, law and justice do acts of disobedience and dissent produce? How can we cultivate disobedience and dissent to unjust and unethical laws and norms? These are some of the main questions a criminology of dis/obedience would ask and answer.

If engaged in a sustained fashion, the multi-layered proposal sketched in this article could radically shift the scientific debates within criminology away from “deviance” towards cultures of “obedience”, indifference and apathy that lead to significant and sustained social harm and to acts and cultures of dissent and disobedience; would develop a rich and innovative interdisciplinary genealogy of *dis/obedience* based on criminology, social psychology, socio-legal studies, political science and philosophy; offer a substantive and long due criminological contribution to the study of *dis/obedience*, and last but not least; would be of immediate relevance to our understanding of how our societies create cultures of *dis/obedience* that increase or reduce social harm and hinder or promote justice.

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