I

Wedging Open Established Civil Spheres

A Comparative Approach to Their Emancipatory Potential

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In this chapter, I develop a theoretical account to explain how and when civil spheres can become emancipatory, noting that they need first to become established in institutions but recognizing that their establishing can itself block further emancipation – unless they can somehow be wedged open to admit causes and constituencies hitherto deemed uncivil. Radical acts can, on occasion, help to wedge open civil spheres. Having set out my theoretical account, I go on to explain how it has been read through the case of the United Kingdom in which I was born and raised – the House of Lords inspired my concept of civil establishment – as well as the case of Mexico where I have conducted research over twenty-five years, here drawing on the Zapatista movement of the 1990s as an example of radical action.

RADICAL ACTS WEDGING OPEN ESTABLISHED CIVIL SPHERES

Discourses of Civilization and Their Effect on Sphere Differentiation

Civil spheres can be said to exist in moments of social life when discourses of civility are expected to trump such other discourses as profit, power, or creed (Alexander 2006). Civility here means much more than, for example, that of the “civility pacts” sometimes declared between candidates during election campaigns. In my reading, discourses of civility are discourses of moral civilization, which hold up standards of proper conduct and mutual treatment and are understood to bind civilized parties who may differ and conflict in every

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other way, within and beyond any particular polity. Civilizational discourse can be distinguished from discourses that restrict standards of conduct and treatment to a chosen caste or people, excluding others tout court as did Athenian democracy and as does ethnic nationalism, or that make such standards contingent on the will of political authority, as is the tendency of regimes claiming to embody divine or popular will. Civilizational discourse has a long history, predating the modern by millennia, and has many branches – of which the US variant is but a twig of the single branch that we may gloss as constitutional democracy. Las Casas deployed a discourse of civility when he pilloried the treatment of Native Americans at the hands of Spanish soldiers and settlers. He did so in the name of a Christianity that was also a discourse of civilization, as world religions have tended to be, along with such political ideologies as liberalism and socialism. In our times human rights is surely a discourse of civilization, as are versions of nationalism that emphasize a broader horizon, such as aptly named civic nationalism.

Alexander’s key theoretical insight is that discourses of civilization have an effect on the sphere differentiation that is likely a property of all complex societies (Alexander 2006). Specifically, Alexander argues that democratic versions of civility – versions that emphasize the dispersion of power across a people – can give rise to an identifiable civil sphere, one in which civil discourses hold sway and thus shape the relations between persons, organizations, and institutions. Civil spheres are in these circumstances distinguishable from spheres in which it is accepted that other values will carry the day; examples within contemporary Western-style democracies are politics and the market. In such contexts, civil spheres may even function as master spheres to the extent that other spheres are expected to remain within civil limits; in our times, media scrutiny of financial misconduct arising from inadequate government regulation is an example of how civil spheres open up beyond the market and politics (Alexander 2017).

Alexander accepts, though, that the effects of civilizational discourse on sphere configuration vary enormously, and contributors to an ongoing series of volumes are exploring this dynamic beyond the US case that Alexander develops in The Civil Sphere (TCS) (2006). To begin with, authoritarian states have also sometimes harnessed discourses of moral civilization, insisting that they embody widely-accepted standards of civil conduct, alongside or instead of claims to embody the will of gods or peoples. Though such states’ use of civil discourse might erode any boundary between civil and political spheres, citizens may appeal to those same civilizational discourses to find the state’s conduct wanting – thus opening space beyond the political sphere. Further, different civilizational discourses will have different effects on sphere configuration, and it is not yet clear whether Confucianism, for example, entails the same boundary between civil, economic, and political spheres that Alexander describes for the West. Otherwise put, it is yet to be determined how many of Alexander’s arguments in TCS hold for discourses of moral civilization beyond the world of
constitutional democracy – or even beyond the still more specific example of the United States.

Still less is it clear in what circumstances civil spheres are emancipatory in the sense of helping to expand fair treatment to those who are currently marginalized or excluded or stigmatized. Las Casas was intent on expanding civilized treatment to the native population of the Americas, a population that should be free not only in Christ, but also to find dignity in this world. Alexander (2006) is concerned with what democratic civil spheres can offer to those who are marginalized in and by society. Alexander acknowledges that even within democracies civil discourse can have the opposite effect, for example by stigmatizing Jews or Catholics as uncivil or denigrating immigrants as ungrateful and unruly. A generation of postcolonial and Marxist scholars has shown that civility has in modern times served to justify capitalist and imperialist expansion and has been harnessed by states to discipline and repress (Fitzgerald 2007). Yet Alexander chooses to emphasize the moments in which civility is emancipatory and to highlight the claim that certain variants of civil discourse, in certain conditions, can serve to include as well as exclude, to rein in the more exploitative forms of capitalist markets, and to hold at bay the claims of state sovereignty.

One variable must be the generosity of the discourse and how it is used – whether it tends to exclude and stigmatize or, at the other end of the spectrum, to denounce that very exclusion. Discourses of civilization have arguably tended to do both, yet in very different measures. Las Casas used the language of Christian civilization to argue for the dignity of the conquered, exposing as brutish the alleged conduct of his fellow-Spaniards. But his followers were less charitable toward those who fought against the conquerors, often condemning those who did so to slavery or even to massacre. Alexander is concerned with the generous discourse known as constitutional democracy, though specifically the moments when US constitutionalism was generously voiced – as it was by the Warren Court. In this chapter, I touch on the arguably generous discourse of Maoism but, like Alexander, I dwell for the most part on constitutional democracy, though in the rather different context of contemporary Mexico.

The Establishing of Civil Spheres: Necessary for Emancipation but Also Producing Inertia

Even when civilizational discourse is generous, it is only likely to have an emancipatory effect to the extent that it is established. A discourse is established to the extent that it is embedded in institutions and identified with champions, and in turn these champions help to institute an entire civil order in which there is a degree of consensus about civil standards as well as when and where they are to apply. Yet not only can very ungenerous civil spheres become established (such as in the American South), but the establishing of generous civil spheres can itself make them resistant to further emancipation. As well as ossifying the
terms of civil inclusion, and embedding it in institutions that develop inertia, the establishing of civil spheres tends to produce civil establishments, by which I mean elites who hold privileged positions in relation to powerful institutions and who are able to carry off civil discourse. Civil establishments are necessary champions of civil spheres, yet to the extent they shape civil discourse in their image and act as gatekeepers to the institutions that wield it, they may end up solidifying social and political hierarchies of the civil.

On the one hand, then, emancipation is contingent not only on the generosity of the discourse, but also on the establishing of those generous discourses in civil spheres. Alexander (2006) concerns himself largely with constitutional democracy, in which civil spheres can become embedded in “regulatory institutions” that include party and legal systems, voting, and office, as well as “communicative institutions” such as mass media, public opinion polls, and civil associations. I would add that social movements themselves become established to the extent that they are recognized by these institutions, typically as they orient their strategies toward and build their networks around them. Certain movements tend to achieve pride of place, developing close ties with the elites of regulatory and communicative institutions and being recognized as an elite in their own right. In recent years, the term “civil society” has in much of the world come to index movements or organizations that achieve recognition in and influence over state institutions, mobilizing a range of democratic civil codes that now typically include human rights. “Civil society” elites are apt to go on to hold office in autonomous state organs, or indeed in the executive, judiciary, or legislature, thus forming part of a democratic civil establishment writ large, stretching across organizations and institutions. Civil establishments that champion generous forms of discourse from civil rights to social justice can act against tendencies to authoritarianism, marginalization, and exploitation.

On the other hand, the same establishing of civil spheres, even when powered by generous discourses such as those of constitutional democracy, will tend to harden the inevitable boundaries of the civil. My use of the word “establishment” is intended to be ambivalent, since I mean it to invoke the British Establishment of the great and the good, reflecting my nationality, but also my doubts about the liberatory potential of even generous discourses of civilization (Figure 1.1). If civil spheres need to be not only generous, but also established to be truly emancipatory, the process of establishing civil spheres can have the opposite effect. Since any reasonably demanding standards of proper conduct and mutual treatment are unlikely to be attained by all – unless they are set so low as to be trivial – even generous civil establishments will regard some constituencies and causes as uncivil. Yet the settling of boundaries through the establishing of civil spheres makes it still hard for groups considered uncivil to make the grade, and still harder to challenge the civil terms of their marginalization, which come to be taken for granted. In my view, civil establishments are typically indifferent or even hostile to movements that push agendas beyond their comfort zone, hesitating to recognize their causes and
strategies as civil. Thus, while the establishing of generous civil spheres is vital to emancipation, the process of establishing civil spheres will tend to mean that they get closed off – and thus require wedging open if further emancipation is to be achieved.

Wedging Open Established Civil Spheres

There are two senses in which civil spheres get wedged open. One is that of wedging open a civil sphere in the face of encroachment from other spheres, such as those of politics and the market, which is necessary to maintain the integrity of civil spheres – whether or not these are emancipatory. The second sense, on which I focus, is the wedging open of the boundaries by which causes, movements, and constituencies are considered somehow uncivil in the sense of falling short of standards of proper conduct and treatment, whether with reference to their causes, constituencies, leadership, or strategies.

Wedging open in the second sense can take many forms but may be distinguished from smashing open established civil spheres, disrupting the entire logic of sphere differentiation, in the way anticipated by revolutionaries from jihadists to Maoists – each with their own vision of a civil order. To return to

**Figure 1.1** A critical image of the British Establishment, denouncing its civil trappings as a sham, in a protest against the media phone-hacking scandal. With the regulatory institution of the Houses of Parliament in the background, communicative institutions in the person of Rupert Murdoch are subverting civil expectations of office by pulling David Cameron’s strings. (Adrian Dennis, Getty Images)
Las Casas, he had no intention of smashing open the established discourse of Christian civilization, the institutions that defined their mission in those terms, or the imperial project itself, but simply to wedge open the apparatus of Christian civilization to mitigate the abuse of its newest adherents. Wedging open is about opening the discourse from the inside, rendering it more generous, as well as challenging the way the discourse has become established, especially when the boundaries of the civil become ossified. Wedging open can also be distinguished from using the exclusivity of civil spheres as an argument for founding a new political community or joining another, as Irish republicans did from the late 1960s (Kane, Chapter 7).

When established civil spheres are resistant to particular movements and constituencies, movements can try to wedge open civil spheres by getting them to reinterpret how the code gets applied. They can push for marginal groups to be recognized as “civil”: Alexander’s (2006) examples are the US women’s and civil rights movements and the post–World War incorporation of Jews. Movements can also push for their exclusion to be seen as “uncivil”, such as when trade unions denounce the exploitation of workers as “uncivil.” Other contemporary examples include movements that protest the “environmental injustice” suffered by those most exposed to pollution or climate change.

Attempts to wedge open civil spheres are likely to be disparaged as uncivil by the civil establishment. Las Casas was certainly controversial in sixteenth-century Spain. I grew up with the UK establishment’s indifference and even hostility to the antinuclear movement, including that of the women of Greenham Common (Figure 1.2), as well as to Irish republicanism in Northern Ireland and the miners’ strike of the Thatcher years. Attempts to wedge open civil spheres may also produce a backlash from other movements and constituencies – though backlash movements may in turn find themselves condemned as uncivil. Heins and Unrau (Chapter 6) give the example of Pegida, which reacts to liberal attempts to wedge open German civil spheres to refugees, and is in turn disparaged in the mainstream media as well as by dignitaries of German society.

Civil sphere indifference or hostility will typically lead movements to rein back their demands or rein in their strategies, or to pursue more limited aims and strategies that do not require civil sphere solidarity. Movements may bide their time and place their faith in the promise of eventual justice held out by the more generous civil discourses. In the UK case, women’s movements have been rewarded, as was Irish republicanism eventually; the antinuclear movement less so.

Radical Political Acts: Going Beyond the Established Means

Civil sphere indifference may alternatively lead movements to radicalize their strategies in the sense of going beyond the established modes of political action. Discourses of civility – those that hold up standards of proper conduct
and mutual treatment in the public arena – include those that establish the civil bounds of legitimate political action. In the case of constitutional democracy, the established modes typically include voting for the opposition, resolution through the courts, representation in the media, and legal modes of protest such as policed street demonstrations and legally protected strikes. Actors go beyond the established modes for a gamut of reasons, one of which is when their causes are pitched in civil terms yet ignored by civil establishments.

The relation between means and ends is ever complex. To begin with, radicalization of strategy need not mean the radicalization of ends, and I give examples of radicalized strategies with conventional ends. Nevertheless, it is likely to be harder to justify radical strategies for limited ends, and movements may amplify their goals in order to justify going beyond the established modes. I give below the example of a Mexican teachers’ union that justifies strategies such as blocking highways by claiming to pursue sweeping institutional reform as opposed to more limited demands of salary or pension. The example of Pegida (Heins and Unrau, Chapter 6) reminds us not only that radical acts may aim at closing off civil spheres instead of wedging them open, but also that movements may breach civil order while insisting their acts remain within the

![Figure 1.2](image-url)
range of established means – Pegida denies that it is a radical movement. The case of the Zapatistas shows that the *ends* of radical acts may include wedging open the range of established *means*, for example by inaugurating new forms of protest.

Radical need not mean violent. Nonviolent protest can be radical to the extent that it goes beyond the established means. An obvious example is the US tradition of civil disobedience, studied by Alexander (2006), which makes a point of being nonviolent, but also of breaking the law. Faced with the indifference of the Northern media and the compromised nature of established modes, Martin Luther King, Jr., opted to break the law in order to highlight not only the gravity of the injustice he was protesting, but also the inefficacy of the established modes of making the protest. The nonviolence was itself provocative in that it was designed to show up the violence anticipated of the police. There are debates about whether the term “civil disobedience” should be restricted to cases in which protestors incur the consequences of breaking the law, or extended to the many contexts across the world, including Mexico, where protestors will breach established norms without accepting the risk of being arrested. I use the term in the broader sense while distinguishing between the United States and other traditions. But the point is that political action need not be violent to be deemed as going beyond the established means.

Neither do political acts need to be illegal to breach the established norms. I use the term “established” rather than “legal” not only because the term echoes my account of the establishing of civil spheres, but also because in many contexts across the world – including Mexico – law is only one register of the civil, and the legality of political acts may not be the main criterion for their legitimacy.

**EFFECT OF RADICAL ACTS ON ESTABLISHED CIVIL SPHERES**

The crucial question is how the breaching of established modes of political action is received across the institutions and organizations in which civil spheres are embedded, including by the elites whom I have dubbed the civil establishment.

**Further Stigmatization**

Civil establishments typically respond by further stigmatizing movements that engage in radical acts, as the British Establishment did in the face of the Northern Irish civil rights movement and *a fortiori* Irish Republican Army (IRA) terrorism. That is, the original hostility is compounded by the use of strategies that can be rejected as uncivil. The antinuclear movement was not received sympathetically to begin with, but groups that used more radical means were further stigmatized in the mainstream media and criminalized in political discourse and through the courts. The stigmatization of those who
breach civil order is itself symptomatic of what in this volume we consider radical acts, as explained in the introduction. The wave of condemnation is a sure sign that established civil standards of political action have been breached – that the act is “radical” in terms of this volume. The breach is seen in the reaction of the great and good, as well as in broader society.

Just as movements typically respond to civil sphere indifference by biding their time or changing their approach, so movements are likely to respond to further stigmatization by moderating their strategies. Arguably this was the case of the Zapatista rebels whom I discuss later; after finding their use of violence widely condemned, they agreed to and respected a ceasefire. Other movements may either ignore the stigmatization or choose to further radicalize their protest. An obvious example was Irish republicanism in the 1960s. In Northern Ireland the civil establishment, dominated at the time by Protestants, showed little sympathy for the demands being made by Catholics for inclusion. Civil disobedience by Catholic activists was already a radical strategy, deliberately going beyond the legal means of protest in order to flag up the compromised nature of those means. As the Black Panthers went on to consider violent action in the United States, so the IRA engaged in attacks on Ulster Protestant leaders and UK security personnel. Further radicalization need not mean violence, though. Having renounced the use of violence in 1994 in favor of talks with the government, we will see that the Zapatistas radicalized again in 2002 in frustration with the watering-down of a constitutional reform, but this time without using violence.

Occasional Sympathy

Civil establishments may on occasion respond sympathetically, recognizing a movement as “civil” despite its radical acts – whether at the time or retrospectively. This can have the effect of wedging without smashing open established civil spheres, taking in causes and constituencies hitherto beyond the pale without undermining the logic of sphere differentiation, the authority of the institutions in which it is embedded, or the status of its champions – especially when actors accept having breached the civil order and seek to justify doing so in the established terms. Wedging, while short of smashing open, may still unsettle the established civil order, not least by admitting modes of organization and political action that were held as uncivil.¹

Civil sphere sympathy is more likely if the breaching of established modes comes to be seen as somehow justified in civil terms. The civil justification of

¹ By contrast, movements intent on smashing open civil spheres – movements for whom civil establishment sympathy might be read as a sign of failure – tend to flout altogether established norms of expectations of civil conduct. Though Kane (Chapter 7) queries whether this was the case of the IRA, it has been the case of some Maoist groups, such as Shining Path in Peru, who publicly disparaged human rights norms in the 1980s.
radical acts is best seen as a matter of discourse, of which the US tradition of civil disobedience is again a useful example. Civil disobedience can be understood as a discourse that *justifies as ultimately civil* an act that would normally be deemed uncivil because it breaches the law and therefore the civil order. The discourse of civil disobedience typically admits that the act breaches the law, yet holds that it does so in a civil manner, usually by avoiding violence. The discourse may also flag up as civil the ends of the illegal acts—for example, the civil rights movement’s defense of African Americans. Civil disobedience discourse tends to link law-breaching to the incivility of the justice system itself, and even of issues with the established modes of political action—for example, African Americans being excluded from registration as voters.

It is often argued that the use of violence, by contrast, can only lead to further stigmatization and polarization. Yet I propose that the concept of civil disobedience can be usefully extended to take in *violent disobedience*. Again, the civil justification of radical acts is a matter of discourse. As we will see, the Zapatistas argued that they only rose up in arms after their attempts to pursue peaceful strategies such as marches came to naught, yet we know that they had spent years training for guerrilla warfare. As I have indicated, disobedience in the sense of law-breaking requires special justification—hence the qualifier “civil.” Violent disobedience requires a second layer of justification since not only is it disobedient, but it is so in a violent way. In contexts like the United States or United Kingdom, it may be very difficult to justify the use of violent strategies. In other contexts around the world, violence is not such a hard line, and it may be possible to secure civil sphere sanction even with some use of violence.

**RADICAL ACTS THAT WEDGE OPEN CIVIL SPHERES: READING THROUGH MEXICO**

In the second half of the chapter I explain how my account of civil sphere establishing and wedging open derives not only from the United Kingdom in which I grew up, but also from Mexico, from where I have already given examples, based on research conducted over twenty-five years. There are extensive critiques of the application of Western theories to the rest of the world. Rather than simply applying a theory developed by Alexander for the United States, I consider that I am reading his theory not only through the context of the United Kingdom, exposing differences within the West, but also through that of Mexico. By *reading through*, I mean approaching contexts in a way that illuminates not only those contexts, but the theory itself, allowing us to develop it in productive ways and indeed better understand the contexts from where it grew originally. My theoretical account in the first half of this chapter has been refracted through the cases that I present in the second half.

Reading Civil Sphere Theory (CST) through Mexico helped me to see that the civil codes that Alexander identifies in the first part of TCS are specific to the US
version of constitutional democracy, which is itself one variation on the theme of moral civilization. I have noted elsewhere that whereas voluntarism is fetishized in the US context, it is less so in Mexico, and that liberalism in Mexico is more closely identified with the state, and thus a less obvious candidate for the adjective “civil” (Stack 2018). That said, I argue here that the liberal discourse of Rechtstaat, as well as that of revolutionary nationalism, are civilizational in the sense that they claim to promote standards of treatment transcending Mexico, and are therefore neither the preserve of an ethnic nation nor contingent on the will of the state. The case of Mexico also reveals that the establishing of civil spheres takes very different forms, even under constitutional democracy, since communicative and regulative institutions are structured differently to the United States, as is the sociopolitical field surrounding those institutions, including what is now termed “civil society.” Moreover, the Catholic Church has long been an important actor that – in spite of Alexander’s preference for leaving churches out of the civil sphere – is crucial to the establishing of Mexican civil spheres. Further, and crucial to this chapter, the bounds of legitimate political action are drawn rather differently to the United States, which pushed me to rethink the dynamics of radicalism beyond the US tradition of civil disobedience discussed in TCS.

I take the Zapatista rebellion of 1994 as my case in the chapter. The Zapatista rebellion has been so heavily studied that I am unlikely to say anything new about it, but reflecting on the case helped me to develop the account of radical action in the first half of the chapter, and in the second half of the chapter I spell out how it did so. For one thing, it pushed me to consider that Maoism can be described as a discourse of civilization, with its own version of sphere differentiation, requiring the smashing open of existing civil spheres in order to form new ones. Yet my focus is on the course of events after January 1994, when the Zapatista movement was received with some sympathy by sectors of Mexico’s civil establishment. It then sought to advance its cause through some of the organizations and institutions making up the established civil sphere, including the mainstream media and the Mexican Congress, pushing over a decade for reform to Mexico’s existing Constitution. Their success was limited. Yet it seems fair to conclude that the Zapatistas played an important role in wedging open Mexico’s established civil spheres, including by challenging the complacency of Mexico’s civil establishment.

The Zapatista rebellion also suggests, though I consider this a secondary point, that while violence may in some countries be considered beyond the pale, it may in other countries be justifiable in civil terms. The Zapatistas staged an armed rebellion and yet were able to garner sympathy from Mexican civil establishments, as well as of “global” civil spheres located in other countries such as Italy. Reading CST through the case of the Zapatistas pushes us to consider why violence may in some contexts be considered admissible and not in other contexts. It also bears on cases such as that of Northern Ireland where the IRA’s civil standing was somewhat rehabilitated.
in the wake of 1997, or indeed the long history of US riots like those that gave rise to #BlackLivesMatter.

**Discourses of the Civil: From Civil Sociality and Rechtstaat to Revolutionary Nationalism and “Civil Society”**

Mexico has a long history of discourses of civility, each with different effects on sphere differentiation. I have already given the example of Las Casas, who deployed what was arguably radical discourse to reshape the contours of the civil in sixteenth-century Spanish America.

In the volume *Civil Sphere in Latin America*, Nelson Arteaga and Javier Arzauga Magnoni distinguish between two discourses that were deployed after the president and first lady were accused of a conflict of interest by a news team in 2012, after purchasing a house from a consortium that had benefited from government contracts. (Arteaga Botello and Arzauga Magnoni 2018). One is the discourse of patrimonialism, which gives pride of place to the president, who is governed by expectations of office but at the same time allowed a certain amount of room for maneuver, which may include the pursuit of personal gain within limits. Some conservative commentators deployed the patrimonial code to find the president’s behavior wanting, since he was seen to have brought his office into disrepute by exceeding acceptable limits of personal gain though still lamenting that the news team had profaned the sacrality of the presidential office. Arteaga and Arzauga Magnoni argue that the news team and other liberal commentators deployed instead a newer discourse of democratic civility, holding up transparency and democracy as values that the president had betrayed.

I suspect that Arteaga and Arzauga Magnoni exaggerate the extent to which liberal actors used one language and conservative ones used the other. As Alexander argues, what distinguishes the civil code from mere political ideologies is that otherwise opposing actors make use of the same language, even if they not only apply, but also inflect it differently. In the case of Mexico, I would argue that in practice liberal and conservative camps make selective use of the two discourses, as well as hybrids of them. Further, I would reiterate that the code of transparency and democracy is only the most recent civil discourse in play in Mexico. I have traced back to the colonial period a code that I dub “civil sociality,” showing that it has at times been used against the civil discourse of the rights-protecting state, emphasizing the virtues of society over the autonomous individual. At other times there have been attempts to hybridize the codes of civil sociality and rights protection, notably through a school-based civics curriculum rolled out across Mexico, serving a variety of interests including rapprochement with the Church (Stack 2018).
Thus, rather than a single civil code, there are overlapping discourses pulling in different directions but sharing a concern with standards of treatment understood to transcend the particular, while challenging codes such as patrimonialism that made power and wealth the property of a chosen few. Another powerful civil discourse has been that of revolutionary nationalism, by which peasants and workers should expect what was due to them, such as land to till and a fair wage, not only because they are Mexican, but because Mexico is to govern itself according to civilizational standards of social justice for all. This discourse was given shape in the countless organizations that were tied into the Institutional Revolutionary Party (PRI) that was founded in 1929 and went on to govern Mexico for decades.

Huntington observed in 1968 that the PRI’s revolutionary nationalism, however generous for its time, was wearing thin (Huntington 1968). His remark was prescient, and Arteaga and Arzauga Magioni’s alternative version of the civil discourse soon started to crystallize. The regime was concerned about the high rate of abstentionism in the 1970 election, and in 1977 an electoral reform created openings for opposition parties through proportional representation. During the period, oppositional movements of all stripes converged on the electoral terrain – for the most part, they identified as citizens rather than, for example, workers (Tamayo Flores-Alatorre 1997). Their objective was to get a political party that might give room to their demands. Even after the electoral reform, it took over a decade for opposition parties to get electoral victories recognized by the Interior Ministry, which then handled elections. During the 1990s a number of “independent” organizations appeared, notably Civic Alliance, to push for clean elections; we will see that Civic Alliance worked with the Zapatistas in the 1990s (Olvera Rivera 2006). The result was the creation of a fully autonomous Federal Electoral Institute, which allowed in 2000 for the victory of the conservative opposition party’s candidate, Vicente Fox.

The term “civil society” began to be used around the mid-1990s for organizations like Civic Alliance. The term was then coming into its own in Central and Eastern Europe, as well as in the post-dictatorship regimes of other Latin American countries. In the Mexican context, “civil society” meant emphasizing autonomy from the PRI regime and rallying behind newly autonomous state organs such as the Federal Electoral Institute. It meant challenging the Mexican government’s grip on communicative institutions, divided into mass TV media that were pro-state and elite newspaper media where there was some degree of freedom. “Civil society” was also about opening spaces for social movements autonomous of the corporatist regime – for example, labor and trade unions were affiliated to the PRI – even if many of them were effectively sponsored by the Church. Finally, “civil society” meant challenging not only corporatist patrimonialism, but also the PRI regime’s newly “modernizing” social policy, which for example looked to bypass party elites to roll out innovative “social investment.”
Thus “civil society” came to name a new form of *civil establishment*, one that was integral to the institutions of the new electoral democracy, while at the same time limiting in some respects the prospects for further opening (Figure 1.3). Civil society remained compromised in many ways, and much of civil society later became absorbed by the electoral machine (Oxhorn 2011). Rather as Chatterjee suggests for India, civil society tends to stigmatize the often unseemly negotiations that surround electoral politics, as well as the petty negotiations that surround cash-transfer programs (Chatterjee 2004). Civil society is also largely indifferent and even hostile to the vast panoply of residents’ and traders’ movements across the country, often associating them with self-interested particularism on the one hand and corporatist habits of the past on the other.

Given the inertia that Alexander recognizes is proper to civil spheres, and that I have argued is characteristic to civil society as it gets established in Mexico, it is essential to ask whether there is scope in Mexico for movements to wedge open civil spheres, even while remaining within the established modes of protest. Movements that fail to secure acceptance by the civil establishment tend either to give up or adapt their strategies to civil society expectations, for example by registering under the official status of civil associations and generally limiting themselves to the established modes of political action. For
example, a civil association that I observed during recent fieldwork in the state of Michoacán, the Solidary Action Foundation (FASOL), offers training to local CSOs (Civil Society Organizations) in the use of a range of legal strategies. The law gives you extraordinary powers as citizens, was FASOL’s message to local activists, and their fault has been not to make use of them. Yet even if many movements come to cater to the expectations of civil society, others decide to up the ante by radicalizing their strategies.

Radical Acts in the Face of the Establishing of Civil Spheres

Going beyond the established modes of political action – which we term radical – would appear to be more common in Mexico than in the United States. One explanation is that in Mexico the institutional channels are often inadequate. Movements will try to use institutional channels, for example by seeking audience with the municipal president. They often claim to have had recourse to legal instruments such as the amparo, a writ that appeals to constitutional rights to stay judicial or executive actions. They may also seek coverage from print or digital media, or from organizations such as universities, professional associations, or political parties. Yet their attempts to use established channels are often frustrated, ending up for example in years of fruitless legal wrangling. Indeed, the boundary between established and radical modes of protest is less clear to begin with. The boundary may never be black-and-white because the regulation of protest often leaves room for maneuver on both sides, for example with regard to the notice period that demonstrators are commonly expected to give. Yet in Mexico the law is less of a reference point to begin with, such that there is less discussion about whether a protest is legal or not. Moreover, even obviously illegal modes of protest, such as blocking highways, were in some regions so common that the term “radical protest” seemed ill fitting, and my use of the term is apt to surprise my Mexican colleagues. Even to say there is more radical protest is to falsify slightly the situation, since the boundaries of the established are often fuzzy.

A second explanation for the frequency of radical acts in Mexico is that it may be harder there to garner the attention of established civil society. I proposed in the first half of the chapter that radicalization is sparked not only by failure to obtain legal remedy but also by the indifference or hostility of civil spheres. I believe that a similar dynamic can be observed in Mexico, where civil spheres based in metropolitan places were little exposed to the demands from the marginal neighborhoods and rural areas that lay beyond. I also proposed that the decision to use radical strategies often leads to further stigmatization, and this is certainly the case in Mexico. The most striking case is that of the dissident teachers’ union National Coordinator of Education Workers (CNTE). CNTE was founded in 1979 as a splinter of the official teachers’ union and was committed to a democratic command structure, trenchant defense of teachers’ privileges, and criticism of the PRI regime that ruled Mexico from 1929 up to 2000, when the PRI lost the presidential election to the conservative National Action Party (PAN). After the PAN’s victory in 2000,
the official union under the boss-style leadership of Elba Esther Gordillo switched its support to PAN in return for generous pay deals; however, shortly after the PRI won back the Presidency in 2012, Gordillo was imprisoned on corruption charges. The official union went on to support the PRI president’s “modernizing” Education Reform, even though this required the certification of teachers and schools. By contrast the dissident CNTE has held regular mass protests against the Education Reform, which it tends to claim are legal, accusing government of “repression” when police are used to disperse them, but which typically include sustained highway blockades. Radical protest can be stigmatized by being associated with pre-2000 “habits of the past,” and this was certainly the case of the teachers’ protests. It is also associated with rural and especially indigenous peoples, and sometimes seen as a trait of backwardness. For mornings on end in 2013, I tuned into Televisa or TV Azteca newsreaders pouring scorn and indignation on the CTNE’s encampment on Avenida Reforma in Mexico City (Figure 1.4).

Just as law-breaking protest can be justified as civil disobedience in the United States, so in Mexico there are moments when radical protest is accepted by established civil society. Even violence can in certain circumstances be justified – hence my use of the term “violent disobedience.” An example is the autodefensa (self-defense) movement that spread across the state of

**FIGURE 1.4** Dissident teachers’ union CNTE outside the Televisa news studio in Mexico City in 2013 in an unannounced protest against “biased” coverage stigmatizing the movement. (Enrique Ordoñez, Cuartoscuro.com).
Michoacan in 2013–14. Thousands of men and women took up arms against the Knights Templar cartel that – they concluded correctly – had captured state and municipal governments. The movement was reported sympathetically in the mass media and many newspapers, and I have found that even social movements that would never consider such action themselves still regard the autodefensa movement a source of inspiration. The case that I do explore below is the Zapatista movement of the 1990s, which was itself an inspiration for some autodefensas.

A further difference from the United States is that the response of established civil society to radical protest may be less politically decisive than it is in the United States. Some movements make headway with radical protest even in the face of civil stigma. Again, an example is the dissident teachers’ movement, CNTE. Although stigmatized by established civil society for its self-consciously radical strategy, CNTE remains a potent force in Mexico. What this illustrates is that in contexts like Mexico, civil sphere approval is not a sine qua non of political action. By challenging governability, it is still possible to get one’s way. Even if less decisive than in the United States, civil sphere response to radical protest is still often important. In the case of CNTE, civil sphere hostility did arguably weaken the union’s hand, and as a result CNTE has shown signs of engaging with civil establishments in recent years. In the case of the Zapatistas, I will argue that the civil sphere’s embrace of the Zapatista rebels was crucial in securing the constitutional reform sought at the time by the movement.

The Zapatista Rebellion of 1994: Armed Rebels, Government and Civil Establishments

My case is the Zapatista (EZLN) movement, which, despite the armed rebellion in 1994, proceeded to achieve some recognition in the civil sphere, leading to significant institutional change at a national level. In some respects the Zapatista case is still more striking than that of CNTE. While CNTE failed to obtain civil sphere approval for its radical strategies and yet makes political headway, what is notable about the Zapatistas is that they did secure some civil establishment approval even though their strategies were still more radical. They went on from strategies such as highway blockage, which CNTE uses, to launch a full-blown armed rebellion. The Zapatistas’ radical breaches had the effect of wedging open the civil sphere, even though they set out to smash it open. They came from outside the civil establishment, yet not only did they secure some sympathy from it, but this had the effect of opening up the civil

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2 In the case of CNTE, radicalization is not something that happens in response to civil sphere deafness. CNTE sets out to be radical from the outset, as a bargaining strategy.
sphere to hitherto unpalatable actors and the constituencies they represent. It also had the effect of opening up the established modes of political action and of protest itself. I do not suggest the Zapatistas are typical, and in many ways the rebellion and its aftermath was an extraordinary turn of events, even for the state of Chiapas – which in many respects was atypical of Mexico to begin with. Analyzing the Zapatista rebellion in Chiapas is, however, still useful for understanding the broader context that they shared and share with many other Mexican movements. It is also a case that can push us to develop and rethink aspects of CST more broadly.

 Forgiving a Revolution, 1983–94

The Zapatista Army was launched in 1983 by the National Liberation Front (FLN), one of several revolutionary groups that had flourished in the 1970s in Mexico’s cities but with a view to establishing a bridgehead in the countryside. Some called themselves Maoist, others identified with Che Guevara. Neither had made any real headway in the 1970s. The Zapatistas were the FLN’s fourth attempt to set up a revolutionary cell in Chiapas. In the years that followed, the Zapatistas were their only success, and they failed to gain a foothold anywhere else in Mexico. I should add that the Zapatistas used the term “Maoist” in the 1980s for the groups that had become “reformist” or had been co-opted by the Institutional Revolutionary Party, which, not unlike the Congress Party of India, had ruled Mexico for decades. One such group, Proletarian Line, was being funded by Carlos Salinas de Gortari, who went on to become Mexico’s most notorious “neoliberal” president. The FLN’s fourth attempt to spark revolution in Chiapas began in 1983 with a handful of non-indigenous and indigenous men and a few women, who had been trained at a safe house in Mexico City. For the first year or so, they focused on surviving in the remote forest environment and simply remaining undetected not just by security forces, but by locals (on a previous occasion, the FLN’s insurgents had been ousted by villagers and they were desperate not to repeat the experience). At some point the Zapatistas began making contact with peasant communities and, slowly, started to recruit them (Gunderson 2013).

The EZLN found itself in a context with a long history of peasant activism. The large peasant movements already in the region were mainly interested in the EZLN defending them from the ranchers’ armed retainers. It is also significant that the Zapatistas were far from the first “consciousness-raisers” in the region. The earlier Maoist and other movements had made some inroads. More importantly, the Catholic diocese had for years been training lay leaders not only to teach Scripture and Catholic doctrine, but also to raise awareness of social and political injustice, in the process generating dense cross-regional ties between the lay leaders. The teaching and infrastructure of the diocese, especially its social networks, was crucial to the nascent EZLN, as was the tacit support given by some clergy to the EZLN. Bishop Samuel Ruiz – later
compared to Las Casas himself – was to oppose the plans for armed action in the 1990s, but he did play a crucial help after the rebellion to explain and justify the Zapatistas’ demands to the world, as well as proving a credible mediator in the talks. Arguably, then, EZLN developed its own civilizational discourse out of a medley of Maoism and a version of Catholicism emphasizing social justice.

The peasant movements with which the EZLN was allied staged a number of large-scale protests, culminating in a march on Mexico City in 1992. The movements’ strategies including several that are radical at least in the sense that they went beyond the legal means, although their strategies were widely accepted and used by movements. The government’s response was to try to co-opt movement leaders while paying minimal heed to their demands. This is not to say that the government was doing nothing in the region, and, in fact, there was considerable investment from the 1980s, but government policy and investment had little connection to the movements’ demands. The call for more radical action was made in part in the name of democracy. The movements also objected to two key national policies, which, they argued, destroyed all hope for peasant farmers. One was the North American Free Trade Agreement (NAFTA) – the free trade agreement between Mexico, Canada, and the United States – and in fact the Zapatista decided to rise up on the day of NAFTA’s signing, January 1, 1994. The other national policy they protested was the reform of the constitutional article on land redistribution, which would pave the way to the privatization of the lands distributed under the land reform earlier in the century (Harvey 1998).

In 1992 there was a significant change in the Zapatista hierarchy, which reflected what the Zapatistas and its mother organization FLN had become. The command was transferred formally from the FLN command in Mexico City to a clandestine revolutionary committee of Zapatista commanders (the majority of whom were indigenous) in Chiapas. Two nonindigenous subcommanders, Marcos and Pedro, had functional roles in military operations and communications. This reflected the numerical preponderance of indigenous men and women in the EZLN by that time, due to successful recruitment, and indeed in the FLN nationally, since the Zapatistas were still the only success story of the FLN. It also reflected the indigenous commanders’ political or strategic weight within the movement. Subcommander Marcos later said that the Zapatistas’ first defeat was at the hands of the indigenous peasant communities in Chiapas. The first Zapatistas were, it seems, so desperate to avoid failing, and the indigenous communities so experienced in the struggle, the EZLN was already in 1992 quite a different organization to its origins in 1983. It may also be that the Zapatistas adopted the indigenous communities’ priorities out of faith in the Maoist “mass line,” although it is not clear earlier self-styled Maoist movements had set much of an example here (Gunderson 2013).

In 1992 the EZLN commanders took the decision to go to war after a final consultation with the indigenous support bases. Marcos claimed he was against it, and certainly other FLN leaders were opposed, two of them walking out on
the FLN, arguing that the movement was not yet ready and that the rebellion would be crushed (Gunderson 2013). In a sense they were right. It has never been clear what the EZLN hoped to achieve from the armed uprising that they spent two years planning and which they launched in the early hours of January 1, 1994 (Figure 1.5). They seized momentary control of a number of townships in highland Chiapas, attacking local police and army bases, before retreating two days later in the face of a major onslaught by the Mexican Army. Marcos has claimed that they achieved their objective of catching people’s attention, and some analysts have agreed that the “war” was the Zapatistas’ first piece of mediated theatre:

This began as a ‘virtual’ movement, the object of which was to generate publicity, an ingenious strategy developed by Subcomandante Marcos, the spokesperson of the Zapatistas. It complemented, and indeed fed, the eager news media, and helped to create the appearance of military combat – army against army. In their first communiqué – still dictated in the old insurrectional style and dated one day before the revolt began – the rebels even announced their unstoppable advance on Mexico City, where they would seize power; all this in front of astonished television viewers, who could not believe what they were seeing. (García de León 2005, pp. 516–17)

Other sources suggest that they hoped they could hold on to the townships and that their rebellion would eventually bring about the collapse of the regime, perhaps by triggering armed uprisings elsewhere. If that was their hope,
it was quickly dashed as the rebels were dispatched back to the jungle by the Mexican Army.

Government and Civil Establishment in the Face of the Zapatistas’ Breach

Sympathy Amid Fear of Barbarity from the Civil Establishment

The Mexican government sent in troops to crush the rebellion even as it dismissed the rebel leaders as foreigners, presumably from Central America, intent on destabilizing the region. Yet the government called for a ceasefire after the first week, and open hostilities have not resumed since then. The reasons for the government’s decision are still debated two decades later, but it was likely because of pressure not only from EU and other governments, but also from within Mexico.

The pressure had in turn to do with the media phenomenon that the Zapatistas were already becoming a week into the conflict. The Mexican media gave considerable coverage to the president’s claim that the Zapatistas were led and manipulated by foreigners and by Marxist-Leninist revolutionaries from a bygone era. But even in the early days, mainstream newspapers began tempering their accounts. The left-center Mexico City daily, La Jornada – with an important circulation as well as respectability – quickly put its weight behind the Zapatista cause and went on to become a stalwart supporter of the movement. International media were divided in their responses, but influentials and movements in countries such as France and Italy performed an early version of what might be termed an incipient “global civil establishment.” They used their influence over prestigious media in their own countries, as well as privileged access to certain politicians to place pressure on the Mexican government, for example by conditioning trade treaties on a peaceful solution to the Chiapas situation.

While significant voices began to back the Zapatista cause, other pillars of the civil establishment started to trace out a position that recognized the deeply uncivil state of play but went to lengths to restrict its import to the corner of the country, while warning against the spreading of incivility across Mexico. This is how I read reporting by the mainstream newspaper Excelsior, which was by January 4 deeming shameful the situation of Chiapas, under the subheadline “Warning from Chiapas: Justice Unpostponable”:

Old injustices and new forms of economic exploitation accumulated in Chiapas until breaking out in the inaugural political act of NAFTA. The appearance of the Zapatista Army of National Liberation, which in spite of the boundless aspirations contained in its name, only reaches across the head of what, during colonial times, was the General Captaincy of Guatemala; a fact that itself helps to outline the nature of conflict postponed for long irresponsibly and made worse by the authorities which had not combated from the root the causes of the regional backwardness. (Excelsior, January 4, 1994)
Excelsior was treading a tightrope between recognizing the justice of the Zapatistas’ cause, which the Mexican government had long failed to address, including not only colonial injustice, but also the unaddressed impact of NAFTA, while confining both movement and cause to the corner of Chiapas, where it could be contained and then addressed without upsetting the fabric of Mexican society, much less provoking further uprisings across the country. The risk of nationwide violence was evoked the following day by the same *Excelsior*, under the sub-headline “The Two Faces of Mexico: We are a Patient and then Explosive Nation”:

Centuries of Merciless, Systematic Exploitation

Frustration That Opens Doors to Violence

Nothing Justifies This Suicidal Struggle, Without Hope

Violence is not, of course, an unprecedented occurrence for the men we are or the people we constitute: this people, the Mexican one, with a long tradition of the use of force. It is simply a reiteration very much alive of an ancient nature, a way of being, of living and dying. We are a patient people, and then an explosive one: soft Mexico and wild Mexico – one with two faces. (*Excelsior* January 5, 1994)

The first sub-headline reiterates the regime’s failure to deliver justice to Chiapas, but the second counsels readers that violence, however futile, is not idiosyncratic to Chiapas but an existential feature of the Mexican character, highlighting the urgency of repairing injustice in that state while ensuring the struggle is adequately contained lest “soft Mexico” beyond Chiapas loses its patient civility.

Thus, amid condemnations of the rebels’ reckless breach and dark warnings of the risk of contagion, there were moments of sympathy even from establishment media, while the Catholic diocese, as well as one Mexico City daily showed more overt solidarity, as did some global civil organizations with leverage over EU governments that held in turn diplomatic leverage over Mexico.

Mexican Government Response: Performing Civil Openness, Though Unevenly

Much attention is paid to the Zapatista performance of their cause and how it was received by Mexican and by global civil society. Yet it is important to signal that the Mexican government, with decades of experience of political theatre, as well as civil establishment writ large, staged its own performances, which more or less followed the line sketched out in the early days by media such as *Excelsior*.

After containing the Zapatistas militarily in the first days of 1994, on January 6, the same newspaper, *Excelsior*, opened with the headline, “Government Proposes Four Basic Points for Dialogue” with the subtitle, “Strict Observance of Human Rights.” It signed a ceasefire several days later before agreeing
to talks about talks, which led to the signing of the San Andrés Peace Accords in 1996 (Figure 1.6). For the talks, the government appointed a previous mayor of Mexico City as negotiator, but also agreed to Bishop Samuel Ruíz as a mediator in the talks. The pivotal role of the bishop was especially revealing, given the long history of the Church in defining the contours of the civil in Mexico, as well as the specific role played by the bishop in the diocese of San Cristóbal de Las Casas. The bishop was supported by a board of luminaries (including an eminent sociologist) and a second board of respected federal congressmen—between them making up what might be seen as an embassy of Mexico’s civil establishment.

The government’s performance of openness, whether or not in good faith, suggests that it was sensitive to the principle that violence becomes harder to justify in civil terms when political institutions appear responsive to established civil spheres. There was much division within government circles about what was to be done, and the next Mexican president ordered a surprise military assault on the Zapatista bases a year later before returning to the negotiating table after it failed. The president then refused to sign into law the agreements

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3 This was in some sense what Chancellor Mockus tried to perform by putting on the militant’s hood (Tognato, Chapter 2), performing openness even to militancy and thus undermining the position of those who argued for nothing-short-of-revolution.
that were reached, proposing instead a significantly revised version, which the Zapatistas rejected. Yet by then EZLN, though still armed, had effectively renounced the use of its arms as it invested in the emerging discourse of civil society.

Armed Rebels Garlanded by Civil Society: Discursive Footwork

The topic for the first round of talks in 2015 was indigenous rights and autonomy. This is significant because up to 1994 the Zapatistas did not emphasize their indigenous membership in the way they would later, much less did they pitch themselves as a movement for indigenous rights. In early communiqués there was mention of its largely indigenous membership, but this was hardly surprising in a region dominated by indigenous peoples. It seems clear that the decision to focus on indigenous identity and then rights and autonomy was a response to the way that the movement was being characterized in the national and international press — namely, as an indigenous movement. Not only did indigenous identity have an important cachet in 1994, but indigenous rights were fast becoming the major political claim that they are today, including in international law through the principle of self-determination. This the Zapatistas realized quickly.

The Zapatistas were just as quick to latch onto the discourse of civil society that I described above as a variation on the theme of moral civilization. By that time, civil society was being widely credited (retrospectively) for the Velvet Revolutions that felled Communist governments in Europe, as well as for championing civil and human rights across the world, including against military dictatorships in Latin America. As a consequence, governments felt obliged to appear to listen to those who had a credible claim to speak for, as, or with the backing of civil society. The Zapatistas worked extraordinarily hard to stake that claim.

How did an armed peasant and predominantly indigenous movement come to be garlanded by civil society? To begin with, they needed to justify their use of arms in civil terms. The Zapatistas had already made some attempt in a 1992 communiqué to justify the armed rebellion as an act of last resort, as well as avoiding being provoked into combat by government or paramilitary forces (Subcomandante Marcos and Ponce de León 2011, 23–38). This is consistent

4 The Zapatistas remain vulnerable to the charge, that their uprising and land seizures exacerbated the violent conflicts across the region along ethnic, political, socioeconomic, and confessional lines. There was plenty of violence before 1994. It is also true that the government contributed after 1994 through low-intensity warfare, which included the active or passive support for paramilitary groups hostile to the Zapatistas, one of which massacred a village of Zapatista sympathizers at Acteal in 1996. Yet if the EZLN respected the ceasefire after 1994, the rebellion itself set in play all sorts of conflict across the state. Zapatistas seized extensive lands from 1994, for example, even if some were later lost and, on some occasions, they have yielded lands to other groups who demand them. It is not for nothing that the diocese as well as
with the discourse that I have labeled “violent disobedience.” It is also significant that the Zapatistas appealed to the Mexican Constitution in justifying their rebellion – drawing on a long tradition of Latin American constitutionalist rebels – including the article empowering the people to take power against tyranny.

As well as justifying their armed rebellion, the Zapatistas had to bring their conduct into line with what was considered consistent with “civil society.” Human rights organizations criticized both Zapatistas and government in the first days of the uprising, yet from then on the Zapatistas were careful to stay on the right side of such organizations. The Zapatistas went further to take up positions akin to those of civil society, especially by locating themselves outside of electoral politics and pushing for thoroughgoing reform of it, while remaining broadly committed to some version of it. Here it is significant that they worked together with Civic Alliance, which, as I have indicated, was in the 1990s the most important civil society organization driving for electoral reform (Olvera Rivera 2006). Beyond electoral democracy, the Zapatistas made a point of consulting decisions with their supporters and then of holding a national consultation in 1995, together with Civic Alliance, on whether they should continue the armed struggle. The outcome of the consultation allowed the Zapatistas to maintain their revolutionary credentials, as they retained their weapons, while claiming to obey civil society in declining to use them.

**Wedging Open Established Civil Society**

It may be that some Zapatistas regret not pursuing a Maoist-style people’s war of liberating territories leading to the eventual encirclement of cities; that is, persevering with the project of smashing open the established civil sphere, reworking the discourse of civility entirely, and using it to undermine the standing of civil sphere elites and to counter their hold over institutions from church to state, and in the process disrupting the settled logic of sphere differentiation. They may regret trying instead to engage with the civil establishment, especially given that, as I have observed, its support is less determining in Mexico than it is in the United States. Engaging with the civil establishment led to them reining back their strategies and focusing their objectives in ways calculated to achieve solidarity. Some Zapatistas may now see this as too high a price to have paid.

human rights organizations, local and international, still oppose the Zapatistas’ original decision to rise up in arms rebellion in 1994.

5 It is increasingly difficult even for a revolutionary movement to reject human rights in the world today, and the Maoists in India feel the need to defend themselves from charges of violating human rights, including human rights’ organizations (such as Human Rights Front) among their mass organizations (Gudavarthy 2012). In this volume, Khosrokhavar (Chapter 4) indicates that jihadists are also apt to use the language of human rights.
Yet I would argue that despite the limits of their success, the Zapatistas contributed toward wedging open the civil establishment. Most obviously they played a role in wedging open the civil establishment’s recognition of a hitherto marginal constituency, that of indigenous people. It is true that the government ended up watering down the Zapatista-backed constitutional reform. With the seal of civil society, the first round of talks between Zapatistas and government, on indigenous rights and autonomy, closed in 1996 with a set of agreements. The second round was broken off the following year because the Mexican president refused to present the agreement to Congress. For this the Zapatistas had to wait until the ruling party lost office in 2000, after seven decades of rule. The incoming president, Vicente Fox, had promised during his campaign to resolve the Chiapas question, and he tried to do so not only by withdrawing troops, but also pushing through the constitutional reform. The Zapatistas marched on Mexico City in 2001 to put pressure on the Mexican Congress to pass the president’s bill, eventually persuading congress to let them address the assembly. Congress passed a modified version of the bill. The Zapatistas argued with good reason that it was a diluted version and a betrayal of the original agreement. Despite these limits, the Zapatistas had nevertheless managed to bring the cause of indigenous rights center-stage.

As well as wedging open the causes and constituencies recognized by the civil establishment, the Zapatistas arguably helped to wedge open civil society itself by networking vigorously not only with establishment organizations like Civic Alliance, but also with a myriad of non-elite organizations across Mexico. In the context of a second consultation in 1999, for example, they sent out delegates to every municipality of the country to be hosted by local organizations, and I observed the hosting of two balaclava-clad Zapatista delegates by a local organization in the west-central state of Jalisco. The Zapatistas invited civil society representatives from across Mexico and beyond to a series of colorful conferences in Chiapas, and in 2013 they brought activists from around the world to a “Zapatista School” where activists evaluated the state of play in Zapatista territories, including their cooperative production and innovative local government. I would argue that in the process, the Zapatistas contributed to forging the civil society whose support they then claimed, as well as wedging it open.

Throughout this process, the Zapatistas have helped to wedge open the established modes of political action in Mexico. I have said that the bounding of political acts is crucial to the working of any polity, and a sign of civil sphere formation is that the bounds are articulated in a civil register – as they are in the case of constitutional democracy. It might be argued that the Zapatistas legitimated armed rebellion by using and then refusing to depose their arms, even if they said they would not use them. Certainly the subsequent appearance of armed groups in states such as Oaxaca and Guerrero may have owed something to the Zapatista precedent. Many of those armed groups have been...
stigmatized in the mainstream media, but I have also mentioned the media sympathy for the *autodefensa* movement of Michoacán in 2013–14.

However, the Zapatistas themselves have paid more attention to their struggle to wedge open political action beyond the electoral competition, which, especially after 2000, began to absorb energies across the political spectrum in Mexico. In the 1990s the Zapatistas arguably helped to take organizations like Civic Alliance beyond the agenda of voting rights, while in the 2000s it looked to wedge open spaces beyond the electoral competition that was absorbing energies across the political spectrum. An example is the Other Campaign launched in 2005 as a series of events intended to articulate issues left out in the cold by political parties (Figure 1.7). In marking the boundary from electoral politics, the Zapatistas paid a price. In 2006 a left-wing presidential candidate, Andres Manuel López Obrador, seemed poised to win at the polls before his conservative opponent was declared the victor by a tiny margin and amid accusations of voter fraud. Not only did the Zapatistas refuse to support López Obrador’s candidacy, leading his supporters to accuse EZLN of having cost him the presidency, but they also refused to support his campaign.

**Figure 1.7** The “Other Campaign,” designed as an alternative to Mexico’s electoral politics. The figure of the indigenous woman is clearly designed to offset the predominance of light-skinned men in Mexican party politics, while the blurb explains that the intention is not to hold rallies but to practice “listening” in order to construct a national agenda from below.
to overturn the results. Their refusal might be read as another radical breach, this time aimed at Mexico’s established left, and it certainly drew condemnation from some establishment figures.\(^6\) This cost them the solidarity of many on the left across Mexico, undermining their ability to influence national agendas. On the other hand, it did arguably allow them to continue wedging open spaces without being absorbed into electoral politics.\(^7\)

The mode of Zapatista action that has arguably secured most sympathy from the civil establishment is their pursuit of territorial autonomy. After 2003 EZLN paid little heed to the prospects for legal and constitutional reform and appeared to retreat into itself, going through periods of media silence lasting a year or more. Instead, they focused on creating forms of government within their territories in rural Chiapas, setting up Good Governance Councils with short, rotating terms of office, whose holders are still expected to consult before making decisions. Notably they do not seek recognition from the Mexican government of their territorial claims, but instead claim they are exercising their political rights to self-government, alluding to the principle of municipal autonomy sacred to the Constitution. State and federal governments have largely left them alone to govern, and have sometimes even declared their respect for the Zapatista movement. By no means are all residents of the territories happy with Zapatista control. Many are indifferent or more persuaded by what other political parties have to offer, and the Zapatistas have plenty of critics, locally and nationally.\(^8\) Yet the

\(^6\) Another revealing moment came in October 2014, when the Zapatistas were approached by the parents of the 43 student protesters who were murdered in September that year on the orders of a mayor in the west-central state of Guerrero. The Zapatistas’ response was something of a lament, offering some solidarity but declining to identify closely with the parents’ movement, and pointing out that one day the parents would be abandoned by the organizations that were then supporting them. The erosion of national solidarity leaves the Zapatistas vulnerable in their territories – the Zapatistas need to retain a national and international profile if they are to avoid being throttled at home. A dramatic example was the 2014 murder of a Zapatista officer in the heart of Zapatista territories, at the hands of indigenous members of a rival organization affiliated to the same left-center national party, which has made headway in Zapatista territories. Enraged by the low-key response in the media, Marcos decided to step down as spokesman of the movement, arguing that the media focused on him as the one of the few non-indigenous Zapatistas to the exclusion of the indigenous Zapatistas. He also changed his *nom de guerre* to that of the murdered Zapatista.

\(^7\) In 2017 the Zapatistas decided to launch an indigenous woman from the west-central state of Jalisco as an independent candidate for the Presidency. It is significant that the candidate failed to achieve the required number of signatures to register as an independent candidate, even in regions with a high percentage of indigenous people. That said, it is also significant that the candidate was received sympathetically in the mainstream media, which recognized for example that the National Electoral Institute recognized that she had by far the lowest percentage of fraudulent signatures.

\(^8\) Scholarly critics have noted two problems: first, the Zapatista government is very slow, not least because, second, office-holders continue to look to the Zapatista command for direction (e.g., Saavedra 2007). In practice, government varies considerably from community to community, and some would say it resembles the patchwork of governance which persisted for years after the
example continues to inspire other movements across the country. In the case of Michoacán, the town of Cherán ousted both local police and political parties in 2011, establishing instead a government council selected by representatives of each neighborhood, citing the Zapatistas as a source of inspiration (Figure 1.8).⁹

Mexican Revolution. The Zapatistas have created schools in which they teach Zapatista principles, but their schools as well as clinics often struggle to survive, not least because donations from CSOs have fluctuated. The Zapatistas also organize production on collective farms on the lands of some larger ranches that the Zapatistas seized after 1994, yet have themselves admitted that they need to improve their marketing of goods if they are to make an impact on the continuing poverty in their territories, while blocking private and public investment from outside. The incoming president in 2012 pointedly chose Zapatista territory to launch his “Crusade against Hunger,” making the point both that his government will go anywhere and also that the Zapatistas have not eradicated hunger, either. The director of the Federal Opportunities Program has said they do not go into Zapatista territories, out of respect for the Zapatista policy of refusing government programs, but acknowledged that Zapatistas supporters leave their territories to register for the program.

⁹ Cherán has in turn become an icon of radical protest that is often represented favorably in the civil sphere, although unlike the Zapatistas the town obtained constitutional recognition of its electoral arrangements.
CONCLUSION: READING CIVIL BREACHES COMPARATIVELY FOR EMANCIPATORY POTENTIAL

My objective in this chapter is not simply to apply CST to the context of Mexico, but rather to read the theory through the context in a way that helps to develop the theory, including for the context of the United States in which CST was originally developed. The theoretical account of civil sphere dynamics that I give in the first half of the chapter is refracted not only through my experience of growing up in the United Kingdom, but also through my analysis of the case of Mexico that I expound in the second half. I start the chapter by asking about the circumstances in which civil spheres can be emancipatory in the sense of helping to expand fair treatment to those who are currently marginalized or excluded or stigmatized. The question itself came to mind after years of fieldwork in Mexican contexts in which civilizational discourse was commonplace and manifest in organizational and institutional structures, and yet emancipation was scarce. Even relatively generous discourse – such as the ideals of the Mexican Revolution – can end up losing their progressive edge once fully established. I suggest the same is true of the fresher civilizational discourse of “civil society” that began to establish itself in Mexico in the 1990s. It created important openings, but I argue that “civil society” requires wedging open to avoid reproducing the marginalization of non-elite movements and causes across the country.

Here the case of the Zapatistas is illuminating in that the rebel movement after the armed rebellion of 1994 came to translate its Maoist discourse into the “civil society” discourse. Though on the one hand this led to the Zapatistas moderating their strategies in order to fit the standards of conduct expected of them, I argue that on the other hand the Zapatistas served to wedge open Mexico’s established civil sphere. They are an example of how radical acts – those going beyond the established modes – can on occasion attract sympathy from within existing civil establishments. Among my other examples are the very different case of the dissident teachers’ union, CNTE, and the municipal autonomy movements that, even if different again, were inspired by the Zapatistas and have spread in recent years as a response to the plague of government complicity in organized crime.

Reading CST through Mexico highlights how civil sphere dynamics must be taken to include acts that upset those same dynamics, offending established modes of conduct, and to consider in what cases even violent acts can over time have the effect of wedging open established civil spheres.

REFERENCES


