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Modern Civil Disobedience Through Art

Historically, and increasingly so today, not everyone gets to participate equally in the benefits and protections of economic and political systems. History has shown that some of the most influential heroes and activists of all time fought against the system by openly violating its unjust laws. Martin Luther King Jr. was perhaps the most influential practitioner of this civil disobedience in the United States, fighting for those in society whose individual human rights were ignored. King passionately argued that the system itself was broken, fighting through illegal, yet peaceful, means to draw attention to the plight of others. King details his interpretation of civil disobedience, and the actions that it requires, in his *Letter from a Birmingham Jail* (King). In the present time, an anonymous graffitist commonly known only as Banksy continues to spread King's message through his illegal street art. Banksy's art is found around the world, protesting against a wide range of social and political injustices as diverse as the occupation of Palestine, police action, global warming, foreclosures, poverty and unemployment, child labor, corporate advertising on public spaces, and even against the removal of street art itself (Mattanza 38, 42, 45, 44, 53, 47). Through his illegal street art, Banksy takes great risks in breaking the law to put his art in very specific locations in order to sway public opinion and pressure the establishment to take action. Banksy's targets, methods, and motivations reveal that he is a true activist hero fighting for those without a voice. Despite straying from Martin Luther King Jr.'s precise definition, Banksy's anonymous fight to expose the shortcomings of societal systems to protect all people equally is a modern form of civil disobedience.

To analyze whether Banksy's work is simply vandalism or an important act of civil disobedience, it is necessary to both understand civil disobedience through Martin Luther King Jr.'s eyes, and to assess how this view may be updated to a more modern definition. From a jail

cell in 1963, King laid out his view that there "are two types of laws: just and unjust," as well as his conviction that "one has a moral responsibility to disobey unjust laws" (King). However, King also qualifies what would constitute civil disobedience, namely that "one who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty" (King). King argued that the final step in any nonviolent campaign of civil disobedience was direct action, which "is in reality expressing the highest respect for law" (King). When challenged on why he came to Alabama to protest, he wrote simply that "I am in Birmingham because injustice is here" and that "injustice anywhere is a threat to justice everywhere" (King). Crucially, King believed his brand of civil disobedience required him to not just protest from a far away podium, but to be at the site of conflict. King's opinions remain quite relevant today. In his journal article, *The Right to Rebel*, Sergio Fiedler surveys the polysemous nature of civil disobedience across time from Henry David Thoreau to present times (Fiedler). Borrowing heavily on John Rawls' "Theory of Justice in 1978," Fiedler endorses two additions to King's views adopted from Rawls, namely that civil disobedience should be "used only in explicit and concrete cases of injustice," and that the actions should "always be proportionate" (Fiedler 44). Fiedler further concludes that the targets of civil disobedience should be expanded to not only include political systems, but also global institutions and both public and private corporations (Fiedler 45). King's own definition can be merged with Fiedler's additions to create a more modern interpretation of civil disobedience: the exertion of pressure on any economic or government system or power that fails to equally protect basic human rights through nonviolent and proportionate direct action in open violation of unjust laws at the scene of the crime. This updated, yet historically consistent statement on civil disobedience remains true to King's philosophy and intent.

Using this updated definition, Banksy must violate laws that can be considered unjust in order to meet one of the threshold issues is assessing any modern practice of civil disobedience.

In order to have his messages seen and heard worldwide, Banksy intentionally breaks the law as part of the creation of his art. Rather than hanging art in a studio, Banksy permanently paints his art directly on public and private buildings, cars, national monuments, zoos, city streets, uninvited museum spaces, walls, signs, tunnels, and other public spaces. (Stephens 24). His paintings, as well as his efforts to get to the locations for his art, violate numerous laws, including breaking and entering, trespassing, and the destruction of property (Salib 2298, 2303, 2310). His art also violates graffiti laws and ordinances that require signage permits. In Banksy's own words, "'the criminal side is important,'" an admission that firmly proves the illegality of his actions. (Ellsworth-Jones, Banksy 97).

However, to qualify as civil disobedience, the laws broken must also be unjust. One of Banksy's purposes in using street art is to call attention to the hypocrisy of political ownership and authority over public spaces (Stephens 11). It is illegal for Banksy or any graffiti artists to use these public spaces, because as one city official once proclaimed, graffiti art "is illegal, antisocial and diminishes the local environment" (Green). However, cities regularly allow corporate advertisers to put up their own messages on these very same public spaces, without any apparent regard to the impact (Stephens 11). Banksy's art can be seen as a statement of reclamation, contesting government's leasing of public space for large corporations to advertise their messages (Stephens 12). Banksy views these laws as unjust, and King's own definition would support. As King declared, an unjust law that is one that a "power majority group compels a minority group to obey but does not make binding on itself" (King). The prohibition of graffiti, a powerful art form often associated with the lower class, in favor of corporate messaging precisely fits King's definition of an unjust law. Banky's nonviolent breaking of these unjust laws increases the effectiveness of his art, and establishes a key element of the civil disobedience definition.

Having established that Banksy's art breaks unjust laws, Banksy's art must also proportionately seek to exert pressure on its targets at the very site of the injustice or inequality as modern civil disobedience mandates. Toward this end, Banksy's unique use of stencils and location allows him to make powerful arguments that very few other artists can do as effectively. Banksy believes there is power in stencils, but also likes "the political edge. All graffiti is low level dissent, but stencils have an extra history. They've been used to start revolutions and to stop wars" (Ellsworth-Jones, The Story Behind Banksy). The nonviolent use of spray paint to spread his messages is a proportional nonviolent response to the failures of government and society. In his calls to arms, Banksy breaks only those unjust laws to he believes necessary to effectively spread his messages. Compellingly, Banksy puts his art in the heart of the place of injustice to "incite the 'powerless'" including the poor, minorities, and subcultures to question structures of authority, political parties, and corporations in the fight to redistribute power (Stephens 36).

Just as Martin Luther King Jr. could have protested from the safety of his church, Banksy could paint his protests from a studio. However, in creating their methods, both King and Banksy understand that being at the scene of injustice puts an exclamation point on their message, and makes it essential to their protests, and indeed a requirement of civil disobedience. The illegality of location magnifies the impact of Banksy's art, as "the public tends to react" (Stephens 6). According to Banksy, "'a wall is a very big weapon,'" and in traveling to protest at the very site of injustice, he honors King's civil disobedience vision (Dickens). For his painting *Armored Dove (Figure 1)*, Banksy illegally painted directly on the Palestinian Wall, "one of the most controversial walls in the world" (Dickens). If the same painting was done on canvas in a gallery, its impact would have been limited. But by painting his message directly on the actual wall he was protesting, it became a masterpiece that gained massive media attention for the injustices of

the Israeli and Palestinian conflict. In a separate example demonstrating that his art's "placement [is] integral to its meaning," Banksy painted *Slave Labour (Figure 2)* on a dollar store to criticize the child labor practices of low price retailers (Salib 2300). These locations prove that "there is nothing inadvertent or careless about the placement" of street art, and it is clear that Banksy intends to incorporate the location itself into his messages for maximum effect (Salib 2298).

Despite the strong parallels between the protesting of King and Banksy, some will assert that King was clear in his writing that one who breaks unjust laws must do it openly, with a willingness to accept the consequences (King). Even in the rare occasions that Banksy has appeared onscreen, he does so "with his face covered or pixelated and his voice masked in order not to be recognized" (Mattanza 42). Critics will argue that because Banksy's art is done anonymously, it can not be considered true civil disobedience, which requires the illegal acts to be done openly. However, although his true identity is not known, Banksy actually makes no secret of his new works of art. In fact, his illegal art is often signed, and photos of each of his new pieces usually appear on his website (Ellsworth-Jones, Banksy 20). Thus, in the spirit of King, Banksy is not only open about his disobedience, he advertises it. Simply because he uses anonymity tools such as the internet, email, and even a bag over his head to make it difficult for authorities to track his persona to his actual person, does not change that his persona not only accepts responsibility, but wants it to enhance his impact. Furthermore, Banksy's use of anonymity does not mean that he is immune from the risks of his civil disobedience, and he runs a very real risk of being caught and punished with each new illegal work of art. For example, in 2011 a graffiti artists known as TOX was sentenced to twenty seven months in jail for criminal damage to property due to the fact that he had putting up graffiti for over a decade (Ellsworth-Jones, Banksy 100). Given the extent and duration of his work, Banksy is likely at an even greater risk, and like King, Banksy clearly has demonstrated a willingness to risk

imprisonment for his brand of civil disobedience. Although Banksy strongly believes that "if you want to say something and have people listen then you have to wear a mask," his work is fully visible to the public and the establishment, and he generally gets full credit assigned to him for his art (Dickens). Since neither King's definition nor the updated modern definition of civil disobedience requires a practitioner to declare their legal name, and since Banksy publicly acknowledges his illegal acts, even if through a persona, he more than satisfies the requirement that direct action be done openly.

Critics may also assert that Banksy has profited from his acceptance by the "elite" and the establishment, and conversely, that his protests actually create benefits for those in power that he claims to fight. Banksy's art has sold for hundreds of thousands of dollars, purchased by many rich and famous people (Ellsworth-Jones, Banksy 184). Additionally, many governments are becoming increasingly tolerant of Banksy's art and similar street art despite its illegality, in part because of the revenue his art can generate locally as his celebrity status has grown (Green). Critics will argue that these profits derived from his art, and the resulting membership in the system he claims to fight, sets up a conflict that precludes Banksy from practicing civil disobedience. These assertions do not in any way negate the fact that Banksy meets all of the requirements of the updated definition of modern civil disobedience. While Banksy made a profit and inherently became part capitalist, he is "a reluctant one" (Ellsworth-Jones, Banksy 3). Rather than just for profit, in reality the sales of certain pieces of his studio serve to fund the creation of new art(Ellsworth-Jones, Banksy 20). These efforts and profit help spread his civil disobedience calls to action to an even greater audience. The fact that the very powers and system that he protests against actually help fund his anti-establishment messages should not be viewed as a criticism, but rather as ironic poetic justice. Furthermore, there is no evidence that Banksy has ever made a dime from any of his illegal art, nor could he. As a matter of law, trespassers do not

acquire any rights in property that they may change, and therefore Banksy gains no ownership rights in art installed on walls or other public places from which he could profit (Salib 2303). If Banksy cannot, and does not, profit from his civil disobedience of unjust laws, then whether he makes money in other activities is not only completely irrelevant to the analysis, but it in no way disqualifies him from the practice of civil disobedience.

Regardless of one's initial views of Banksy and his work, perhaps the most important aspects to analyze are his own actions and intentions, for it is in the consistency of beliefs, words, and actions that present the best argument that Banksy is truly engaged in civil disobedience. Banksy provocatively explains that "there is a side of my work that wants to crush the whole system, leaving a trail of the blue and lifeless corpses of judges and coppers in my wake, dragging the city to its knees as it screams my name" (Dickens). Banksy leaves very little room for interpretation of his intentions, and leaves little to understand regarding why he needs to remain anonymous. Even as he has prospered, Banksy has said "I love the way capitalism finds a place - even for its enemies" (Ellsworth-Jones, The Story Behind Banksy). These words are a declaration of independence from the system, if not a declaration of war. This conclusion is supported by the fact that Banksy's protests have escalated even as his fame and fortune has. Banksy's own words, as well as his actions, are also compelling proof that he is not part of the system, but he merely uses its profits to fuel his work. It is work that he continues to do even as the risks of being caught increase, and work that has even included risks to his own personal safety while repeatedly painting on structures like the West Bank wall in Palestine. These are the actions and risks undertaken by a devoted practitioner of civil disobedience, not the acts of an establishment insider merely looking to profit from his unique skill set. When questioned about his political influences, Banksy's response was to "quote a saying from the great Gandhi: 'Be the change that you want to see in the world'" (Mattanza 52). Given their distinct but pervasive uses

of civil disobedience, perhaps then it is no surprise that just as Martin Luther King Jr. was heavily influenced by Gandhi, so was Banksy.

Banksy's artwork seeks to apply public pressure on a seemingly endless list of corporate and governmental targets to do more to protect people in society who are ignored, forgotten, or who have no voice of their own. Traveling directly to the site of injustice to break unjust laws, Banksy uses nonviolent and proportionate action to forcefully make his points, practicing a modern day form of Martin Luther King Jr.'s vision of civil disobedience. From Thoreau to Gandhi to King to Banksy, civil disobedience has consistently adapted to meet the wrongs of the time. Remarkably, despite his open and public acts, only a trusted few know exactly who Banksy is. His anonymity increases his ability to fight for the rights of others, while driving a popularity that gives him a direct voice to the elite to help push his cause from the top of the system and from the streets and walls below. While Banksy may not be quite the hero Martin Luther King Jr. was for enduring the tremendous personal sacrifices King did in his time, that doesn't diminish from the genius of, or the need for, Banksy's own modern brand of civil disobedience.

Figure 1: Armored Dove, Banksy.

Figure 2: Slave Labor, Banksy.

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