

Article



Unruly kids? Conceptualizing and defending youth disobedience

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Abstract

Taking the 'Fridays for Future' movement as its starting point, this article conceptualizes and defends youth disobedience, understood as principled disobedience by legal minors. The article first argues that the school strike for climate can be viewed as civil disobedience. Then, the article distinguishes between various forms of youth disobedience (according to whether they involve child-specific issues or actions). Building on the democratic rationale for civil disobedience, the remainder of the article argues that there is a special justification for youth disobedience. To show this, it argues that children are wrongfully excluded from political participation and that principled law-breaking can be an important remedy to this exclusion. The upshot is that adults should engage seriously and leniently with youth disobedience.

Keywords

Children, civil disobedience, democratic participation, Fridays for Future, resistance, school strikes, youth

Introduction

On 15 March 2019, hundreds of thousands of children took to the streets to protest inaction on the climate crisis. Many of them did something illegal during the demonstrations: they went on strike from school, following Greta Thunberg,

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who was 15 when she first protested in front of the Swedish National Parliament instead of going to school. The 'Fridays for Future' movement that her actions sparked – characterized by weekly school strikes for climate justice around the world – has received wide recognition: child protestors are invited to international conferences, and cities have reacted by acknowledging the climate emergency. But the movement has also been met with opposition. Some criticism concerns its contents: many complain that the protestors' demands are illusory or that climate protection should concern not children, but 'professionals' (CBS News, 2019). Yet, much criticism in fact targets the specific form of activism that 'Fridays for Future' uses. Some simply complain that school strikes are illegal. The British government worries that the protestors are wasting resources through their 'truancy' (Steafel et al., 2019). Likewise, Australian and German ministers suggest that children should protest outside of school hours (Westbrook and Fraser, 2019).

This is not the first time that children have broken laws and other regulations for political reasons. American pupils used school walkouts to protest gun laws in the aftermath of the 2018 shootings in Florida. During the Soweto uprising of 1976, South African pupils' unregistered protests against Afrikaans being the sole language of instruction were violently shut down by the police. Children were also decisively involved in the 1963 American civil rights struggles. As early as 1899, New York newsboys, many of them minors, went on a disruptive strike for higher wages.

What are we to make of these instances of children's law-breaking? Are we to condemn them outright for being illegal? One obvious source for approaches to this question is the debate on civil disobedience. Yet, here discussions of civil disobedience by *children* are lacking. This lacuna is both puzzling and concerning. It is puzzling because, as outlined, children have long played important roles in disobedient movements, including those most discussed in the literature. It is concerning because it perpetuates a neglect of children's political agency within political theory.

In this article, I seek to fill this gap by bridging the debates on civil disobedience with those on children and politics. Long concerned with children's political participation, the field of childhood studies has increasingly focused on informal political activities. Expanding on this, I draw on resources developed in the disobedience literature to conceptualize and defend youth disobedience. This can help vindicate disobedient activism by children against popular objections concerning its illegality.

My main contention will be that there is a strong case for youth disobedience. By youth disobedience I mean civil (and other forms of principled) law-breaking by children.³ By children I mean legal minors, i.e. those who have their political participatory rights limited due to their young age. And by strong case I mean that children have especially weighty grounds for disobedient activism not generally outweighed by competing considerations.

I develop these claims as follows. To begin, I argue that climate school strikes resemble paradigmatic forms of civil disobedience. Moving beyond narrow notions of civil disobedience, I then attempt a brief conceptualization of forms of youth disobedience. Next, I turn to justifying youth disobedience. I argue that civil disobedience's democratic value applies especially strongly to children. I call this the argument from exclusion: children are especially justified in using civil disobedience due to their unjustified exclusion from empowered forms of political participation. The following sections substantiate this argument. I first argue that appeals to childhood as a temporary, unique, or immature phase fail to justify children's current exclusion. Then, I show why youth disobedience can be an important response to formal exclusions. Finally, I draw out some implications from recognizing the case for youth disobedience: empowered institutions should engage seriously with and respond leniently to youth disobedience.

School strikes as civil disobedience

At the outset, one might worry that I have chosen the wrong framework to discuss activism like that of 'Fridays for Future'. Speaking of school strikes as 'truancy' separates them from what we commonly associate with civil disobedience. Truancy is usually understood as unexcused, duty-shirking, habitual absence from school, whereas acts of civil disobedience are often regarded as laudable expressions of conscientiousness. However, in this section I first argue that 'Fridays for Future' does indeed resemble paradigmatic forms of civil disobedience, and then I encourage moving beyond narrow models of civil disobedience.

Before considering what makes disobedience civil, there is a straightforward way in which this notion might seem misplaced for 'Fridays for Future'. Civil disobedience, on any account, involves law-breaking. But unlike sit-ins or unregistered protests, the school strike for climate is generally registered and largely observant of the norms of public space. Its core disobedience concerns defiance of school attendance laws. But while most jurisdictions prescribe school attendance, enforcement often targets parents and guardians (who can face fines and even imprisonment for their children's continued absence in some jurisdictions, such as the UK).

Yet, concluding that school strikes are not 'truly disobedient' would understate the legal risks that school strikers take. Even when legal sanctions target adults, punishment can get passed onto children through their guardians' authority. Schools may also punish children for absence. Such guardian or school sanctions can be very harsh – consider restrictions on freedom of movement imposed through curfews and detention. Importantly, the administration of punishments by schools and guardians is backed by state coercion. Moreover, in some places, children also face legal sanctions for school absence directly. Truancy officers (e.g. in the US) or the police (e.g. in Germany) may coerce children into attending school. Further legal measures can be applied – in the US, for example, trial,

counselling and even probation. In some German states, children themselves can receive fines for school absence.

One might object that while truancy has legal consequences, school *strikes* are clearly different. Absence is only illegal when it lacks an accepted excuse. Yet many authorities do consider the political motivation of protesting climate laws to be such an excuse.

Once again, however, one ought not to underestimate the disobedient nature of 'Fridays for Future'. For one, even where the political motivation of school strikes is acknowledged, that does not give pupils a clear legal right to strike from school in any country I am aware of. Political reasons (unlike illness) are not legally regarded as a valid excuse for absence. Granted, children share in the general legal right to protest in many countries. But this right is typically only thought to trump the obligation of school attendance in cases of urgent spontaneous demonstrations – which many think is not the case for 'Fridays for Future'. Arguably, strikers could protest inaction on climate change outside of school hours (albeit with lower visibility, as I emphasize later). Strikers thus have no legal guarantee against punishment. This is not to deny that in some states, balanced legal assessments suggest that sanctions are not legally warranted (Meade, 2020: 96). Yet, when strikers' political motivation is discredited as 'truancy' by high-level authorities (an ascription I turn to next), this influences what is regarded as a valid excuse: it pushes officials to treat strikers as ordinary lawbreakers, and thus encourages state repression. Indeed, in response to 'Fridays for Future', authorities have called for rigorously enforcing school attendance and detaining absent students (e.g. the UK Head Teacher Union; Busby, 2019), and schools have administered poor grades (e.g. in the Swiss municipality Payerne; Focus, 2019) or threatened pupils with fines (e.g. in German state North-Rhine Westphalia; The Local, 2019) or failing a year (e.g. in Berlin; *Die Welt*, 2019).

Ultimately, my aim is not to show that 'Fridays for Future' is always criminalized or that strikers always face legal consequences. All I seek to show is that school strikers generally risk breaking the widely supported law of mandatory school attendance, and that they incur punitive risks in doing so. This seems consistent with the self-conception of 'Fridays for Future'. Admittedly, many strikers distance themselves from other forms of 'civil disobedience' which are perceived as more radical. But extending this notion to school strikes seems helpful given the deliberate rule breach they involve and the potential state repressions that strikers are conscious of (as indicated, e.g., by guidance on legal issues on their websites).

Even if you thus think that school strikes are disobedient, you might still think they differ from *civil* disobedience. What makes disobedience civil? Any definition of civil disobedience is contentious. To circumvent deadlocked definitional debates, Brownlee (2004) offers four factors that describe *paradigmatic* cases of civil disobedience: '(1) conscientious and (2) communicative breaches of law for the purpose of (3) demonstrating protest against a law and/or (4) persuading law-makers to change the law' (Brownlee, 2004: 338). While this (fairly conventional)

picture will not convince everyone,⁴ let us see whether it fits the 'Fridays for Future' movement.

Return to the claim that the school strike for climate should be classified as truancy. Understood literally, this charge implies that children skip school for fun. Yet (many) school strikers clearly fit Brownlee's conscientiousness criterion of paradigm cases of civil disobedience by 'hold[ing] a sincere and serious belief that a law or policy warrants revision and that the values that underpin that belief are sufficiently weighty to require a breach of law in their defence' (Brownlee, 2004: 341). Strikers assert that the very foundations of their livelihoods are at stake and that current climate policies need radical revision. Indeed, many view protest as their *responsibility*, acknowledging that they make a sacrifice (e.g. by losing school hours) (Thunberg et al., 2019). Of course, 'Fridays for Future' can involve herding behaviour and the protests can feel exciting. But such patterns hold for any political movement and offer no reason to deny that school strikes are (paradigmatic) instances of civil disobedience. The notion of truancy, then, is misplaced.

According to Brownlee, conscientiousness further translates into a specific mode of communication. Those who sincerely and seriously judge a law to be wrong feel reasons of moral consistency to communicate that dissent (Brownlee, 2004: 342). School strikers do just this when they say that policy-makers are failing them. Moreover, communication can also have the forward-looking aim of persuading policy-makers and the general public to act differently upon comprehending disobedients' concerns. Again, school strikers fit the bill. Their general motivation – 'to protest against the lack of action on the climate crisis' – is tied to concrete demands (e.g. phasing out fossil fuels by 2030). And these demands are backed by appeals to easily shareable values (e.g. future generations' livelihoods), an approach which encourages society to 'internalise' (Brownlee, 2004: 347) these aims.

Thus far, I have argued that 'Fridays for Future' exhibits features often considered paradigmatic of civil disobedience. Nonetheless, some might still want to withhold this label from school strikers. Some dominant liberal accounts prescribe very narrow conditions for civil disobedience. On John Rawls's view, for instance, civil disobedience is 'a public, nonviolent, conscientious yet political act contrary to law', which appeals to the 'sense of justice of the majority' and remains 'within the limits of fidelity to law' (Rawls, 1971: 364–366). I believe that 'Fridays for Future' fulfils many of these criteria. For instance, youth protestors refer to constitutional commitments to environmental protection and supranational agreements to support their demands. Strikes are announced in advance (public exante) and conform to widely endorsed interpretations of nonviolent protest. Yet some might still doubt whether school strikers act with genuine 'fidelity to law'; after all, Thunberg urges 'system change' and strikers do not generally seek out and endorse penalties. Moreover, if civil disobedience is to be limited to issues of basic liberties, it might seem ill-suited to fully accommodate law-breaking for environmental reasons (Carter, 1998: 33). Finally, disobedient children do not

seem to fit the liberal picture of civil disobedience involving 'formally recognized citizens appealing to their fellow citizens' (as formulated by Celikates, 2019: 68).

Whether acts of disobedience fit the liberal notion of civil disobedience might not matter too much, however. Many have argued that this notion is too narrow (after all, this is precisely why Brownlee shifted to a paradigm case approach) – and that other forms of change-oriented law-breaking are also justifiable. While I will not review this debate here, I shall make two remarks. First, an exclusively liberal approach to disobedience understates important democratic grounds for disobedience, which I turn to later. Second, thinking beyond narrow notions of civil disobedience seems promising, especially in the context of youth disobedience. For one, a narrow conception of civil disobedience moves far away from real-life cases of law-breaking activism which get distorted in 'sanitized' narratives (Celikates, 2016: 983; see also Delmas, 2018: 26-27). Relatedly, demanding 'civility' can impede resistance, which is sometimes only possible in covert or deliberately offensive ways (Delmas, 2018: 35–38). (This seems especially salient for youth disobedience. Children constantly face norms delimiting 'proper' social engagement, e.g. deference to elders or concealment of emotions in public.) Thus, common justifications for civil disobedience plausibly apply to actions which do not fit narrow understandings of the concept (Delmas, 2018; Lai, 2019). Hence, I also will not reserve the notion of 'youth disobedience' for children's civil disobedience understood overly narrowly. Rather, we should think of youth disobedience as also involving other forms of what Candice Delmas (2018: 17) calls principled disobedience – i.e. 'illegal acts of resistance that are politically or morally motivated'. Thus, I propose to understand youth disobedience as civil and other forms of principled law-breaking by children.

Conceptualizing youth disobedience

Against this background, we can distinguish various forms of youth disobedience. What makes law-breaking activism *youth* disobedience is that the agents involved are children – not whether its issues or actions are child-specific. Nonetheless, it can be helpful to categorize cases of youth disobedience along these dimensions. I attempt to do so in this section.⁸

Firstly, the *issues* on which children engage in civil disobedience can be child-specific or not. On the one hand, children can be disobedient on issues that do not concern children specifically. These can be issues of general societal concern (consider recent pro-democracy school strikes in Hong Kong or Palestinian children's stone-throwing protests against Israeli occupation). They can also be issues relevant to specific (but not child-specific) identity groups (e.g. female children protesting abortion laws or undocumented immigrant youth campaigning against deportation; see Carrasco and Seif, 2014). On the other hand, children can be disobedient on child-specific issues; that is, issues that are especially relevant for children, like voting ages or curfews (consider also school strikes against educational segregation in the US or against corporeal punishments in Germany).

Naturally, these are not mutually exclusive categories. Climate and digital regulation, for instance, both have general societal relevance and specific relevance for children. Finally, we can distinguish between child-specific issues which affect the children engaging in disobedience directly, and ones which affect children elsewhere (e.g. children in Europe protesting child labour in the Global South).

Second, the types of action that characterize youth disobedience can be childspecific or not. On the one hand, children can employ actions open to any age group (e.g. unregistered protests). While children do join movements using such forms of action (consider the civil rights movement or Extinction Rebellion Youth), note that they often are prevented from doing so (e.g. because guardians forbid them protesting). On the other hand, children's disobedient actions can be specific to their age-specific social positions. This can occur through action forms which only make sense for children (consider Brazilian school occupations, or trespassing in struggling for public spaces; see Kallio and Häkli, 2011). It can also manifest in new interpretations of classical disobedient actions (consider children seizing public spaces as arenas for play and conducting children's assemblies during roadblocks). Generally, youth disobedience can be civil in a narrow sense (e.g. public sit-ins and voluntary school strikes) or not (consider mass evasions of public transport fares in Chile or anonymous hacktivism). Finally, youth disobedience can be direct or indirect: disobedients either break the protested law (e.g. curfew regulations) or break laws (e.g. traffic regulations) to protest something else.

This conceptualization is useful to classify instances of youth disobedience. The 'Fridays for Future' movement, for instance, utilizes child-specific, indirectly disobedient action to address issues with general and child-specific relevance. Relatedly, the conceptualization can draw our attention to factors which might influence the justification of a given instance of youth disobedience. Voicing distinctly child-specific concerns or employing child-specific actions can help justify law-breaking protest (e.g. because other means are inaccessible). But the main purpose of the conceptualization is to highlight the diverse forms that youth disobedience can and sometimes already does take. It thus serves to counterbalance the traditional neglect of youth disobedience in the disobedience literature and can thereby help to alert children and their allies to diverse methods of political participation beyond formal avenues.

The argument from exclusion

Thus far, I have argued that school strikes and other rule-breaking by children is adequately characterized as 'youth disobedience'. This conceptual question matters. While law-breaking is usually considered impermissible, civil disobedience is often deemed an acceptable exception. In this section, I examine how a democracy-based case for civil disobedience extends to children.

Even to firm supporters of liberal democracies' majority rule, civil disobedience can occasionally be justified – if, among other things, it addresses issues of basic justice, and legal avenues have already been exhausted. Youth disobedients will often be able to appeal to this general justification.

But let us go a step further. On narrow liberal accounts, civil disobedience is always considered 'democracy-limiting' (Markovits, 2005: 1902). Law-breaking activism, here, is justified as a rights-preserving check on democratically made laws (the majority's will). Yet, many have argued that due to both formal institutions' inherent proneness to democratic deficits and real-world power inequalities, supplementing formal processes with civil disobedience can in fact be 'democracy-enhancing' (Markovits, 2005: 1902). Civil disobedience can further deliberation even in systems of government that realize a high degree of political equality. This is because it counteracts political inertia (Markovits, 2005) and reduces the extent to which receiving popular uptake is about luck (Lefkowitz, 2007). Under realistic conditions of power inequality, furthermore, civil disobedience can help disempowered groups have a say (Aitchison, 2018: 668; Celikates, 2019; Markovits, 2005: 1922–1923). Disobedient activism can be an especially important democratic remedy regarding environmental issues, where it can help further deliberation (Von Essen, 2016)⁹ and imagination of societal alternatives (Dow, 2018).

Let us assume that there is some merit to this democratic case for civil disobedience. I want to suggest now that it holds especially strongly for children. As noted, formal processes fail to represent all formal participants equitably. But Daniel Weinstock draws our attention to especially drastic cases of 'permanent minorities': 'children, future generations, the cognitively impaired [sic], non-citizen residents, and...persons who lie beyond the borders of the jurisdiction of the state' (Weinstock, 2015: 719). These groups are not involved in formal decision-making: their 'marginalization' is 'hard-wired into the state's very DNA' (Weinstock, 2015: 720). Here, the liberal worry that civil disobedience is anti-democratic seems especially weak: after all, these persons' voices and interests were not considered in the first place. Weinstock thus believes that 'in the case of such persons there is a greater justification to recourse to civil disobedience' (Weinstock, 2015: 719). 10

How exactly does this thought apply to children? Children are clearly excluded from formal political processes. Around the globe, suffrage is limited by age (usually 16 or 18). Additionally, there are age restrictions on running for office. Children are also denied access to other channels of political participation (for instance, they may need a 'litigation friend' to access judicial review).

One might respond that children – unlike irregularized migrants, say – are not really politically excluded. Guardians and politicians represent children's interests, and children have political channels of their own, like youth councils.

Yet none of this is enough. Granted, guardians often act as proxies for their children's concerns. But this does not ensure that children's voices receive strong democratic weight. Guardians' political resources (e.g. votes and time for political activism) are limited. When voting, for instance, guardians have only one vote for

both their children's and their own interests (Munn, 2018: 11). More worryingly, guardians might not even let children's distinct views influence their political decisions, which are ultimately entirely in their control. Politicians, too, might claim to already sufficiently represent children. Yet by design, they are not currently directly accountable to children. This – and the fact that influential politicians themselves are predominantly older adults – helps explain the 'political strength of the elderly' (Schrag, 2004: 375; see also Munn 2018: 12). Finally, while there have been political advances in surrogate channels for child participation (for an overview, see Wall, 2011: 87–89), these remain highly limited. Typically, children's participatory channels are educational in nature (Wall, 2011: 88) and children do not have budget control (Sundhall, 2017: 167–169). More fundamentally, even these child-specific channels are coordinated by adults who control the institutional set-up, manage selection processes and often tokenize participating youth (Taft and Gordon, 2013: 93); here, 'adult norms remain naturalized' (Sundhall, 2017: 169).

Thus, appealing to adult representation or children's participatory channels cannot alter the fact that children are in fact excluded from political decisionmaking. They are not given an equal say in the standard channels, and their additional channels are insufficient. That this leads to the marginalization of young people's interests (Munn, 2018: 11) is captured by 'Fridays for Future' demonstrators' exclamation that those in power have failed to take their concerns seriously. Accordingly, children feel the need to go beyond rule-abiding protests. In fact, children often only receive uptake by explicitly disobeying the verdicts of authorities. Consider for instance, how lawsuits, such as Juliana vs. United States, have been stalled – and in contrast, the impact of Malala Yousufzai's resistance to sexist school regulations, or how Brazil's National Union of Students reached concessions, once they started occupying schools. 'Saturdays for Future', which Reinhardt (2019: 3) encourages protestors to consider instead, would likely be decisively less impactful.¹² Civil disobedience is a natural option to turn to when ordinary protest gets ignored. When one is formally excluded, it can be the only way to truly have one's voice heard.

But does the mere fact that someone is excluded from the formal political process mean that they are especially *justified* in using civil disobedience? Not necessarily. Tourists, say, do not seem to have a stronger case for political law-breaking than citizens – although they have even fewer participatory possibilities and less representation than children (at least in the country they are visiting). ¹³ Yet, one's duty to respect a group's decision-making does not seem weakened merely because one was not involved in it. For this to hold, it must be the case that one *should* have been involved. The justification for civil disobedience is especially weighty for those who are excluded from empowered decision-making despite being entitled to have a say. Applied to children, this would mean that *children are especially justified in using civil disobedience due to their unjustified exclusion from empowered forms of political participation*. Call this the *argument from exclusion*. ¹⁴ Yet, while

children are clearly excluded as argued above, many deny that this exclusion is unjustified. I turn to this issue next.

Is children's exclusion really unjustified?

We have seen that children are excluded from formal democratic processes. Democracies need to be able to justify such differential treatment. In the case of children, many believe that such a justification is easy to provide. This leads us to the crux of the argument from exclusion. If the considerations supporting children's exclusion from political participation hold, this may mean two things. First, that children's political exclusion does not ground a special case for civil disobedience; after all, like tourists, they would have no complaint about not being included in decision-making. But furthermore, if it is right to exclude children from formal politics, then it may follow that children have no place in informal politics either.

I believe, however, that arguments for children's current exclusion fail. In this section I consider three such arguments (those which would be most detrimental to the argument from exclusion): that children's exclusion is only temporary; that childhood should be essentially apolitical; and that children lack political capacities.

The first argument is that children's exclusion is allegedly unlike that of 'truly marginalized' groups. Exclusion due to young age is temporary (Archard, 2018: Sect. 2; O'Neill, 1988: 462). All adults have previously lacked the political rights they now hold and (most) children are assured fuller participation soon: 'the main remedy is to grow up' (O'Neill, 1988: 463). This is not the case for other disenfranchised people, like irregularized migrants or felons. If anyone has a special justification for disobedience, it might arguably be these other disenfranchised groups.

Let me note two points in response. Firstly, by defending the special case for youth disobedience, I am not denying that there are similarly strong or even stronger justifications for using civil disobedience in other cases. The argument from exclusion could extend, I believe, to other groups like irregularized migrants or cognitively disabled people. Likewise, claiming that all children have a special justification for civil disobedience does not mean that all children's justifications are equally strong. In fact, demographic features intersect and create unique patterns of discrimination; irregularized migrant children will typically have stronger justifications for using disobedience than privileged citizen children. All I am claiming is that 'being a child' in current political systems adds an important ground for disobedient activism. If

Second, this important ground is not outweighed by the temporariness of children's exclusion. While discrimination spanning a lifetime is in a straightforward sense more worrying, the mere fact that exclusion is transient does not make it acceptable. Even if they provide the same rights to people across their lifetimes, ageist societies are characterized by hierarchies and domination. 'At any point', such societies fall short of relations of equality (Bidadanure, 2016: 246). Exclusion cannot be justified merely by being temporary (imagine political exclusion for everyone above the age of 30). It can only be justified by substantial considerations. The burden of proof is then to show that the political inequalities between children and adults are justified. The remainder of this section focuses on two such attempts.

Consider first the appeal to childhood as an apolitical phase. This thought starts from the observation that *de facto*, children and adults differ in their activities and obligations. In addition to being subject to more lenient criminal systems, say, children go to school, play and supposedly do not engage in significant political activities. But the thought does not stop here. It adds the normative dimension that these differences between childhood and adulthood are desirable. Having a flourishing childhood might seem incompatible with political involvement. It would be detrimental to children themselves, since the goods of childhood include the 'lack of significant responsibility' (Beckman, 2009: 116–119; Matthews and Mullin, 2018: Sect. 6). In turn, children have the obligation and privilege of school education (which also enables them to have 'real' political influence later). Therefore, one might want 'more learning in schools and less activism in schools' (as Australian Prime Minister Scott Morris does; Australian Associated Press, 2018).

Yet, this childhood-based worry fails to justify children's exclusion. Firstly, its descriptive basis is implausible. Children are already political actors. For one, they make use of or engage critically with the restricted formal avenues open to them. But more importantly, children's actions can be political – in the sense of shaping discourses and challenging power norms – even where they do not fit ordinary notions of political agency. For instance, children can challenge power norms by remaining silent when called on in class (Nishiyama, 2017: 8). And while often put in opposition to politics (Beckman, 2009: 116–117), even activities of play can have political dimensions, e.g. when they are children's attempts to claim their rights (Larkins, 2014: 15–16). Thus, the view that childhood is and ought to be an essentially apolitical phase, rather than capturing a truth about the specificity of childhood, might merely reproduce adult-centric notions of politics.

This is not to deny differences between children and adults, and that democracies ought to recognize these (Wall, 2011: 91–93). But two points are in order. First, some differences are the product of adultist structures, i.e. socio-political arrangements that subordinate non-adults. When children have less knowledge of or interest in formal politics, that can be precisely because they are excluded from it (analogous to presenting politics to women as a 'man's world'). ¹⁷ Again, this is not to deny that children do have special vulnerabilities; it is just to deny that these are entirely 'natural'. This is compatible with acknowledging that bearing less responsibility can be a privilege of childhood. This leads to the second point. While it might be a general privilege of childhood to bear less political responsibility, this thought cannot *justify* exclusion of children from formal processes *given that they seek out this participation themselves*. When children demand the right to political participation (e.g. by wanting to shape climate policy), telling them to be

happy that they have little responsibility is hypocritical. Stressing that children lack concrete knowledge and can change the world later also will not do. For, as Thunberg points out, issues of social controversy like climate protection often concern political priorities, not knowledge about 'facts and solutions' (Thunberg, 2019). Factual knowledge, moreover, is not generally regarded as a prerequisite for political participation (by adults) (Meade, 2020: 97). Rather, the only ground (apart from citizenship) on which exclusion is usually taken to be legitimate is incapacity (Shapiro, 1999: 68–69).

This brings us to the third argument for children's exclusion. Many think that children are rightly excluded because they are in fact *politically incompetent* (Umbers, 2018: 12–13). Children allegedly lack 'political maturity'. This notion is often cashed out in terms of 'autonomy' (including capacities to plan ahead and form continuous political convictions). However, doubts can be raised about the very standard of competency. ¹⁸ In a democracy, the presumption should be that all views are valuable, whether formed 'rationally' or not. Demanding political maturity, then, seems to be an attempt by those in power – non-disabled adults – to exclude others (Wall, 2011: 97). Furthermore, distance from the ideal of political maturity might come with features valuable for democratic contestation, like imagination and critical curiosity (Glaser, 2018: 13; Nishiyama, 2017: 6).

One might still defend the standard of competency. Exclusion might seem (paternalistically) justified in cases where people are making political decisions that would harm their own long-term interests. Furthermore, some think that society, too, needs to be protected from the unexperienced, uninformed or simply the 'new' (Arendt, 2006: 182). Yet, even assuming that democratic participation presupposes competency of some form, one can argue that this standard is currently applied inconsistently. Age does not correlate perfectly with capacities. Whatever features one thinks necessary for political maturity evolve gradually (Rehfeld, 2011: 162). At least some 14- and 15-year-olds possess 'full autonomy' in the Rawlsian sense of being able 'to explain... the principles and policies they advocate and [would] vote for' (Rawls, 1993: 217). Moreover, whatever your standard of competency, some adults will fail to reach it (Umbers, 2018: 13). Many adults vote in uninformed and self-harming ways, and no standard of competency is enforced with respect to the elderly. Thus, current formal exclusions are based on a double standard.

One might respond that while difficulties with implementing age thresholds are lamentable, they are by-products of any threshold. Overall, age might seem a reliable indicator of political competency and better than viable alternatives, like capacity tests (Archard, 2018: Sect. 4). Abandoning voting age thresholds would have seemingly ridiculous implications, such as the enfranchisement of infants. While I share the scepticism about capacity testing, the costs of abandoning an age threshold are less clear than the objection suggests. As noted above, the reliability of age as an indicator for political competency might be distorted precisely by the current practice of exclusion. Other institutional arrangements could alter patterns of 'capacity'. Furthermore, even on a minimal view of capacity, it seems

politically more important to ensure that *all* the 'capable' are enfranchised, than that *only* the 'capable' are (Munn, 2018).

But suppose you are still convinced that excluding people from political participation due to age can be justified. Can the argument from exclusion still convince you? I concede that if you think that children are completely incapable of meaningful political participation *and* you believe that only those capable should be able to participate, then it will not.

Yet, few people hold such a strong position regarding all legal minors. Note that 'Fridays for Future', for instance, mainly consists of relatively old children (aged, say, 13–17). Even those who support some voting age threshold typically advocate significantly lowering current age thresholds on political participation, e.g. to age 14 (Schrag, 2004: 373), '12 or so' (Umbers, 2018: 18) or even six (Runciman, 2018). There are good reasons for this. Firstly, any age threshold should be applied generously since age is always an unreliable indicator and might otherwise exclude many of those who are in fact 'capable' (López-Guerra, 2014: Ch. 3). Furthermore, whatever your standard of political maturity, it seems plausible that people reach it well below the age of 18, as research in developmental psychology shows (López-Guerra, 2014).²⁰ For these reasons (and for early enfranchisement's instrumental benefits), lowering the voting age seems to be a conclusion that all plausible accounts of democracy converge upon (Umbers, 2018: 1). Therefore, even if one concedes the general necessity of an age threshold – which I have resisted – one can recognize the status quo to be deficient. At least for those currently under the threshold who ought not to be under the threshold, the argument from exclusion holds.

To sum up, the current exclusion of children from political participation cannot be justified by appealing to childhood's temporariness and allegedly apolitical nature or to children's political incompetence. Children's current exclusion, then, seems unlike that of tourists; absent further argument, it appears to deny children participation to which they are entitled.

But why disobedience?

Even if (some) children's exclusion from political participation is unjustified, does this ground a special justification for youth disobedience? In this section, I first discuss and reject the view that all this shows is the necessity to expand legal avenues, and that there is no place for civil disobedience.²¹ Then, I suggest how civil disobedience might be even *easier* to justify than the expansion of formal avenues and might be acceptable even for those who reject formal expansions.

Assume that you agree that children's current exclusion is unjustified. Well, you might say, we should include children more! But in the meantime, children should not strike from school or break other laws. This thought might be motivated by a general worry about disobedience. If any excluded group broke laws, that could destabilize societies. The thought might also be substantiated, again, with child-specific concerns. Assume you regard children as 'politically immature'.

Then, even if you are not so worried about enfranchising them, you might be worried about their use of disobedience. Unlike formal political processes, disobedient activism might seem dangerously uncontrolled and disruptive. Civil disobedience by those incapable of assessing these risks might then seem to pose a threat to society. And it might seem dangerous to the 'incapable' themselves. General worries about children being instrumentalized and appearing in politics 'involuntarily' (Bray and Nakata, 2020: 29) could become exacerbated in disruptive disobedient movements. Per this argument, then, even if we have every reason to expand formal avenues, there is no (special) justification for youth disobedience.

I concur that my above argument speaks in favour of reforming voting age regulations and restructuring children's participatory possibilities more generally. And I believe that we should take the worry about abusive instrumentalization of youth disobedience seriously, a point I return to in the next section. But for now, I want to argue that none of the above means that youth disobedience is generally unnecessary or inappropriate. Three points are in order.

First, youth disobedience can be decisive in achieving expansions of children's legal rights. Prospects for extensions of children's participatory rights brought about within formal processes are slim. Established parties lack incentives to advocate for these. Moreover, the assumption discussed in the previous section – that children are unfit as political participants – is widely entrenched. So, when proposals for legal extensions do appear, they regularly get rejected. Youth disobedience could help further legal reform. By vocally engaging politically – through school strikes for climate justice, for instance – children prove their political interest and knowledge. Furthermore, building on the thought that acquiring power involves struggle, civil rights movements have typically involved disobedience. Youth rights activists can appeal to both the liberal and the democratic rationale for civil disobedience to justify similar approaches by using youth disobedience on child-specific issues.²²

Second, regardless of the efficacy of civil disobedience in promoting legal change, it seems to be an adequate response to unjustified exclusion. Showing anger can be the entirely 'apt' response to injustices (Srinivasan, 2018), regardless of its practical consequences. Plausibly, this thought also supports conscientious law-breaking in the face of political exclusion. Formal channels only have democratic legitimacy when they enable equitable decision-making. But this is precisely – as the objection I discuss in this section grants – what they fail to do for children. Thus, children lack democratic obligations to respect them (although other considerations, e.g. self-protection and societal stability, can encourage rule abidance). Moreover, some political issues are time sensitive. Inclusion in decision-making might come too late for the currently excluded. This is obvious in the case of the climate crisis but also holds for other issues that children face (e.g. race-segregated educational paths).

Thirdly, focusing on legal reform alone can distract from other meaningful forms of children's political participation. For one, children might sometimes not want formal participation, but instead opt for 'voiceless politics', e.g. in the form of occupations and norm breaches (Kallio and Häkli, 2011). Furthermore,

extending the adult-centred model of citizenship would not adequately account for differences between adults and children (Wall, 2011, 2019). Formal advances (like enfranchisement) do not guarantee political equality; if nothing else, children are likely to have 'had less experience precisely in struggling for power', which puts them in disadvantaged political positions (Wall, 2011: 93–94). More fundamentally, true democracy would incorporate children in a way that responds appropriately to differences (Wall, 2011) or is truly deliberative (Nishiyama, 2017).²³ To envision alternatives to our fundamentally adultist notions of politics, going beyond rigid formal processes is essential. Informal channels are generally crucial for democracy as they capture issues that established institutions are unlikely to address satisfactorily (Celikates, 2016: 989). Youth disobedience – especially where it employs child-specific actions – fits this picture decisively: it can provide freer spaces for political contributions that challenge the assumptions of adultist formal politics.²⁴

This connects to a final point in this section. Even if one remains sceptical about expanding children's formal participatory rights, one can recognize the special case for youth disobedience. Above, I challenged two rationales for age restrictions – appeals to childhood as an apolitical phase and to children as politically incompetent. I have focused on these because, if they held up, they would undermine not only children's special case for disobedience (children would appear rightly excluded) but also their political participation more generally. I hope to have raised sufficient doubts about them. But even if you agree that they fail to hold (for all children), you might still support children's general exclusion from the formal political process on other, 'milder' grounds (e.g. the thought that enfranchisement requires civic education or that becoming a president requires the experience of age). I doubt that these would be convincing, for reasons introduced above in the discussion of political maturity standards (see also Nishiyama, 2017: 5–8; Umbers, 2018). But, importantly, that children have a special justification for civil disobedience seems compatible with such milder standards.

This is due to differences between formal and informal participation. Consider an analogy to transnational protest (Cooke, 2019). One might think that it is generally acceptable – e.g. for reasons of feasibility – that people may not vote in foreign countries. Simultaneously, one might hold that when non-citizens are (significantly) affected by certain issues, they should be granted a say. ²⁵ When they lack alternative (legal) participatory possibilities – e.g. through global institutions – civil disobedience can be an important corrective which they are even *more* justified in using than citizens, who have other channels available to them (Cooke, 2019: 7–8, expanding on Goodin, 2007: 64–65). Parallel reasoning holds for children. Even if you think that the general exclusion of children from a state's democratic process is acceptable, you might think that exclusion on some issues is not (such as those already identified in the conceptualization of youth disobedience). So even if you do not think that children (even 14- and 15-year-olds, say) should be enfranchised, you can accept that they should have a say on issues that strongly affect them. And

if the only effective channel to have that say is through disobedience, then children are justified in using it.

After all, despite (child-specific) worries about informal politics, justifying civil disobedience can also seem less demanding than justifying formal inclusions. Elections concern matters ranging from foreign policy to choices of personnel. But acts of civil disobedience tend to either advance more abstract demands (e.g. sustainability) or target individual matters (e.g. abortion regulation). Moreover, the sacrifices and activism involved in informal participation also tend to ensure that disobedients are invested in and informed about their cause. Finally, disobedient activism often aims at persuasion, rather than being immediately coercive (Cooke, 2019: 8–9). It does not have the power of state officials or the legally binding force of elections. Thus, recognizing that youth disobedience can be an important form of political participation could even be consistent with thinking that children should not control formal decisions.

I say this only to highlight how youth disobedience can be recognized as an important form of participation by people with diverse standpoints on child enfranchisement. Ultimately, I still believe that the argument from exclusion holds and provides the strongest case for youth disobedience. In other words, the strongest case for youth disobedience holds when children's general exclusion is regarded as unjustified. A weaker version holds when children's general exclusion is regarded as acceptable, but their exclusion on specific issues is not. The weakest version holds when children's exclusion from formal decision-making is regarded as acceptable both in general and on a specific issue, but children are still taken to have the right to voice their concerns on a given issue.

How (not) to react to youth disobedience

I have argued that there is a strong case for youth disobedience. What follows from this? In this section, I draw out implications for how we should engage with youth disobedients.

Note first that in defending the special justification of youth disobedience, I am not arguing that political law-breaking by children is always justified. None of the above precludes youth disobedience from being xenophobically motivated, say. While the agents engaged in activism are important, disobedience is not justified simply because it is done by young people. Many factors play into justification of civil disobedience – its content, available alternatives and the action's proportionality.

Nonetheless, the general (democratic) value of principled disobedience has implications for how authorities should react to youth disobedience. At least where it is narrowly civil (like 'Fridays for Future' is, as I have argued), authors agree that law-breaking activism should not be punished (Brownlee, 2018; Lefkowitz, 2007, 2018). Punishment would express condemnation, which is inconsistent with acknowledging civil disobedience as a valid channel for democratic participation. This implies that authorities – whether schools, guardians or states –

should not impose sanctions on youth disobedients (e.g. detention to reproach striking pupils for their 'wrong' behaviour).

Some argue that while civil disobedience should not be punished, sanctions are still appropriate. David Lefkowitz (2007: 219–223) thinks that sanctions are central not only to cover the costs of, and to prevent excessive uses of, civil disobedience, but also to let disobedients underscore their conscientiousness. There are, however, reasons to doubt that simultaneously rejecting punishment and endorsing sanctions is coherent (Brownlee, 2018: 293–295; for some responses, see Lefkowitz, 2018: 280–288). If civil disobedience is a legitimate form of democratic participation, it is unclear how penalties could be justified at all. Moreover, any penalty that involves genuine sacrifices will 'look and feel like a punishment' (Brownlee, 2018: 295). This holds especially for child-specific sanctions, like detention or curfews, which seem inextricably connected to the assumed high ground of authority and condemnation. Penalties could, furthermore, make civil disobedience excessively costly to some persons because they are especially vulnerable vis-a-vis law enforcement agencies or face severe economic restrictions. Due to their relative (economic) powerlessness and the pressure to maintain a clear legal record for future employment, penalties could hit children especially hard. And even where disobedients want to suffer a penalty for strategic purposes, there are other ways to achieve this symbolic effect than through mandatory payments, e.g. by setting up schemes where disobedients can voluntarily contribute money or labour (Brownlee, 2018: 295). For children, this could include voluntarily doing community work at school or committing to specific private abstentions (such as avoiding flying) to signal their commitments more clearly.

This is not the place to settle whether sanctions are ever appropriate. At least for some youth activists, risking and accepting legal penalties is an important strategic means to demonstrate conscientiousness (e.g. Extinction Rebellion Youth). Penalty-free legal treatment might here push activists to more radical resistance. But at any rate, for the above-named child-specific reasons, I encourage a very sensitive approach to sanctioning youth disobedience. Generally, 'officials at all levels' should use their 'discretion' to refrain from imposing sanctions on disobedients (Delmas, 2019: 175). Especially for 'Fridays for Future' protestors – for whom penalties are not part of the strategy and who already lose out on school hours – I encourage abstention from sanctions.²⁷ For less straightforwardly civil cases, this decision should depend on various factors determining the justification of a given case of youth disobedience.

Apart from sanctions, there is a question of how adults should engage with youth disobedience more generally. I have said above that valuing the political agency of children should not prevent us from seeing differences between children's and adults' societal positions. Children often have special vulnerabilities, e.g. by being subject to authorities at school. Therefore, it is important to take precautions against *abuse* of youth disobedience (e.g. teachers urging children to engage in certain forms of activism, or guardians putting children on the frontlines of confrontations with the police).²⁸

I see several possible safeguards. The first, in preparation for youth disobedience, is to provide political education on disobedient activism. By this I mean that schools and other institutions provide room for critical discussions of the history, current relevance and legal consequences of informal political participation. Such efforts should avoid imposing fixed political conceptions. Instead, they should centre participatory reflection. Secondly, adults should respect and further the political agency of children. Adults should generally promote the child-accessibility of their activism. When children participate in generally adult-led movements, they should be involved in decisions (e.g. through children's assemblies in blockades). When adults decide to support youth disobedience movements, they should understand themselves as allies. That is, adults should view themselves as secondary agents, letting children determine their aims and means independently, contributing mainly where solicited.²⁹ Finally, it is crucial that adults help protect youth disobedients. Adult-led movements should provide safe spaces, ombudspersons and information on potential state repression for participating children. Movements should clearly distance themselves from actions which instrumentalize children.

Admittedly, these suggestions will not eliminate the danger of abuse which persists through structural inequalities between adults and children. Yet, while I deem it extremely important to remain sensitive to such risks, I also would like to caution against an overstatement of them (see also Meade, 2020: 100–102; Nakata, 2008). Exaggerating the possibility of abuse or dismissing child movements as coopted can incentivize oppression of young people's political voices (Meade, 2020: 93–94). In any case, adults should take youth disobedience seriously (see also Nakata, 2008). Crucially, children should not be subjected to age-based prejudices and silencing. Commentators should refrain from baselessly suggesting that children are immature, co-opted or merely truant. Without substantial evidence of involuntariness, they should accept children's choice of action and should not suggest the use of legal means instead.

Finally, the special case for youth disobedience also has implications for how institutions – political or economic – should respond to youth disobedience. Youth disobedient movements should generally be recognized as voluntary associations: institutions should 'deal with civil-disobedient groups in the same way as with pressure groups' (Arendt, 1969: 101). This means that representatives of youth disobedient movements – especially of those which tackle child-specific topics – should have access to deliberative fora where government agents are forced to engage with their concerns. This institutionalization of youth disobedience, rather than undermining its dynamic character, would formally enshrine engagement with all voices, including dissident ones, in the formal processes. It would thus move us closer to a democracy that responds adequately to children.

Conclusion

In this article, I conceptualized and defended youth disobedience. Focusing on 'Fridays for Future', I have argued that some forms of children's political activism

are best described as 'youth disobedience'. Youth disobedience can take many forms; it can, but does not have to, involve child-specific issues and/or actions. I have further argued that there is a strong case for youth disobedience, due to children's exclusion from formal political processes. Appeals to childhood as a temporary, apolitical and immature period cannot justify such exclusions. The upshot is that authorities should engage with youth disobedience movements seriously and leniently.

One aim of this article, then, has been to bridge the gap between the literatures on disobedience and childhood. I hope to have established that children should be taken seriously by those investigating (civil) disobedience – both because of children's lasting contribution to disobedient struggles, and because of the special case for, and forms of, youth disobedience. This links to a broader point. Throughout, I have maintained that a focus on the specific agents involved in principled lawbreaking is instructive for understanding disobedients' justification and activities. I hope to encourage further investigation of the situatedness of those participating in disobedience. This can help explore the possibility of synergies and alliances between disobedient movements, and the duties of allies.

Most importantly, however, this article has aimed to vindicate recent forms of activism by children. I hope that it serves to justify children's use of disobedient practices and answer law-and-order-concerned critics of, say, 'Fridays for Future'. After all, as Thunberg reminds us, 'this movement had to happen, we didn't have a choice' (Thunberg et al., 2019).

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Notes

To my knowledge, no work in the civil disobedience literature discusses civil disobedience by children satisfactorily. Even Robin Celikates (2019: 3), who stresses the 'radically transformative potential of civil disobedience' by agents without citizens' rights,

such as irregularized migrants, does not mention children. While Daniel Weinstock (2015: 719) recognizes that children's exclusion from formal processes provides a strong ground for civil disobedience, he claims that 'children can at most be involved in acts of civil disobedience organized by adults'. And though Sybille Reinhardt (2019) acknowledges the 'Fridays for Future' movement to be civilly disobedient, she suggests that it ought to be law-abiding instead. (For an analysis of the adultism faced by 'Fridays for Future' in Germany, see Meade (2020).)

- Examples include Larkins (2014), Nakata (2008) and Nishiyama (2017). None of these, however, examine the *normative* dimension of law-breaking which the civil disobedience literature addresses.
- 3. I use the term 'youth disobedience' rather than 'child disobedience' to match the language of the 'Youth Rights Movement'.
- 4. See, e.g., Welchman (2001) for a critical genealogy of what is paradigmatically considered civil disobedience.
- 5. For an overview of protestors' motives, see also Wahlström et al. (2019).
- 6. Accordingly, Celikates (2019: fn. 3) criticizes the view that civil disobedience requires 'a clear political intention rather than an ascribed meaning or politicizing effect'.
- 7. Principled disobedience comprises civil disobedience understood as public, non-evasive, nonviolent and broadly in accordance with decorum as well as 'uncivil' disobedience, conscientious objection, and even terrorism (Delmas, 2018: 17).
- 8. For ways in which children 'transgress [...] the boundaries of existing norms of appropriate behaviour and rights', see Larkins (2014).
- 9. Though note that von Essen strongly cautions against 'constru[ing]' o disobedience as dialogic in itself' (2017: 2).
- 10. See Carter (1998) for a similar argument regarding future generations. Note that Weinstock thinks that because marginalized persons cannot often exercise civil disobedience themselves, this justification mainly has implications for their allies. While of course true for future people, I think Weinstock underestimates other agents' capacities. Most relevantly, Weinstock's (2015: 720) claim that '[c]hildren can at most be involved in acts of civil disobedience organized by adults' seems untenable considering the previous section's analysis of different forms of youth disobedience. I deviate from Weinstock's account more generally by emphasizing the justification for excluded agents and by treating the neglect of their interests as secondary.
- 11. Additionally, one might doubt that children can assess whether they do. This is a worry about political capacities, which I turn to in the next section.
- 12. The lack of uptake for children's lawful protest is not accidental it is connected to widespread convictions that enable children's political exclusion in the first place. Prejudices about children's political incapacity (which I address in the next section) mean that children are often wronged in their capacity as epistemic agents. For an account of epistemic injustice vis-a-vis children, see e.g. Burroughs and Tollefsen (2016).
- 13. In fact, respect for national self-determination might make justifying civil disobedience harder for tourists. But I here bracket questions about the legitimacy of the international state order. Sometimes, transnational protest can be very justified indeed (Cooke, 2019).
- 14. Steve Cooke (2019: 16–17) develops a similar case for 'transnational civil disobedience', arguing that 'the *All Affected Principle* provides a stronger justification' for protest by those excluded from a demos. The argument from exclusion that I develop also relates

- to Nancy Fraser's concern about 'injustices of misframing' (e.g. Fraser, 2009: 62), identified by an 'all-subjected principle'. And it is implicit in disobedient children's self-description; see e.g. Thunberg et al. (2019) and Taft and Gordon (2013: 94).
- 15. Also, focusing on participation in formal processes exclusively would be misleading. Even when some groups are 'formally included', they may face barriers to participation.
- 16. This links to the point that while there is a diversity of childhoods, 'generation' is a relevant axis of intersectionality (Alanen, 2016: 159). Note also that the wide uptake of the protests that Thunberg initiated far from the first youth climate protests has to be viewed in the context of the (racial, economic, social) privileges of many of the movement's participants (Meade, 2020: 105–106).
- 17. On the social construction of childhood, see Glaser (2018: 104–115).
- 18. In the following paragraphs, I loosely follow Glaser (2018: 38-50).
- 19. See Bray and Nakata (2020) for an analysis of how Arendt's favoured 'de-politicisation of children...sits uneasily alongside her account of natality and its potential for democratic renewal'.
- 20. For an overview of such research, see Umbers (2018: 6–7).
- 21. Weinstock (2015: 720), for instance, believes that exclusion only justifies civil disobedience by allies once they have 'exhausted relevant institutional mechanisms, including mechanisms for the reform of democratic institutions that would incorporate the interests of unrepresented persons more robustly'.
- 22. For the re-constituting potential of civil disobedience, see Celikates (2019); for children as a 'constitutive Other', see Bray and Nakata (2020).
- 23. Thus, John Wall calls for moving beyond childhood studies and pursuing childism, which akin to feminism for gender advances a critique and reconstruction of research and society at large based on childhood (Wall, 2019).
- 24. This can hold especially true for specific groups like undocumented youth, who use disobedience to shift notions of citizenship (Carrasco and Saif, 2014) and illegality (Negrón-Gonzales, 2015).
- 25. Note that the 'all affected principle' (e.g. Goodin, 2007) is controversial. Some of its variants, however like the 'all-subjected principle' (Fraser, 2009: 64–66) would support my claims here equally.
- 26. Though this might be rather a choice of strategy than a conceptual necessity (Brownlee, 2004: 374). And note that persuasion does of course not mean 'to beg world-leaders' (Thunberg, 2019).
- 27. Note that advocating for not punishing school strikes is not equivalent to calling for a legal right to strike from school, which I do not take a stance on here.
- 28. Thanks to an anonymous referee for pushing me on this point.
- 29. See Delmas (2018: 189–190) for a critical discussion of the notion of 'allieship'. For worries about paternalism in allieship, see also Cooke (2019: 10).
- 30. For an elaboration on Arendt's proposal, see William Smith (2010). Note that he regards penalizing civil disobedience as congenial to institutionalizing it (Smith, 2010: 161–162).

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