The Duties to Protest and to Listen to Protest

Communicative Resistance, Enabler’s Responsibility, and Echoing

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Abstract: This article argues that the duties to protest and to listen to protest are central democratic obligations required for active citizenship. Section 1 sketches protest as communicative resistance. Section 2 argues that we always have a duty to listen to felicitous protests against injustice and that, under conditions of social uprising, we also have a duty to protest. Section 3 defends a view of protest participation that takes into account subjects’ positionality with respect to the injustice being protested, arguing for the special prerogatives of victims and the duties to defer and yield of non-victims within protest movements. Finally, Section 4 elucidates the notion of giving proper uptake to protest and what I call echoing a protest, that is, expressing communicative solidarity with that protest.

Keywords: democratic listening, democratic obligations, protest, solidarity

Protest as Democratic Communicative Resistance against Injustice

Collective protests that involve collective action, voice, and very often also assembly rely on the freedoms guaranteed in democratic societies. At the same time, democratic societies rely on protests for maintaining and renewing the democratic commitment to freedom, equality, and justice. Public dissent through protest is one of the key mechanisms through which members of democratic societies can denounce injustices and call for the deepening of democratic values: more freedom, more equality, more justice.

Judith Shklar (1992) argued that citizens have duties to act to address injustice, lest they become complicit as passive spectators. In this article I develop an account of civic duties specifically regarding protest and its...
reception. I approach public protest as a central communicative mechanism of *dialogic democracy* (Dobson 2014), Andrew Dobson’s term for a democracy committed to active listening and deep communicative engagement with all publics. Dobson’s view reorients democratic theory and practice by foregrounding silence and the failure to listen as a central problem in democracy. I argue that the obligation to listen to protest is among our most central democratic responsibilities. But it is not always easy to live up to that obligation when structural oppression makes it difficult for certain protesting voices to speak and be heard when they turn to protest. For this reason, I argue that we have a responsibility to become active listeners of protesting voices and to facilitate their protest acts so that they can be heard. Moreover, I also argue that, under certain conditions, we have a duty to protest grave injustices and to disrupt the complicity that silence and inaction involve.

While protests may be used for undemocratic ends, here I focus on democratic protests, which I define as protest oriented toward the inclusion and empowerment of all members of society, guided by the democratic values of freedom, equality, and justice for all. Such protest is the democratic exercise of *communicative resistance against injustice in the public sphere*, which can be carried out in many ways and include all kinds of communicative acts: speech acts and non-verbal or silent communicative acts capable of communicating of dissent, testimony, criticism, or demand. Whatever form it takes, a protest is, at bottom, a communicative and epistemic mechanism for publicly denouncing injustice, making it visible, audible, and knowable in the public sphere. But, in my view, protest does much more than simply inform about ongoing injustices; protest is used for generating solidarity against injustice, interrupting complicity, disrupting insensitivity, creating concerned publics, and mobilizing people to actively resist injustice.

Protests can do a lot of *ethical* and *political* work in the public sphere, giving public expression to moral judgments concerning injustice and articulating political visions and reconstituting the public sphere and the communities that are part of it, striving toward more democratic inclusion. In both its ethical and its political dimensions, protest is a mechanism for collective expression and learning. When they are heard and their insights carry weight in public life (that is, when they receive proper uptake), protests have the power to shape moral and political perceptions and to transform the social imagination and the political imaginaries that inform public life. The view of protest as an ethical and political mechanism of communicative resistance against injustice has been articulated by political thinkers as different as Martin Luther King, Jr. ([1963] 1990), Hannah Arendt (1970), and Iris Marion Young (2011). I here
follow their view of protest as a communicative mechanism for resisting injustice and for making claims about justice. Protests exert communicative resistance by taking a public stance against injustice and speaking up against it through testimonial, evaluative, and prescriptive speech acts.

My account of protest as democratic communicative resistance underscores the communicative and epistemic agency exercised by protesters along different dimensions, but it also underscores the communicative attention and recognition that audiences owe to felicitous acts of public dissent. But when is the public expression of dissent felicitous? I follow here the speech-act analysis of political dissent developed by Matthew Chrisman and Graham Hubbs, who identify three constitutive felicity conditions of public dissent: sincerity in disapproval, good faith in making a demand, and being based on considerations of justice (Chrisman and Hubbs 2018: 174–6). If “dissent is voiced in a sincere, good faith way and appeals to recognizable considerations of justice, that gives the community members to which the dissenters belong a reason to listen to and consider what the dissenters are saying” (ibid. 2018: 176). Beyond felicity, there is the issue of ethical and political cogency: whether the ethical judgments and the political visions that protests articulate demand serious and urgent attention. I argue that all felicitous protests against ongoing injustices elicit a duty to listen to them from democratic audiences, and that felicitous protests against grave injustices that compromise the dignity and security of members of society go beyond that and, when they catch the public eye, demand participation—that is, they elicit a duty to protest.

In what follows I highlight the communicative attention and recognition that felicitous and cogent acts of protest against injustices are owed by democratic audiences. Focusing a communicative-epistemic approach to protest from the point of view of differently situated audiences as well as protesters, I seek to elucidate what counts as properly responding to a protest, and to clarify obligations to protest and to respond to protests.

Our Duties to Protest and to Listen to Protest

Many have argued that a political obligation to resist injustice springs from the very concept of justice and related normative notions—or principles of justice—such as freedom, equality and reciprocity. In Rawls’s view, “we are to assist in the establishment of just arrangements when they do not exist” (Rawls 1999: 308). Compliance with laws, institutions, and practices that violate freedom, equality, and reciprocity is forbidden by the duty of justice. Such duty requires that we denounce and resist
arrangements that do not contribute to fair treatment and ethical institutions. As Candice Delmas puts it, “the duty of justice demands that citizens respond through protest,” which offers “critical ways to register opposition to unjust laws [and other unjust arrangements], express respect for one’s and others’ dignity, denounce unequal power advantages . . . and call for reform. The duty of justice thus provides grounds for the duty to protest (Delmas 2018: 91–2).

The protests of Black Lives Matter, for example, represent, in Christopher Lebron’s formulation, “a civic desire for equality and a human desire for respect” (Lebron 2017: xiii). Protesting acts, in all the various forms they can take, are crucial ways of discharging our general obligation to support justice, which would be violated by silence and inaction in the face of injustice (Delmas 2018: 92).

Injustice can be resisted non-communicatively (such as refusal to comply or sabotage) or communicatively, and protest actions are among the communicative actions we can engage in to resist injustice (see Delmas 2018). Therefore, if we have a duty to protest, as I argue, this duty falls under the imperfect duty to resist injustice, which can be discharged in various ways, protesting being just one of those ways. Under certain special socio-political conditions, however, protesting becomes not just one among many ways of discharging the duty to resist injustice, but a central one that active citizens should feel compelled to exercise. This happens when a particular grave injustice (such as systematic violence against an oppressed group) is at the center of public debate (e.g., anti-apartheid protests in South Africa, Black Lives Matter protests in the US, etc.), there is a protesting public mobilized against the injustice in question, and there is a real opportunity for a growing mass movement to achieve social change. Under those conditions, which we can call conditions of social uprising against injustice, active citizens do have a prima facie, defeasible obligation to join ongoing protests and to participate to end injustice—for not doing so would be tantamount to complicity of injustice by silence and inaction. Normative discussions of protest in democratic theory have focused more on the right to protest than on the duty to protest that members of a democratic society have if they are to live up to democratic ideals. Radical political frameworks as well as mainstream liberal political frameworks (especially radical interpretations of liberalism; Mills 1997, 2017; Delmas 2018) can be used to argue for robust obligations to protest injustice. Although I do not review here all possible arguments in support of the duty to protest, I highlight some arguments that are particularly important for my normative claims about our prima facie obligations to protest and/or to give proper uptake to a protest if and when it is a good-faith response to injustice.
Some have argued that our obligation to protest injustice should be
grounded in relations formed through association or membership in a
political community. While appeals to associative duties have tradition-
ally entailed duties to respect institutions and obey laws, some political
theorists have recently used association or community membership as
grounds to establish political obligations to resist and disobey laws or any
institutions when this is necessary to uphold community values such as
equality and reciprocity. Following both associative theorists and Ronald
Dworkin’s account of dignity, Delmas argues that political association
makes us vulnerable to a special kind of harm, namely, the indignity of
being treated without equal and reciprocal concern within the commu-
nity. Hence, “when laws, policies, and institutions fail to express equal
and reciprocal concern for all, . . . all people, not just those affected by
indignity,” have a prima facie obligation to protest and “demand reform
or revolution” (Delmas 2018: 178).

However, in my view, duties of justice exceed associative duties: we
are bound to respect and protect the physical integrity, dignity, freedom,
and equality of everyone, not just of those who belong to our community;
violations of fundamental rights are failures of justice that go beyond the
boundaries of any particular community. This is well formulated in Mar-
tin Luther King, Jr.’s celebrated claim that justice has no boundaries and
“injustice anywhere is a threat to justice everywhere” (King [1963] 1990: 5;
my emphasis). The unbounded nature of failures of justice triggers a duty
to protest that has no boundaries. We should all feel compelled to protest
injustices and to be invested in their redress and repair. As further devel-
oped below, my view is that when the wrongs in question are failures of
justice and violations of fundamental rights (such as physical integrity/
security, dignity, freedom, and equality), we all have a prima facie obli-
gation to protest them, whether they are committed against members of
our community or against anyone else. Therefore, duties of justice and
the duty to protest injustice go beyond associative duties.

One may wonder why, in addition to being obligated to respect the
dignity and integrity of others and to treat them as free and equal, we
should also be obligated to denounce failures of justice committed by
others, that is, to take a stand against those injustices and protest them
publicly. Shouldn’t it be enough to refrain from contributing to and ben-
efiting from injustice? Why should people also feel obligated to take a
public stand against injustice whenever it occurs? The reason why injus-
tices that compromise physical integrity/security, dignity, freedom, and
equality trigger a duty to protest has to do with the kind of harms that these
injustices produce and with what is required to repair these harms, to in-
terrupt one’s complicity with injustice, and to work towards rectification.
The harms involved in violations of dignity, freedom, equality, and reciprocity have been characterized in the literature in political theory as *citizenship harms* (Capers 2011; Lenhardt 2004). While drawing from this literature, I refrain from that label and refer to these harms as failures of justice or violations of basic rights, since the injuries in question concern one’s standing as a free, equal, and dignified agent independently of one’s citizenship status.

What is crucial to notice about these harms, in order to see how they trigger a duty to protest, is that they include what has been called *expressive harms*.\(^2\) In addition to material harms, the laws, policies, practices, and cultural artifacts that contribute to the subordination and marginalization of groups have an expressive dimension: they mark the members of particular groups as unequal and subordinate; they designate them as inferior agents or non-participants; and they show the acceptability of certain forms of exclusion and/or unequal treatment. According to legal theorists Richard Pildes and Richard Niemi, who coined the expression “expressive harm,” an expressive harm consists in a non-material harm produced by being the subject of actions, attitudes, and judgments that send a message of exclusion or inferiority (Pildes and Niemi 1993). Expressive harms can be constituted by messages conveyed by the actions, practices, and policies of both governmental institutions and non-governmental institutions (such as private universities and colleges) as well as by the expressive agency of individuals. Utterances, actions, practices, laws/policies, and cultural artifacts can inflict expressive harms by stigmatizing people, that is, by attributing to them “deeply discrediting attributes” (Goffman 1963) or, as it is commonly put in the literature, attaching to them “a badge of inferiority” (Moody-Adams 2022). Stigmatization is achieved by circulating degrading or dehumanizing meanings that endanger or constrain people’s dignified standing as free and equal.

This is precisely how critical race theorist and legal scholar Charles R. Lawrence III (1990) has interpreted Jim Crow laws of racial segregation: as perpetrating expressive harms that compromised people’s standing, as instituting expressive harms that facilitated the perpetration of other harms with impunity against racially subordinated groups. Segregationist laws and policies, the practice of lynching, and confederate monuments were able to protect white privilege and to intimidate and terrorize non-white populations not only because of what they did to non-white people—restricting their access to spaces and services, making them vulnerable to extreme forms of arbitrary violence, etc.—but also because of what these policies, practices, and cultural artifacts expressed, that is, because they marked and stigmatized non-white members of US society.
as second-class citizens, as suspect community members, as those whose lives do not deserve commemoration or public concern.

Following Lawrence’s interpretation, let’s examine how this very issue was debated in the Supreme Court cases Plessy v. Ferguson in 1896 and Brown v. Board of Education in 1954. In Plessy v. Ferguson the Supreme Court famously claimed that racial segregation should not be thought to stigmatize African Americans. Delivering the majority opinion, Justice Henry Billings Brown defended this claim by saying:

We consider the underlying fallacy of the plaintiff’s argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.3

By contrast, in Brown v. Board of Education, more than five decades later, the Supreme Court recognized that racial segregation in public accommodations constitutes the expressive harm of racial stigmatization. Since then, anti-discrimination law and critical legal theorists have emphasized that being stamped with a “badge of inferiority” is intrinsically injurious, independent of its tendency to cause further harms and injustices.4

Those who remain silent in the face of expressive harms assume complicity and what has been called bystander’s responsibility (May 1993, 2010), or what I think is more aptly called enabler’s responsibility for perpetuating that harm. Silence is an enabling condition of subordination, a passive way of letting stigmas or “badges of inferiority” stick, so to speak. Therefore, silent bystanders are passive enablers and hold a particular kind of responsibility—enabler’s responsibility—with respect to expressive harms and the injustices they facilitate. A social silence in the face of an expressive harm speaks volumes: it says that what the stigmatizing utterances, practices, laws/policies, or cultural artifacts say stands; and, thus, social silence about injustice erodes democratic commitments to freedom, equality, and reciprocity. Social silence is the background condition that allows the stigmatization to occur; it makes it possible for the expressive harm to be perpetrated. We all, therefore, have a prima facie obligation to resist injustices and their expressive harms.

The duty to protest should be situated within this general, imperfect duty to resist injustice. Under conditions of oppression that create expressive harms for marginalized groups, the duty to resist injustice requires that we engage in communicative resistance to fight against those harms; and public protest is one of the central ways in which we can exercise communicative resistance in the public sphere. As Delmas puts it, the
duty to protest calls for “information and advocacy campaigns to improve the community’s conception of what respect for dignity requires, highlight particular threats to or violations of dignity, and communicate the need for reform” (Delmas 2018: 182). We should all feel obligated to protest flagrant failures of justice, independently of whether or not we are directly or in any way responsible for them. It is in this way, through protest, that solidarity against injustice is forged and expressed. And, under conditions of social uprising, when there is already public mobilization against injustice, citizens have a duty to participate in public protest, as this expression of solidarity is required to disrupt complicity with injustice.

How exactly does protest forge and express solidarity against injustice? Protesting typically has both an internal and an external audience: an internal audience of fellow protesters, that is, actual and potential participants in the protest (which is typically thought to include the public negatively impacted by the injustice being protested); and an external audience of society at large and those other publics that are not involved in the protest, publics that are often unaware of or unconcerned by the injustice being protested. With respect to its internal audience, the act of protesting has the crucial function of forging and affirming in-group solidarity. But the act of protesting also has the crucial function of expressing to indefinitely many external audiences that the injustice in question no longer goes uncontested, that such injustice is hereby in the very communicative act of protesting declared to be intolerable and opposed, that a fight against it is underway, and a social struggle has begun. When individuals, groups, and institutions refrain from protesting, they are refraining from expressing solidarity and they are indirectly saying – expressing to the world with their unresponsiveness – that, as far as they are concerned, the injustice in question can go uncontested, tolerated, and unopposed, without a fight. Many have argued that such silent community members become responsible bystanders; I go even further and say that silent community members become responsible enablers.

A central challenge to our attempts to live up to our obligations to protest injustice is the recalcitrant invisibility and inaudibility that structural injustices acquire for some (especially privileged) publics. This has been widely discussed in the subfield of political epistemology called epistemologies of ignorance (Sullivan and Tuana 2007; Medina 2013). Active ignorance about privilege and oppression operates as a protective mechanism that make it very difficult for people to adequately recognize structural injustice and the harms it produces, to see and hear the suffering of its victims, to feel the significance of that suffering and to care enough to protest it. This creates a dangerous and vicious cycle of silence and invisibility.
Protesting injustice is a crucial way in which this cycle of silence and invisibility gets broken. And if we do not participate in protest and break this cycle, we are responsible for keeping it in place by not speaking up against injustice and failing to take a visible public stance against it with our actions and attitudes in public life. By failing to protest injustice, subjects allow injustice to remain uncontested and its accompanying active ignorance and insensitivity to flourish. Refraining from protesting injustice is a form of complicity aptly described as enabler's responsibility insofar as it enables the invisibility and inaudibility of injustice. In this sense, the duty to protest is a key aspect of the duty to resist injustice; in fact, it is a precondition for resistance to get off the ground, because when injustice is not publicly denounced and publicly recognizable as injustice, the default public perception is that there is nothing to be resisted. When there is social silence and inaction in the face of grave injustices, the victims of those injustices experience the additional harm of social abandonment and what Jill Stauffer (2018) has termed ethical loneliness. Protest has the power to interrupt social abandonment and ethical loneliness, paving the way toward redress and repair. When protests commence against grave injustices that have left victims ethically alone, there is a critical awakening emerging in the public sphere and the possibility of a social uprising that can disrupt complicity and interrupt the toleration of the injustice in question and the abandonment of its victims. It is under these circumstances that active citizens have a duty to protest.

**Managing the Duty to Protest and to Listen to Protest**

No matter how vigilant and outspoken we may be about injustice, at any given time, we are likely to be complicit with many injustices that occur around the globe—injustices that, unbeknownst to us, our actions or inaction may contribute to, and our silence may help to render inaudible and invisible. This triggers the objection that the duty to protest injustice is too demanding and impossible to meet. This is an objection that any demanding view of social justice encounters, but an objection that can be answered. A duty is not infinitely or overwhelmingly demanding if minimums can be established for living up to one’s obligation.

It is not possible for citizens to protest all injustices around them, much less in the world. But, as part of their commitment to support and protect democratic inclusion, active citizens have a prima facie, defeasible duty to protest grave injustices under conditions of social uprising. When the conditions for a social uprising and for the development of a protest movement do not yet obtain, active citizens should be critically vigilant about silences and different forms of communicative marginalization.
that may prevent publics from protesting, cultivate *active listening* to protesting voices, and do what they can to facilitate proper uptake for protest acts. Although the duty to protest (as opposed to the more general duty to resist injustice) may only apply under special conditions (i.e., the conditions of social uprising), the duty to listen to felicitous protests against injustice does apply more generally; and it is important to note that this is a robust duty as well. *Active listening* to protest by those who have been silenced or marginalized involves more than simply paying attention: it involves making sure that protests receive proper recognition and communicative respect, and that they are given due consideration and carry weight in public life—what I call *echoing* protesting voices.

In democratic societies, it is reasonable to expect that injustices do not go unchallenged, and how much existing injustices are protested is a good measure of the democratic health of the public sphere. With respect to protesting racial injustices in the US, for example, it is clearly the case that until recently only some communities and organizations were actively involved in communicative resistance against this injustice, while the majority of the US public remained indifferent and apathetic without even beginning to discharge the duty to protest. Things have changed dramatically in this respect in recent years, but not as much as we would like to think. Although the number of individuals, groups, and institutions involved in protesting racial injustices has risen dramatically, especially in 2020, there are also ways of “joining” or “supporting” acts of protest that give the false impression of discharging the duties to protest and to listen to protest. I argue that we need a context-sensitive and pluralistic approach to protest that can elucidate the conditions that have to be met for the duties to protest and to listen to protest to be discharged appropriately.

There are three ways in which we can exercise communicative resistance against injustice through protest: by *initiating* a protest, by *joining* an ongoing protest, and by giving *proper uptake* to a protest. These three modalities are not mutually exclusive and in fact, one of them can lead to the others: for example, someone witnessing a protest may give serious consideration to the protest, be moved and transformed by it, and, as a result, may end up joining the protest or even initiating protests of her own. In the next two sections I elucidate these three ways of exercising communicative resistance against injustice through protest. Section 3 elucidates some normative issues concerning initiating and joining a protest while giving special authority and control over the protest to the victims of injustice. Section 4 discusses how one can disrupt one’s complicity with injustice by giving *proper uptake* to protest, that is, by giving adequate communicative attention and recognition to the protest in
question in a way that facilitates the redress of the harms and injustices being protested. I argue that not giving proper uptake to protest is a way of contributing to its silencing and a way of facilitating complicity with injustice.

Initiating and Joining Protests: Victims’ Prerogatives and Non-Victims’ Obligation to Defer and Yield

The communicative act of protesting has an essential experiential dimension. If we are dealing with protest against a particular kind of injustice (e.g., racism and systemic racial violence), experiences of that injustice are indeed at the core of the protest: it is for the sake of those experiences that the complex mechanism of communicative resistance that constitutes a protest is activated and deployed. This gives a special role to play—a special normative weight and authority to carry—to the victims of injustice who are the only ones who can speak about what it feels like to suffer from it and can communicate experiential knowledge about the injustice: for example, it is only people of color who can tell the public what it feels like to be vulnerable to racist violence.

As I have argued elsewhere (Medina 2020), a protest is always polyphonic and, no matter how unified a protesting public may be, it always contains plural voices that are heterogeneous and differently positioned with respect to the phenomenon being protested. These voices do not carry the same normative weight or play the same role; their positionality with respect to the injustice being protested affects what they can do within protest acts and the protest movement. It is of paramount importance that those negatively impacted by an injustice be given a special place for protesting such injustice in the public sphere. Those negatively impacted by an injustice include, first and foremost, the direct victims of injustice (those who have already been harmed by the injustice), but also potential victims of the injustice (those who are vulnerable to being victimized by the injustice even if they have not yet suffered from it) and those who have experienced secondary effects of the injustice (family members and communities of victims of injustice).

There are two ways in which we have to give center stage to the victims of injustice, assigning different roles and normative weights to differently situated members of a protesting public. First, the victims of injustice (and, more broadly, those negatively impacted by injustice) should have the prerogative to initiate public protests against that injustice and to exert control over the communicative life of such protests. Second, they should also have special communicative agency and a special voice...
in the protest acts and the protest movement in relation to testimonial acts, that is, in articulating *group testimony* about experiences of injustice. The first special prerogative of victims of injustice within a protesting public is crucial in order to ensure not only that the victims of injustice are included in the protesting public, but also that the protest not be instrumentalized or coopted by interests and subject positions antithetical to those who suffer exclusion or victimization as a result of the injustice being protested. The second special prerogative of victims of injustice within a protesting public (namely, that the group testimony be entrusted to them) is crucial in order to ensure that testimonial protest acts are not usurped or ventriloquized by non-victims, but performed and voiced only by those who have experienced being targeted by the injustice in question or have experienced its effects. Note that this does not mean that those who have not been negatively impacted by the injustice in question cannot speak at protest acts, but only that, when it comes to the testimonial aspects of protest, they have to defer to those who have experiential knowledge. The testimonial protest acts of a victim of injustice can be *echoed* by others, but others cannot speak for the victim.

There are three important caveats to consider concerning these two special prerogatives that my victim-centered view of protest proposes. First, it is crucial to give communicative attention and recognition to the plurality of voices and perspectives among the victims of injustice. Being attentive to the heterogeneity that can be contained in the experiences and perspectives of victims of injustice is essential for giving proper uptake to their voices. We should not expect that all victims of injustice will protest in the same way, or that their experiences as victims will be always congruent and amount to a wholly unified, monolithic collective testimony; nor should we expect that all victims of injustice will converge on the same critical evaluations and political visions in their protest of the injustice in question.

Second, sometimes victims of injustice are not voiceless de facto but in principle, because they have not yet developed a voice or have lost it (for example, infants and severely disabled subjects), or because the victims are not human subjects (think, for example, of animal rights activists who protest against animal cruelty or animal exploitation). As Linda Alcoff argued in “The Problem of Speaking for Others” (1995), there are ethico-political as well as communicative-epistemic limits to speaking for others. This is not to say that speaking for others is always off limits in protest acts; but it is something that has to be carefully modulated by being explicit about subject positionality and the speech act’s register and scope, so as to avoid ventriloquizing and giving the deceiving appearance of a (quasi)testimonial communicative act that is in fact not grounded in experience.
Third, it is important that the victim’s right to protest injustice should take precedence over the non-victim’s right to protest injustice, but this does not mean that non-victims should consider their obligation to protest suspended or weakened because of the expectation that they yield to the victim’s right to protest; nor does it mean that victims have a heightened obligation to protest just because their right to protest takes precedence. We all have a prima facie obligation to protest injustice, but such obligation has to be carefully contextualized and modulated by subject positionality, balanced with one’s obligation to defer and yield to the communicative agency of victims of injustice, starting with direct and potential victims and continuing with their family members and communities.

If victims of an injustice have not yet initiated protest acts to denounce and resist such injustice in any way, non-victims have an obligation to carefully check that they are not usurping the victim’s prerogative to initiate protest and only speaking on their behalf insofar as they are authorized to do so and within certain limits, refraining from quasi-testimonial speech acts. If victims of an injustice have initiated protest acts to denounce and resist such injustice, non-victims have to discharge their obligation to protest in a way that explicitly acknowledges the previous and/or contemporaneous protest acts of the victim, by echoing them or chaining their own protest acts to them, while carefully avoiding appropriating those protest acts or chaining their own in ways that redirect the protest. Another way to think about the non-victims’ obligation to defer and yield is by putting the emphasis on the non-victims’ obligation to actively facilitate the exercise of the victims’ right to protest. Of course, such facilitation does not mean that the right and obligation to protest of non-victims are sacrificed or suspended, but only that they have to be qualified by accommodating the victim’s communicative right and entitlement to protest.

Giving center stage, a special place or platform, or special agency to the victims of injustice also does not mean that they become (over) burdened with the obligation to initiate protest or to be the first ones to speak up: they have a special right or prerogative to initiate protest and to engage in testimonial protest acts, but they have no special obligation to do so. Since those negatively impacted by injustice have special vulnerabilities to harm in specific respects, there may be special risks and dangers that they endure by protesting; so, if anything, they have a more relaxed obligation to protest, which can be suspended in the light of contextual factors. Conversely, non-victims have a heightened obligation to protest given the lower costs and risks that their positionality affords them. What the special prerogatives of victims means is that those negatively impacted by injustice have a special authority in the constitution, articulation, and maintenance of the protesting public and its agency.
and others have to *defer* to them and *yield* to their communicative agency. Precisely because of the polyphony of protest, because it can contain many voices and subject positions, the constitution and operation of a protesting public should be guided *both* by the obligation to protest *and* the obligation to defer or yield to victims, so as to ensure that such public becomes and remains a community of resistance in which the voices and agency of the victims of injustice are empowered—that is, a community with liberatory effects for the victims. On my view, what guides the constitution and proper functioning of a protesting public is the self-empowerment of the group—this should mean the self-empowerment of all, but especially of those who have been excluded or marginalized and whose agency has been diminished.

**Proper Uptake and Echoing**

We need to contextualize and elucidate not only the rights and obligations to protest of differently situated subjects and publics, but also the communicative obligation to give proper uptake to protest. By focusing on proper uptake as a way of resisting silencing, my analysis calls attention to *audience’s responsibilities*. We need to become active listeners to the voices of protests and cultivate a sense of responsibility as concerned parties addressed by protests. We have a shared responsibility to listen to and respond to protests if we want to maintain a democratic public sphere that feels concerned by the grievances of its members, and if we want to have institutions that feel compelled to rectify wrongs, repair damages, and prevent harms. Being a responsible and active audience member of protests involves more than merely listening; it involves (1) being compelled to communicatively *engage* with expressions of dissent and their testimonial, evaluative, and prescriptive contents, and (2) being moved to *consider* reparative and preventive measures that address the grievances of protesting publics. Note that point (1) involves communicative responsiveness to protest, often including the communicative amplification of the protest itself as a result of the communicative engagement with the protesting public (in cases of audience-members-turned-protesters). Point (2) concerns the facilitation of redress or rectification by considering forms of action demanded by protest, which involves going from uptake or communicative responsiveness to political action in response to the protest. A felicitous protest that raises a legitimate issue of justice triggers audience’s responsibilities in these two ways.

My view may appear to be overly demanding for individual audience members, but it should be understood as laying out shared goals that
audiences can collectively aspire to achieve. Audience’s responsibilities to properly recognize protests and to properly engage with them are not individualized responsibilities, but shared responsibilities that we have as members of concerned publics. My view underscores the importance of instilling these shared communicative responsibilities and holding individuals, communities, and institutions accountable for doing their part in giving proper communicative attention to protests as well as proper communicative and political responses to them. My view converges with Jade Schiff’s proposal concerning “the cultivation of responsiveness” (Schiff 2016) as a central burden of citizens’ political responsibility in democratic societies. As Schiff underscores in Burdens of Political Responsibility, cultivating responsiveness to injustice is a challenging task that encounters difficult obstacles created by ideological distortions and the impoverishment of the public sphere: thoughtlessness, bad faith/false consciousness, and misrecognition are three species of the general genus of “covering up” injustice that Schiff analyzes (ibid.). The cultivation of responsiveness is an arduous process that requires collective efforts to overcome these obstacles; it is something to be pursued in communities of resistance that exercise critical vigilance over the complex ways in which injustices are covered up, and that hold people accountable for their complicity. An important element in the cultivation of responsiveness is responding to protesting voices adequately, that is, giving proper uptake to protest.

I propose a rich and demanding view of proper uptake that enables us to normatively assess the adequacy of the responses to protest. It is important to appreciate how proper communicative uptake can facilitate and be the ground for different forms of responses to protest that include cognitive, affective, and actional elements. In my view, protest acts have three basic functions: an informational function, insofar as they are aimed at sharing information with one or multiple audiences; an emotive function, insofar as they are aimed at sparking a new or improved social sensibility with respect to a justice issue by eliciting emotional responses from one or multiple audiences; and an actional function, insofar as they seek that demands of justice be taken into account in the actions and practices of the relevant communities and institutions. These actions may consist of communicative engagement that continues or amplifies the protest, or concrete actions to produce changes (e.g., material, political, institutional, legal changes) intended to answer the calls for justice of the protest; an actional response might also be the development of a new readiness for action, that is, new action-oriented attitudes that prepare the audience for responding to injustice. When the audience’s communicative response to a protest leads to cognitive, affective, and actional responses, we have the kind of deep responsivity that I call echoing.
By paying attention to these three dimensions of echoing, we can assess the depth and adequacy of the responses to protest; for example, the normative failures involved in the *spectatorial* consumption of protest acts and protest images online, and the possible harms that can result from relating to the suffering of victims of injustice as a mere spectator and consumer. Image-based online activism purports to intervene in people’s sensibility and sense of responsibility regarding social realities. However, when images are processed from a detached, spectatorial perspective to merely *gain information* or even when they instill emotions, it is unclear whether they are functioning as protest images in a full sense. The proper response to a protest involves not only *knowing* about it and *feeling* something about it, but also *being responsive and doing* something about it. Protesters seek not only to make experiences of injustice known and felt, *but also* to have them addressed by actions of the community and its institutions. *Echoing* a protest is *answering its call to justice*. Online responses to protests—recirculating words and images or endorsing them with a single click—may not always amount to echoing in a full sense. For example, tweeting or re-posting on social media are only superficial responses if they do not result in a willingness to use one’s own agency (communicative, economic, political, and other forms of agency) to resist the injustice in question. If the reactions to protest of online audiences become detached from the realm of action, these reactions run the risk of remaining skin-deep. These three dimensions of echoing provide a gradual normative framework that can assess how deep the audience’s responsiveness goes and distinguish between thin and thick forms of solidarity.

Although echoing a protest falls short of full participation in the protest, it is a way of securing proper uptake for the protest. When citizens decide not to participate in protest for one reason or another (e.g., they have not made up their minds yet about their own view on the matter, or they are already resisting the injustice in question in other ways, etc.), echoing is a way of offering communicative support and amplifying the voices of a protesting public to make sure they are properly heard and communicatively included in the public sphere.

**Conclusion**

In this article I have argued that the duties to protest and to listen to protest are central democratic obligations required for active citizenship. Section 1 developed an epistemic-communicative approach to protest as communicative resistance, arguing that duties to protest and to listen
to protest are civic obligations in order to resist complicity to injustice. In Section 2, I argued that we always have a duty to listen to felicitous protests against injustice and that, under conditions of social uprising, we also have a duty to protest. In Section 3, I defended a view of protest participation that takes into account subjects’ positionality with respect to the injustice being protested, arguing for the special prerogatives of victims and the duties of non-victims to defer and yield within protest movements. In Section 4, I elucidated the notion of proper uptake to protest, what I call echoing: expressing communicative solidarity with that protest through one’s cognitive, affective, and actional responses. My notion of echoing calls attention to how differently situated audiences can give proper uptake to protests in a way that empowers the communicative and political agency of protesting publics.

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NOTES

1. There are reasonable defeaters that can trump the prima facie obligation to protest, such as physical integrity.
2. Although I draw explicitly from the literature on “expressive harms” here, the kinds of harms I highlight have also been conceptualized by Iris Marion Young in “Five Faces of Oppression” (2004) as expressive violence under the rubrics of “marginalization,” “powerlessness,” and “cultural imperialism.”
4. In *Making Space for Justice* (2022), Michele Moody-Adams offers a very elucidating discussion of these Supreme Court cases. As Moody-Adams’ discussion underscores, “some of the most powerful arguments in Brown rested on the testimony of African American social scientists Kenneth and Mamie Clark, whose research revealed some of the damage done by the ‘badge of inferiority’ created by school segregation” (Moody-Adams 2022: 183).
5. The notion of *chaining* an action to another is part of Medina’s account of collective agency and performative networks. See “Echoing: Chained Action, ‘Epistemic Heroes,’ and Social Networks,” in section 5.3 of Medina (2013).
6. Emily Beausoleil (2019) has offered an account of how to listen properly to claims of structural injustice that emphasizes these three elements and goes well with the account of the three functions of protest that I develop in the next paragraph.

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