

# **Antigones of contemporary theatre: capturing problems of today's civil disobedience in a theatre play**

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## **1 Introduction**

No other theatrical play has attracted as much attention from legal scholars and philosophers as Sophocles' *Antigone*. Analysed extensively since Hegel (1979, 1896) the play has been interpreted through a variety of prisms (Butler 2002, Hirvonen 2000, Honig 2013, van den Berge 2017, Etxabe 2009) that have revealed diverse interpretations of the relationship between law and justice. Despite its ancient origin the play has proven to be timeless and provides continued inspiration for legal scholars, theatre practitioners and theorists alike. In my capacity as a legal scholar, a playwright and a theatre practitioner, *Antigone* has served as a rich source of inspiration and a ground for reflection on more contemporary problems related to the troubled liaison between law and justice. In this article, I would like to reflect on how Antigonean conflict inspired writing my own contemporary law and theatre play dealing with the notions of law and justice in the times of increased conflict over identity and belonging. I will do so by reference to the play of my authorship, *Trumpsformation*, which was staged at Canberra's Ainslie and Gorman Arts Centre in March 2018 by the Antigone Law and Theatre Group at the Australian National

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University College of Law under my directorship. This article serves as a theoretical commentary on the purpose of the play and the acts of civil disobedience depicted in the play. In my analysis of the play and its relationship to the contemporary conundrums related to the intersections of law and justice, I will use the notion of 'contemporary Antigones'. I will argue that while Antigone has been seen by some as a specific type of a female character (Mills 1986), sometimes even a disturbed one (van den Berge 2017), multiple theatrical characters can in fact take on a role of Antigone in uncovering the inner relationship between law and justice. This is possible thanks to the presence of an Antigonean conflict, which following Etxabe (2011), I see as a situation reflecting incommensurability – an intersection where law and justice speak two different languages that are impossible to reconcile. This incommensurability results in tragic outcomes for the *dramatis personae*. Thanks to the presence of this conflict, multiple plays, beyond *Antigone* itself, can be identified as reflective of the law-justice junction. While the plot of *Trumpsformation* itself was inspired by Ionesco's *Rhinoceros* rather than Sophocles' *Antigone*, it was critically focused on the presence of the Antigonean conflict and the incommensurability between the call of justice and the call of the law. In this article, I will illustrate the importance of this incommensurability by first focusing on the notion of the Antigonean conflict and second analysing what this conflict tells us about the relationship between law, justice and the dissident. I will then illustrate how these notions are important for identifying contemporary Antigones – tragic characters that serve as a theatrical prism for expounding the troubled alliance between law, justice and the call of duty. Finally, I will explain how *Trumpsformation* uses these notions to tell a story about injustice, law and incommensurability. I will focus on the growing chasm between the legal and the ethical duty in the times of the conflict over the notion of belonging and the shape of political community.

## **2 The Antigonean conflict**

Many writers on *Antigone* have seen Antigone as an archetypal character highlighting certain social roles. For instance, Hegel's famous analysis of the play focused on the relationship between the family and the polis captured through the figure of Antigone (Mills 1986). According to Mills, Hegel saw Antigone primarily as a young woman and her protest against Creon's rules banning the burial of her brother Polyneices as an example of the conflict between the private and the public domain (1986: 133-134). Hegel's emphasis on the familial duties that Antigone speaks to confines her in the rather narrow category of a typical pagan female of her time (ibid). Yet, Mills reminds us that in that categorisation Hegel forgets something crucial:

If we accept Hegel's interpretation of pagan life as a tragic conflict between the familial particular and the political universal which cannot be overcome in life, then Antigone's decision to commit suicide, which Hegel does not discuss, is of paramount importance. That is, unlike the male, Antigone cannot live out the contradiction of pagan life. Man is able to endure the duality of pagan life through his relation to woman as wife – she maintains the family as the sphere of his particularity while he acts in the polis, the sphere of universality. But woman's relation to man does not offer her a way to make this duality tolerable. His desire for her is such that she is never a particular self in relation to him nor does she experience the universality of the polis through him. And when woman as sister leaves the family to experience the universality of the polis and to achieve particularity there is no relation to man that can sustain her. Thus, while man lives the tragic conflict of pagan life, woman dies from it (1986: 143).

Having in mind this tragic consequence of the conflict between the universal and the particular for a woman, it is no wonder that others, like Butler (2000), have argued that Antigone is not just a tragic female of her time but rather an archetype of a feminist character. Butler challenges Hegel's interpretation that confines Antigone in a stereotypical feminine role and sees her rather as none else but a challenger of that role. Antigone's feminist stance is expressed primarily in her challenge to the presumption that the familial and

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the political constitute two separate domains (Butler 2000: 35-36) and her rebellion against any predefined expectations of womanhood. She does so by firstly refusing to obey the law that fails to recognise the loss of her brother (Butler 2000: 24) thus making the private political, and secondly by refusing to perform the role of a 'woman' prescribed to her by the traditions and norms. As Butler observes, Antigone defies traditional expectations of what it means to be a woman in a familial relationship and challenges the very image of what familial kinship ought to entail for a woman. She is unmarried and childless and chooses the pain of death to bury her brother – the action that she sees as an ethical necessity, but which forfeits the possibility of marriage and motherhood and prioritises the fraternal ethical duty over all else. In Butler's words, 'it is no doubt important, on the one hand, to refuse her conclusion that to be without a child is itself a tragic fate, and, on the other hand, to refuse the conclusion that the incest taboo must be undone in order for love to freely flourish everywhere' (ibid). Antigone is thus not a one-sided but instead a multisided and complex character that is difficult to grasp for anyone looking for a single archetype. She defies so many expectations and challenges so many assumptions that she serves as a poor example of an archetypal young woman, speaker for the family, typical pagan of her time or the advocate for the presence of the private domain in public considerations. In fact, so many issues are touched by Antigone's dirge that Honig sees her simply as a tragic humanist character. Honig observes at least three primary areas where Antigone's plea is important: the politics of lamentation, tensions between natal and conjugal family loyalties, and highlighting Creon's failure to meet the standard of governance (2009: 16). Honig argues that Antigone is simply a character paradigmatic of agonistic humanism that promotes politics of struggle, pain, and conflict but also of mutuality, pleasure, and care (2009: 26). Yet in her arrival to this conclusion Honig multiple times points to the political nature of Antigone's stance, saying that 'Antigone's dirge is both an integral part of her intervention into fifth-century politics, and also a still powerful solicitation to contemporary audiences to see grief and lamentation in political not ethical terms' (2009: 10). I would like to argue that it is

this political potential of Antigone's conflict with Creon that ought to be emphasised and that guarantees the play's universality despite changing social contexts and understanding of the family. I disagree with authors such as van den Berge who claim that 'Antigone expresses her extreme and unreflected loyalty to her family above anything else' (2017: 216). In line with Honig, I see Antigone's stance not as much as a personal struggle for the family, as van den Berge or Hegel would see it, but rather as a distinctly political protest against the failure of the standard of governance expressed in existing laws. What stands behind Antigone's plea is the conflict of the ethical and legal and the stance against drastic failures of the law to recognise ethically just solutions. As someone speaking against the injustice of the law, she is more an archetype (if we can speak of one at all) of a dissident or a protester than an irrational speaker for her own relatives. Tiefenbrun insists that Antigone is 'one of the first great heroines of civil disobedience and the inspiration of resistance movements against tyranny' (1999: 35). Tiefenbrun argues further that the true nature of Antigonean conflict is the conflict between positivism and the protest against unjust law. While the author reminds us that not all disobedience of the law is a civil disobedience, Antigone's protest is, because it is non-violent, open and visible, illegal and performed for a moral purpose of protesting against unjust law or status quo with an expectation of punishment (Tiefenbrun 1999: 41). Tiefenbrun believes that the by-product of Antigone's protest is a law reform – the motivation of any true civil disobedience movement. I concur with Tiefenbrun that Antigone speaks to the desire of challenging unjust law – the true reason behind Antigone's instance on the importance of her duties towards her family. It is not just a personal stance but also a serious political challenge to the legal system. This desire of challenging unjust law lies at the heart of any Antigonean conflict and is born out of incommensurability between the call of the law and the call of justice (Etxabe 2011). Using Lyotard's differend and Ranciere's disagreement, Etxabe argues that Antigonean conflict is an encapsulation of the idea of incommensurability. He understands the term as broader than merely the lack of a common communication platform for both sides

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of the argument, like in a *differend*, or the lack of the common premise between the two parties of the argument, as in a *disagreement*. Instead, he insists that in *Antigone*:

the audience is confronted with an incommensurability *of judgment*, for she is in the position of judging a conflict between two incommensurable parties, each of which is right in its own terms. This is not to claim a false equivalency between the two parties, for there are clear inequalities in the positions of Antigone and Creon. The two are equal only as parties of a conflict that is made possible only in Sophocles' text and by the audience trying to comprehend it. To become a reader, that is, to adopt the position (and the responsibilities) of a reader, compels her to act *as if she* were committed to both, that is, to comprehend and to be just to both. Paradoxically, the more one tries to comprehend each party, the more one is distanced from the other; the more one penetrates the conflict, the more one realizes the severity and depth of it (Etxabe 2011: 76).

As Etxabe points out, Antigonean conflict and its tragic incommensurability is characterised not only by a deep rift between both parties but also inequalities between both. He further points out that Antigone's position would not be heard in the court of law due to none else but this inherent inequality between both parties – the law vis-à-vis the dissident. Thus, relying solely on hearing the arguments of the law risks 'remaining deaf to the kind of wrongs, injustices, and inequalities that cannot be properly articulated in the current state of affairs, the staging of the incommensurability requires the vigilant and timely intervention of an audience that will *recognize* the incommensurability' (Etxabe 2011: 77). In his further exploration of incommensurability, Etxabe follows one of the two paths he maps out – the situation of a third person that must adjudicate an incommensurable conflict between two parties. I follow the other one he outlines, but does not engage with – the case of an individual who faces a tragic *choice* between incommensurable options and remains faithful to the perceived supremacy of their own normative perception of justice.

Following Tiefenbrun and building on Etxabe, I argue that the premise of the Antigonean conflict is not as much preoccupation with

particularities of the conflicts between public-private, male-female or religion-law, but conflict between the law and the power to enact laws and the dissident. The incommensurability of the positions between the two is encapsulated in the presumption of legality of enacted laws and the belief that such laws are normatively unjust and thus fail to provide an adequate standard of justice. I would thus argue that Antigonean conflict is a conflict between the legal and the ethical in which injustice becomes illuminated in an incommensurable exchange of arguments between the dissident and power capable of enacting legally valid laws; an exchange that would not become visible if not for the dissident's action, whether purely verbal or not. Below I will focus more on whether each act of dissent is an instance of an Antigonean conflict or whether there are conditions that make some forms of dissent more justifiable than others.

### **3 Dissent, Antigonean conflict and injustice of the law**

If we accept that Antigone encapsulates a conflict between the existing laws and the power to enact and execute laws and the dissident, the next question that arises is who a dissident is and whether all conflicts between the power and the dissident are by nature Antigonean conflicts. As pointed out above (Tiefenbrun 1999) not all conflicts between the dissident and power are likely to be Antigonean. I argue that Antigonean conflicts are essentially moral conflicts facing a dissident, which she is unable to resolve using the legal confines of a system. It is in fact incredibly difficult to outline which acts of such dissent are 'justifiable' and Antigonean and which are born out of other motives. Singer observed a fundamental difference between dissent for the purposes of gaining power or advantage and dissent against exclusion from power (1974: 36). For Singer dissent is not justifiable simply on the grounds of disliking rules and wishing to have greater power on how they are shaped (1974: 37). Such dissent would lead to the breakdown of rules and processes (ibid). Instead justifiable dissent needs to have a morally justifiable cause, like unfairness or exclusion from creating the rules, such as for instance exclusion of minorities (Singer 1974:

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42-45). While such dissent does not always guarantee justifiable claim, Singer suggests that to recognise dissent as legitimate 'the unfairness in the operation of the system must be 'unmistakably clear' (or some similar requirement)' (1974: 45). In liberal theory, such requirement is seen as an opposition to infringement of equal rights and liberties (Rawls 1993, Cohen and Arato 1992 cited in Smith 2013: 38). For Rawls (1993), such an opposition is a conflict of duty between obeying the law and the fight for fairness. Rawls, not dissimilarly to Singer, sees dissent as justifiable when it fights substantial and clear injustice. As Smith reminds us though, Rawls sets further restrictive conditions to the justifiability of dissents. Namely, that the injustice has been deliberate and existing over an extended period of time and that the act of dissent is non-violent (Smith 2013: 38-39). Taking a deliberative stance instead, Smith argues that civil disobedience is justifiable also in other instances. He argues that, for example, protests that aim at preserving a dialogue about the boundaries of justice (Smith 2013: 44) count as justifiable dissent because they aim at preventing injustice. Such protests are necessary because, as Smith reminds us further, those who hold power and can benefit from unfair legal proposals may be in a better position to speak or disseminate their voices (Smith 2013: 57). Therefore, justifiable dissent needs to allow for acts of protest already in deliberative processes shaping future laws.

Critical theorists have specifically utilised the figure of Antigone to discuss the notion of justifiable civil disobedience (Douzinas and Warrington 1994: 189). According to Douzinas and Warrington, Antigonean disobedience does not know whether the justice it pursues is in fact justifiable because 'Antigone accepts that the law – her own and Creon's – will take its course and will not allow her to know whether she is pious or sinful before her terrible death' (1994: 200). More recently, while discussing dissent more generally and wishing to define the boundaries of permissible dissent beyond the notion of positive and natural law, Douzinas proposes criteria that according to Scheurman do not fall far from liberal theory, which Douzinas aims to challenge. Scheurman argues that Douzinas' test of 'moral quality control' for legitimate resistance is very similar to liberal justifications



of dissent (2015: 439). I believe, however, that the key difference between the Rawlsian and critical approaches to civil disobedience lie in a radically different assessment of the fairness of the legal system in question and the general consensus behind the existing legal norms. While the Rawlsian model, which relies on the prolonged duration to evidence injustice, is motivated by fundamental faith in the fairness of legal consensus, other models express suspicion towards the legal system and its inherent links with power. Scheuerman observes that the legitimate resistance criterion has recently been questioned in what he calls an anti-legal turn (2015: 441). In the anti-legal turn, criteria like justifiability and peacefulness no longer play a role. The anti-legal strand of civil disobedience theory sees law as oppressive and thus, in Brownlee's words, sees civil disobedience as 'not just a communicative breach, but a conscientious communicative breach of law motivated by steadfast, sincere and serious (though possibly erroneous) moral convictions' (2012a: 531). Taking such a broad definition means that the dissident's moral commitment need not be objectively justifiable but needs to cause a deep conflict between the dissident's perceived moral and ethical duties and the law.

Whether we agree that for a justifiable act of civil disobedience the dissident's motivations need to be objectively justifiable or whether we take a broader approach to the issue of justifiable dissent, it is clear that the very act of dissent results in facing the full force of the law. What follows, becoming a dissident is a complex and difficult decision, which Douzinas describes in the following way:

The autonomous citizen does not just obey the law; she also judges the 'legality' of the law and its relationship with justice. In acts of disobedience autonomy and existential freedom temporarily coincide. The decision to break the law is hard, unavoidable and traumatic at the same time (2013: 93).

This is because the punishment for dissent is always a real threat (Douzinas 2013: 93). Whether there is a moral right not to be punished as some would argue (Brownlee 2012b: 240), Forji reminds us that 'protesters are not protected, given that civil disobedience typically

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involves an illegal activity. Indeed, civil disobedience is always something that can send one to jail' (2010: 163). The act of civil disobedience encapsulates the incommensurability between the legally valid law and the strong conviction that the law is morally unjust.

For purposes of exploring law through theatre, I argue that contemporary Antigones struggling with today's Antigonean conflicts are characters speaking to and standing up to power and unjust laws through words and actions. In the situation of incommensurability between the legal norms and the call of justice, they act from the sense of moral or ethical duty to oppose laws they consider immoral. Such opposition may involve both speaking up to power by discussing the laws in the making, or acting to stand up against real life consequences of laws already in force. Contemporary Antigones take their action knowingly and with full awareness of the possible consequences of their civil disobedience. Their motivation is to challenge perceived injustice and challenge the perceived failure of just governance. Such stance is not only moral, but also political, as the action of civil disobedience disrupts political power and challenges the validity of enacted laws.

### **4 Interrogating the law differently and the role of the audience in a law and theatre play**

In her book *Towards a Theatrical Jurisprudence*, Marett Leiboff explores both what theatre can do for law and how theatrical jurisprudence allows law to be theatricalised through its cases (2019: xi). Leiboff uses Lehmann's approach to interrogating the law through theatre and reminds us:

that it is theatre's role to point out what's missing from law might seem an impertinence for those of us deeply immersed in law and its practices. But when we think of these most basic of theatre practices, grounded in dramaturgy and in bringing to bear Grotowski's techniques in order to generate the conditions through which we are able to notice in law, then there is nothing left of law but display (2019: 135).

While those of us who work with law and deal with its interpretation can interrogate law through classical jurisprudence, using theatre allows us to strip law of its aura of secrecy and its cloak of mysticism and arcane knowledge accessible only to us lawyers. Theatricalising the law can help us instead display it in its basic form to a much wider audience reaching beyond our usual legal peers. Interrogating law through theatre allows us to connect with the audience and encourage each and every member to do what Douzinas (2013) described when discussing dissent – judge its legality and relationship to justice. In her book, Leiboff suggests using Grotowski’s techniques for interrogating law through theatrical jurisprudence (2019: 99). Given that theatrical jurisprudence is built on the notion of theatrical performance, the principles Leiboff borrows from Grotowski, apply for the process of writing a play about law, namely:

- ‘Classical play text and the possibility of montage – as excavation of law, its principles, doctrines and cases, in particular drawing on the technique of montage that can be drawn upon through externalities to both break into and elucidate law as dramaturgical’ (2019: 99)
- ‘Confrontation and transgression – to bring myth and archetype into the present, as a restoration of long-standing and deep concepts lost through the technocratic, as a restoration of injustice as ‘mirror’ rather than as times past’ (ibid)
- ‘Encounter and impulse – a depth of awareness of legal text and in the humanity (and its artefacts) that produces a legal self who works to understand the factors that trigger herself or himself to notice, largely shaped in and beyond himself or herself, in order to notice injustice in the law’ (ibid)
- ‘The holy actor – her self-sacrifice reordered within the holy lawyer, who becomes an amalgam of spectator and actor, uniting consciousness and instinct, and mind and body, challenging stereotype by bringing the warm breath of connection into law’ (ibid)

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- 'The poor theatre – as a law that neutralises game and strategy, as a law of response and responsibility' (ibid)

At least four of these five points have been, perhaps intuitively, rather than intentionally applied to interrogate the law and the Antigonean conflict in *Trumpsformation*. Firstly, the play focuses on the law, its rapid change, its processes of legitimacy and justifiability. It engages with the newly emerging legal order, one that swiftly and mercilessly passes new laws that openly discriminate, exclude and punish ethical acts of support. Secondly, it brings the Antigonean conflict to the fore through interrogating these new laws that, albeit exaggerated for the purposes of stripping the law of its aura of mysticism, have been mirrored on numerous similar proposals or legal developments advocated for by populist governments across the globe. They feature increased focus on deportations, penalisation of solidarity towards migrants, or curtailments of the right to protest. Thirdly, it utilises the figures of contemporary Antigones, who encounter the law and who through processes of disagreement and eventually dissent notice and interrogate injustices of the law. These figures mirror the act of encounter and impulse in the process of confronting the law. Fourthly, the Antigones challenge the myths of the law and bring them into a present moment through dialogue and actions. Below, I analyse how these elements were presented in *Trumpsformation* to inspire the audience to interrogate the law and judge its legitimacy, regardless of being or not being jurists.

### **5 Dissident speaking to power in *Trumpsformation***

#### **A Who are the dissidents?**

*Trumpsformation* is set in our contemporary reality and can take place in any city where public servants do their work for the government and where they are experiencing struggles with exclusion and injustice. For the purposes of the 2018 performances, the play was set in Canberra, in one of governmental offices working on drafts of newly proposed legislation. Since the writing and staging of the play coincided with early days of Trump's presidency the title is a word play combining

the words ‘transformation’ and ‘Trumpism’. It does not deal with the president himself, but rather with the more insidious and long-term transformation that happens in our societies in the aftermath of governance promoting exclusion, discrimination and curtailment of existing legal safeguards protecting the rule of law, rights and democracy. At a first glance, critics versed in jurisprudence may see this premise as a simple liberal democratic defence of rights-based consensus, akin to Rawlsian defence of civil disobedience. I would, however, argue that for the purposes of illuminating the Antigonean conflict, such a vivid contrast is justifiable precisely in order to bring forward the confrontation and transgression mentioned by Leiboff in her theory of theatrical jurisprudence. It allows jurists to bring theories and philosophical discussions about law into the present and give new life to long-standing and deep concepts lost in the jargonised considerations we discuss as lawyers. While the idea of transformation of the members of society into complacent actors complicit in perpetuating injustice is borrowed from Ionesco’s *Rhinoceros* and vaguely follows a similar choice of locations – a public café, an office and the space of the protagonist’s home – this reality is strongly modified and focuses on contemporary Antigones’ struggles for justice. I use the word Antigone in plural, not only to emphasise that multiple characters can be contemporary Antigones, but also to signify that the play has two main protagonists, Alex and April, a young couple that met at work in the governmental office featured in the second act of the play. The protagonists encounter several antagonists as the plot progresses, beginning and ending with anonymous lions – people who have fallen into the charm of populist politics. The trope of transformation into an animal is of course borrowed directly from *Rhinoceros*, where characters conform and become willing or unwilling followers of fascism (Hayne 2008). In the contemporary reality featured in the play, fascism was replaced by Trumpism and rhinoceroses with lions – a symbol used by the Trump University in their logo. While a lion can signify noble causes (Lacy 1970) it can also stand a proxy for egotism, narcissism and self-obsession (Eyman 2008) attributes often associated with the former United States President

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(Williams et al 2018). Despite a somewhat misleading title, this is where the direct link to the figure of Donald Trump ends. What concerned me as a writer was not simply critiquing a singular person, but rather the mark the policies and laws promoted by populist leaders leave in democratic societies. While set in Australia, multiple scholars emphasised the significance of Trumpism as a broader phenomenon relevant for societies outside the US (Falk 2018, Hyslop 2020), such as the normalisation of the discourse of exclusion, silent approval of racism, and constant testing of the boundaries of democracy and its current foundations. The lions are thus not just followers of Trump, but the antagonists vocally or tacitly approving broader populist agendas and slowly, but gradually, gaining political power capable of shifting the democratic consensus and eventually the law. Beside these primary antagonists, the play features Tom, a colleague of Alex and April, who vocally promotes ideas of curtailing migration and reversing gender equality and does not hide his racist views even before lions gain enough support to form the government. In multiple ways, the struggle that Alex and April experience is a struggle with the end of democracy and the fight for values and principles expounded by liberal democratic theory; something that, as Scheuerman reminds us, we do not always successfully transcend even as critical theorists. While I did not see it necessary to go deeper into the problematic aspects of democratic liberalism, I did nonetheless try to show how democratic governance can lead to an oppressive consensus of the majority, which can implement laws promoting exclusion, discrimination and practices from which the majority benefits (something that differs from Rawlsian consensus). And it is this new consensus and the new laws promulgated in its name that the Antigones of this play decide to challenge at the cost of paying the price of legal punishment.

The Antigonean conflict and Alex and April's decision to become dissidents is built slowly and culminates with the ultimate threat of physical violence of the new law towards them. While I agree with Brownlee that the dissidents ought to have a moral right not to be punished (Brownlee 2021b), I believe that for the benefit of the audience, such a threat ought to be clear and present, even if actual

visible violence was contained to a minimum throughout the play. In the first act, the protagonists simply struggle with the fact of a newly emerging consensus. On the way to the café where they normally meet or buy their morning coffee, they realised that the café implemented a lions-only policy and, as non-lions, they were no longer welcome. But the resistance is at this stage only expressed through anger and defiance. When April is being harassed by a lion while waiting for Alex, she defiantly stands up against such harassment and pretends not to be bothered by it. At this stage, the incommensurability is only a possibility and the resistance is only ideological, as the power relations remain equal between the lions and the protagonists. Thus, at this point, the exclusion from the café does not result in any further actions. However, the situation changes rapidly throughout the second act.

**B How do the play's Antigones speak to power?**

When the Lion Party forms the government, the situation changes rapidly and both protagonists are in vivid opposition to the conforming majority tacitly or explicitly supporting the new status quo. The power relations shift as soon as lions form the government and laws begin to change; rapidly involving sweeping changes to the right to privacy, freedom of expression and migration laws. The laws introduce, amongst other issues, mandatory surveillance of all citizens, something that Alex scoffs at when proofing the legal draft he receives on his desk:

ALEX: [*reading and correcting loudly*] Everyone's online data shall be subject to government surveillance ... [*He corrects.*] surveillance with two Ls ... they can't even spell correctly [*He corrects.*] Everyone whose online activity endangers national security or questions national sovereignty will be subject to mandatory investigation ... sovereignty - S-o-v-e-r-e-i-g-n-t-y ... Security officers will report to the Minister for National Purity every online activity that aims to reveal government secrets, such as reporting on offshore detention centers ... offshore ... [*turns to Tom*] hyphen or not?

At this point the inner conflict experienced by a dissident, that Douzinas (2013) discussed, begins. The escalation of this inner conflict is visible to the audience in words and eventually in actions clearly

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contravening the new laws. At first, Alex and April simply begin by openly arguing with their nowadays unashamedly lion-supporting colleague Tom at the risk of ignoring the requirements of neutrality in the office. While their superior Mrs. Stone does not sympathise with the Lions, she insists on neutrality, a stance that the protagonists see as supportive of the new injustices perpetuated in the name of what they see as oppressive and thus unjust laws. The audience is introduced to the drastic consequences of the new laws when Mrs. Cho enters the office and informs the workers that Mr. Cho, a former colleague of Alex and April, had his visa and subsequently his citizenship cancelled and has been deported with immediate effect back to the country where he faced death penalty for his beliefs. The revoking of the visa is a consequence of sweeping changes aiming at 'purifying' the nation from immigrants, trends reminiscent of contemporary right-wing populism (eg Thorleifsson 2019). As the action progresses, it turns out that as a result of new laws, Mrs. Cho's visa is also cancelled and she is now also a fugitive from the law. At this point, Alex and April begin active rather than verbal opposition and decide to stand against the laws by allowing Mrs. Cho to stay in the office after hours and hide her from law officers who may be looking for her. Being aware of the consequences awaiting, they consider the new laws immoral and therefore believe they have a moral imperative to stand against them. They express their beliefs in the following dialogue with their superior, Mrs. Stone:

ALEX: But Mrs. Stone, we cannot let them take Mrs. Cho!

MRS STONE: It is the law Alex; we cannot do anything about it. Not anymore!

APRIL: If suffragists accepted the law as it was Mrs. Stone, neither of us would be here. Do you know how many times Emmeline Pankhurst got arrested before women could legally vote?

MRS STONE: Dear April, this is no time for a lecture in history. And it hardly matters in this case anyway. These gentlemen are just doing their job.

APRIL: I should think it does matter Mrs. Stone, the ...

MRS STONE: April, we cannot obstruct the law, we are an office of the Parliament and you are a public servant!

APRIL: We cannot condone immoral laws Mrs. Stone, this is not right!



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ALEX: April is right, we cannot let them take Mrs. Cho, it is wrong and she has done nothing wrong at all!  
MRS STONE: It does not matter what Mrs. Cho did or did not. We need to let the officers do their job and enforce the law. We cannot obstruct justice.

At this point the conflict between the contemporary Antigones' perception of justice and the assumption that law is always just becomes starkly illuminated.

### C Legal consequences of dissent

As emphasised above, the dissident needs to accept the consequences of their actions. The act of dissent is an action taken at a great personal cost and speaking to power requires facing the full potential of the law. In the play, the incommensurability of the law and ethical obligations towards other human beings becomes stark when a new law forbidding helping migrants comes to force. While hiding Mrs. Cho, and despite their disbelief that law could forbid ethical conduct of helping another human being, Alex and April decide to persevere with their resistance despite the possibility of consequences:

ALEX: [*dials several times*] ... Oh my ... I can't believe that ... You were right ... she roared back at me telling me she will report me for helping migrants ... how did she even know?

APRIL: [*in visible despair*] They need an enemy Alex, they do ... if you don't know whom to blame it will be migrants, then someone else when all migrants are gone, then it will be those who dress in a wrong way, then those who think differently ... she is just one of them now. But what did she mean by saying she would report you? It's not illegal to help migrants ... surely? Tell me, I am right about that! Am I?

ALEX: [*goes to his desk, clicks and scrolls, and eventually reads out loud*] Every true citizen suspected of helping any migrants shall be reported to the Department of National Purity and the Agency for Preventing Counter-Thought. As of today, helping any migrant, especially a refugee or a migrant suspected of wrongdoing shall be punishable by law and may result in imprisonment up to 5 years ...

APRIL: 5 years!? Are they mad? [*Mrs. Cho starts shaking more and*

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*crying louder]*

ALEX: [*approaching the couch again*] Don't worry April, we are doing nothing wrong. We cannot let them send Mrs. Cho to certain death. They have already sure as hell killed her husband by sending him there.

This incommensurability between what the Antigones see as their ethical duty and what the new law mandates becomes vividly illuminated when law officers find Mrs. Cho at the end of the second act. Physically protecting Mrs. Cho from immigration officers and barricading her with their bodies ends up in a physically violent struggle between the officers and Alex and April. To emphasise the conflict between the legal and the ethical, the law is presented as an essentially oppressive force, much in the way in which Scheuerman (2015) describes the anti-legal turn in philosophy of justifiable dissent. It also uses Benjamin and Derrida's ideas concerning different types of force used by law, including the monopoly on physical violence necessary for preservation of the law (Benjamin 1921, Derrida 1992). While protagonists can stand against the law in their Antigonean stand, they cannot really win against the force of the law without consequences. In the final act, Alex and April have not only lost their jobs but are observing the force of the law implemented by the lion government and wonder if there is any way in which they can prevent the new laws from becoming the new legal normal. Noticing a societal transformation and approval for the lions, the protagonists wonder if there is anyone else other than them that disapproves of the laws they consider immoral and harmful. This part of the play emphasises the loneliness of a protagonist in the Antigonean conflict. In the decision to act, contemporary Antigones do not know whether their actions are seen as legitimate by anyone else. Often, they stand up against societal convention, paying not only with legal consequences but also with societal exclusion. This loneliness of an Antigone results in Alex and April doubting the validity of their beliefs. In this brief exchange, they consider whether it is those who conform that are in fact right:

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APRIL: Maybe they are the happy ones. ... Maybe they are the natural ones! Look, they look strong and content!

ALEX: We're the ones who are doing the right thing! We are!!!

APRIL: How do you know?

ALEX: You know perfectly well that I'm right.

At the very end of the play, however, the Antigonean characters of *Trumpftransformation* come to terms with their actions and are willing to pay the consequences. When lions enter the room and come to take them to face the full force of the new law, Alex and April stand defiant, exchanging the last lines of the dialogue:

APRIL: We are human beings Alex. We have to fight this. It's all we can do. Even if that's the last thing we do!

ALEX: All of them! We are not surrendering!

APRIL: We will resist! We have to!

When the light goes out, the consequences of the law are left for the audience to imagine. The act of dissent, however, becomes complete – from the moment of ethical objection, through an act of resistance and action challenging the law, to the moment of paying the price first in the violent exchange with the officers and finally in the moment of surrender.

## 6 Conclusions

While the conflict between the legal and the ethical in *Trumpftransformation* was captured in a plot mirroring Ionesco's idea of societal transformation, it has also captured the crucial elements of Antigone's stance. By illustrating the conflict between the legal and ethical, using protagonists who do not act in the interest of their own power, but rather in the name of ethics and protecting others from injustice, the play utilised the notion of justifiable dissent. Furthermore, by showing the incommensurability of the call of ethics and the demands of newly introduced laws, it explored the notion of an Antigonean conflict and the consequences of the law for those taking the position of an Antigone in a fictional albeit not imaginable confrontation between the law and the dissident. While *Antigone* is in itself a play that could and has been

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adapted to modern conditions (Mee and Foley 2011), the Antigonean conflict surpasses the script of Sophocles' play and can be a useful tool for illustrating multiple contemporary intersections between ethics and law, the concepts of just and unjust laws, and the situations of non-compliance and dissent. The tragic encounter between Antigone and Creon translates to encounters between the dissident and the law that can take place across multiple contemporary intersections – fighting for the rights of migrants, environmental justice, worker's rights, and other sites of contemporary struggle for social justice. Antigone as an archetype of a just dissenter surpasses not only her times, but also the original script and the notions that the conflict between law and ethics happens solely in the space of the ancient conception of the antinomy between positive and natural law.

## **Endnotes**

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