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## Response to Paul A. Passavant's Review of Seeing like an Activist: Civil Disobedience and the Civil Rights Movement

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By beginning from a duty to obey and neglecting white supremacy, Rawls's influential conceptualization of nonviolent civil disobedience sees like a white state. By demonstrating how the civil rights movement actively imagined its struggle in anticolonial terms, Pineda contends that political theorists should learn from the civil rights movement's understanding of civil disobedience as a form of decolonizing praxis. By showing how the Birmingham campaign's tactics succeeded less as an instance of Habermasian discourse ethics and more as forms of crisis-generating coercion to "force the better argument," Pineda indicates how disclosing white supremacy's embedded violence was integral to its success. All these strengths lead readers to more profound understandings of Rawls and Habermas, as well as the insights of civil rights activists. Readers led to appreciate the complex intertwining of communication and coercion in the Birmingham protests are left, nevertheless, with questions regarding which forms of force might be legitimate and when. Such questions, however, should not take away from *Seeing like an Activist's* important achievements.

### Response to Paul A. Passavant's Review of *Seeing like an Activist: Civil Disobedience and the Civil Rights Movement*

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— Erin R. Pineda 

Paul Passavant's thoughtful, generous review of my book, *Seeing like an Activist: Civil Disobedience and the Civil Rights Movement*, raises an important question about the use of violence by protesters. Passavant asks, in short, "When or what sort of force or violence is legitimate?" It is a question that all theorists of activism recurrently face and one that I resist in my book. Without discounting the value of the question or the scholarly approaches that make it central, I would like to discuss why I appear to—and in fact do—place it on the sidelines in my book and then consider what is both gained and lost by doing so.

Passavant carefully reconstructs my critique of Rawls's influential treatment of civil disobedience, noting how the Rawlsian approach evades the constitutive entanglement of coercion and communication, placing the latter out of bounds for properly *civil* disobedience within societies that meet the condition of "nearly just." The question then becomes, If forms of coercion are operative within civil disobedience, what are the limitations on that coercion? As Passavant puts it, "the problem of legitimacy falls by the wayside, thereby leaving the reader with the coercion of forcing the better argument, but lacking the better argument in the absence of a discussion of legitimacy."

This lack, however, is precisely the one that confronted the activists and organizers of the long Black freedom struggle: How should we think about limitations on the use of dissenting force or violence within a society that is organized on the basis of anti-Black violence *and yet in fundamental ways* takes itself to be orderly, nonviolent, legitimate, and democratic? If we take the violence of US white supremacy and settler colonialism to be co-constitutive with the state's identity as a democracy—if it is, as Joel Olson theorized, not a democracy but a *white democracy*—then there is no immanent, already extant standard of legitimacy that can provide the measure.

To be sure, civil rights activists invoked equality before the law, the principle of equal personhood, and the value of freedom; yet on my reading they did so less as an appeal to a shared standard of legitimacy and more as a risky, creative, provisional act of construction—appealing to an idea not yet real, whose horizons not only lie beyond the United States and its founding documents but also require subjects and relations not yet brought into being. Their actions were ungrounded in this way; legitimacy would be the outcome perhaps but could not provide a starting point.

My worry has long been that engaging with questions of activist practice from the standpoint of justification and legitimacy—*when, where, and under what conditions are certain kinds of actions permissible or legitimate?*—crowds out questions about action: *What do certain forms of action (in this case, decolonizing praxis) do in the world?* Although the former is one question we might pose, in my view, it is too often the only one.

Yet Passavant is no doubt correct that the question of political violence is a meaningful one that should not be evaded. Instead of asking about legitimacy, however, I might ask about the ethical and political purposes of coercion, force, and violence as part of activist praxis. Thinking with the activist-theorists of the civil rights movement, we might ask what popular uses of coercion and force do to deconstruct a world already built on violence, and what they do to construct a different world. This is a question related to Passavant's but not reducible to it.

For figures like Martin Luther King Jr., uses of violence under white supremacy—that is, bodily or intense psychological harm against other persons—could not deliver the mutuality and reciprocity that, for him, provided the horizon of true liberation. This was his answer, but it is only one. Still, I find it instructive for how it orients our attention—not to the problem of justification but to the world-building capacities of action. It is there that I think we should begin, and I am grateful to Passavant for the provocation to do so.