



Violence Against Persons, Political Commitment, and Civil Disobedience: A Reply to Adams

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N. P. Adams offers a novel account of civil disobedience according to which violence directed at property can be consistent with his notion of civil disobedience (Adams 2018). This is true on Adams's account insofar as some instances of violence directed at property (property violence) can remain consistent with a commitment to the broader community's shared political project of living together. And it is this 'commitment to the political', as Adams describes it, that forms part of 'the core of civil disobedience' and is a necessary condition to remain within the bounds of civil disobedience (p. 478). However, Adams insists that violence directed at other persons (personal violence) cannot be counted as civil disobedience because it is fundamentally at odds with a commitment to the political.

This brief discussion note seeks to show that some cases of personal violence can be consistent with a commitment to the political and therefore civil disobedience as Adams understands both concepts. It begins by showing that Adams's understanding of what rules personal violence out as a form of civil disobedience could be argued to apply to property violence as well, risking undermining Adams's project. But instead of taking that route, I exploit these similarities to motivate the view that some instances of personal violence, at least on Adams's account, can be just as consistent with civil disobedience as the kinds of property violence Adams considers and accepts.

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Adams's Account of Civil Disobedience

On my reading of Adams, the core of civil disobedience is twofold in that it communicates two things ‘simultaneously but strainedly: on one hand, it communicates a condemnation of a political practice, while on the other hand it communicates a commitment to the political’ (p. 478). More specifically, civil disobedience condemns a political practice by communicating ‘a disconnect between the values underlying the political project and how that project is being carried out in practice’ (p. 478). The civil disobedient’s behavior demonstrates this inconsistency between values and practice by ‘performing the very same tension between political ideals and actions that it aims to identify and remedy in the broader community’ (p. 478). The purpose of such disobedience is to seek to remedy an unjust political practice that runs afoul of the values underlying the broader political project. For an act to count as civil disobedience, not only must it perform the very tension it seeks to identify and remedy within the political project, it must do so while remaining consistent with a commitment to the political.

You might think that any act that performs the tension it seeks to remedy must also be consistent with the political. After all, what better way to remain ‘within but at the edge of the political’ than to limit oneself to acts that genuinely demonstrate that which requires remedy (p. 478)? However, the two can come apart. For Adams, commitment to the political consists in devoting oneself to good-faith, long-term communal living by acting in ways that ‘preserve relations between us now’ and into the future and enable the shared political project of living together despite varied conceptions of the good (p. 481). Two things are required to do this. First, one must evince a willingness and capacity on one’s own part to cooperate with others. Second, one must acknowledge and respect others’ capacity (if not their *current* willingness) to cooperate with others (Sabl 2001, p. 312). Importantly, given the commitments of liberalism, genuine cooperation involves being committed to living together in ways that enable others to do so on their own terms—in pursuit of their own conception of the good—so long as they remain compatible with principles of justice. Imposing certain conditions of cooperation on others and then declaring a commitment to the political is insufficient. According to Adams, this commitment ‘takes certain options off the table, namely those options that would...[treat] our agonists as outside the political community’ (Adams 2018, p. 481).¹ Such acts are off the table because they either treat their agonists as though they have no right or interest in cooperating as a

¹ In this sentence, Adams says that the options off the table are those actions that would ‘render our *future cooperation impossible* and treats our agonists as outside the political community’ (my emphasis). I left the italicized portion out of my analysis because Adams does not revisit that specific notion, focusing instead exclusively on treating people as outside the political community. This leads me to interpret Adams as saying that those acts that render future cooperation impossible just are those acts that treat others as outside the political community and vice versa. See Sabl (2001) for an argument that what makes civil disobedience a ‘fundamental social institution’ is its ability enable future cooperation between civil disobedients and political agents and institutions by being conducted in a manner that acknowledges political agents’ capacity for future cooperation. One way of understanding Adams’s argument is that violence against property is consistent with this feature of civil disobedience (that it does not foreclose future cooperation), but violence against persons is not. And one way to understand my argument in this paper is that both violence against property and violence against persons can be so consistent.

fellow member of the political community, or prevent them from so cooperating on their own terms.

Adams argues that constitutive and other-directed property violence can be consistent with both aspects of his notion of civil disobedience. By constitutive he means that the act of violence is itself the act of disobedience. The torching of a police car in Ferguson, Missouri, in 2014 is an example of such constitutive property violence because that was one of the acts that constituted the civil disobedience that day. Moreover, that particular act was ‘a precise, clear symbol of outrage and condemnation’ insofar as it was in response to ‘routinized, severe abuse’ by the local police, thus demonstrating the disconnect between political ideals and practice (p. 488). As such, this instance of property violence satisfies the first component of Adams’s notion of civil disobedience. And ‘since property is not a potential member of the political project of living together, destroying property does not set anyone outside the political project and so does not contradict a commitment to that project’, it satisfies the second component of Adams’s notion of civil disobedience (pp. 487–488). So this is a case in which property violence is consistent with civil disobedience.

Adams goes on to argue that violence directed at other persons is fundamentally at odds with a commitment to the political, ruling it out of contention for counting as civil disobedience. Adams says that personal violence ‘removes [members of the community] from the class of people that we are committed to living together with because it treats them as an obstacle to be overcome’ (p. 486). Violence against persons is thus categorically inconsistent with civil disobedience. I think that this is too quick, however.

Violence as an Adjudication Procedure

In laying out his argument for why personal violence is fundamentally incompatible with a commitment to the political, Adams says that personal violence

treats violence as a legitimate decision-making procedure within the community, both now and into the future. Violence as an adjudication procedure devolves membership in a community into subjection to the strongest, and so not a communal project at all. Such a communal project undertaken by persons is ultimately a practice of justification, ruling out the practice of foregoing justification for overwhelming force...Membership in a political community in my sense necessarily requires putting aside acting violently as an appropriate way to settle public disputes. (p. 486)

Notice that, although within the broader context of the paragraph of which this passage is a part Adams is clearly and explicitly talking about *personal* violence, that is not obvious just from the above passage. That is to say, the above could very well apply to property violence just as much as it applies to personal violence. The purpose of the above passage is *not* to uncharitably misinterpret Adams and his argument. Rather, the point is that if Adams takes personal violence to be intrinsically incompatible with a commitment to the political because personal violence imposes a

‘might-makes-right’ adjudication procedure onto other members of the political community, the same might plausibly be said about constitutive, other-directed property violence.

I take it that on Adams’s view personal violence is an illegitimate way to settle public disputes because violence treats its victim as if their opinion regarding the public dispute does not matter: the perpetrator of the violence can use ‘overwhelming force’ rather than justification to adjudicate the dispute because they are not viewed as fellow members of the political community to whom justification is owed (p. 486). The use of overwhelming force forecloses the possibility of cooperation either at all or at least on each other’s terms. However, property violence seems capable of doing the same thing. Executing, say, a warrantless, violent, and destructive search of one’s property while happening to refrain from directing any violence specifically toward the person of the subject would seem to be a straightforward instance of using overwhelming force rather than justification to secure cooperation with the subject of the illegitimately executed search. It seems that such an incident sends a rather clear message to the subject: that violence against her property if not her self is an ‘appropriate way to solve the inevitable disagreements...of living together’ because justification is not owed to her (p. 486).

The case of torching a police car in Ferguson strikes me as similar to the example above in certain respects. Torching the police car could certainly be interpreted as suggesting that using force is a legitimate way for protestors to resolve inevitable disputes with the police that arise out of living together, and thus as treating the protestors’ agonists as outside the political community. I think Adams underappreciates the extent to which instances of property violence that he argues accounts of civil disobedience should accommodate—e.g., torching a police car in Ferguson—may reasonably be interpreted to share the very features of personal violence that Adams argues disqualifies it from the bounds of civil disobedience. One might take this to undermine Adams’s argument that property violence can be compatible with civil disobedience. To the contrary, I think Adams is right to view some cases of property violence, to include torching a police car in Ferguson, as compatible with civil disobedience. While the interpretation of property violence suggested above might be *prima facie* plausible, Adams’s view is that there is something about such violence that renders it all-things-considered consistent with a commitment to the political. I therefore want to lean on these similarities between kinds of violence to argue that, contrary to Adams’s stated position, some instances of personal violence can likewise be all-things-considered compatible with civil disobedience.

Adams argues that property violence can be justifiable as a form of civil disobedience insofar as it can remain consistent with ‘treating others as co-members in the shared political project of living together’ (p. 487). In making his case, Adams emphasizes the extent to which some cases of property violence are particularly apt symbols of the condemnation the property violence conveys. That is, property violence that responds to and condemns severe, persistent, and blatant injustice can be an especially appropriate way to perform the tension the disobedient seeks to iden-

tify and remedy.² As Adams says, ‘burning the police car, *the very symbol of prowling oppression*, is a precise, clear symbol of outrage and condemnation’ (p. 488, emphasis added). This can remain compatible with a commitment to the political because the purpose of such an act is not only to protest severe, persistent, and blatant injustice, but also to demand, *through* the act of symbolic violence that performs the very tension between ideals and practice, future cooperation on just terms in the shared political project of living together. Though violence—even ‘merely’ property violence—can seem *prima facie* radical, the upshot of Adams’s argument is that at least some instances of property violence can be deployed in a way that nevertheless conveys a commitment to the long-term political project of living together. The symbolism of the act seems important here. By deliberately choosing an act that especially symbolically performs the tension the protestors seek to highlight—e.g., torching the police car rather than, say, looting the town—the protestors indicate that their disobedience, though violent, is principled and that they are seeking resonance rather than revenge, reciprocity rather than retribution. Not only is future cooperation possible, it is precisely what the protestors seek, thus presupposing the capacity for future cooperation. Thus the protestors can maintain a commitment to the political. I think the same can be true of at least some instances of personal violence.

Violence Against Persons and Commitment to the Political

Consider a case where before or instead of torching the police car, the violence consisted in Black residents of Ferguson pushing and shoving police officers at the scene. Imagine that, as part of the pattern of persistent, excessive force police would use against Black residents of Ferguson, police would physically harass residents as a way to ‘keep them in line’ and remind them that the police could arbitrarily resort to the use of force with impunity. Protestors mimicked that form of violent treatment by pushing, shoving, and physically harassing police officers specifically as a way to perform the very tension they sought to identify and remedy without further inflaming tensions. Furthermore, the ultimate aim of this violent protest was to improve the broader community’s shared political condition by condemning the severe, persistent, and blatant injustice to which the protest responds. This would be constitutive other-directed *personal* violence, precisely the kind Adams insists is incompatible with a commitment to the political.

Adams would say that such a case of personal violence necessarily removes the agonists from the class of people the protestors are committed to living together with. But consider a scenario in which a parent, who has just been hit by her son, flicks her son in response. While flicking him, the parent explains that ‘what you just did to me hurt in exactly the same way my flicking you hurt you’. This, I take it, is not an instance of treating the child as outside the morally relevant community, as merely an obstacle to be overcome. To the contrary, the purpose of an act like this is to dem-

² One reason it might be viewed as especially appropriate is that something less seemingly radical, such as picketing outside a police station, would seem to pale in comparison to the severity of the injustice being protested.

onstrate to the offending party the inconsistency between what should happen and how the offending party behaved in practice. Put another way, the flicking performs the very tension between ideals and practice that it seeks to identify to the child and remedy in the child's future conduct. It is done, moreover, with the aim of improving the child's conduct in a way that enables the child to treat others appropriately as fellow members of a community committed to living together. Thus, some instances of personal violence need not be fundamentally inconsistent with a commitment to a shared project of living together.

For similar reasons, I take the above example of pushing, shoving, and physically harassing police officers as an instance of personal violence that is consistent with the requirement to treat everyone as members of a community committed to living together, and thus consistent with Adams's notion of a commitment to the political. The violence is 'principled and aimed at improving [their] shared political condition', (p. 478) and designed to preserve the ability to improve political conditions rather than just lash out against unjust treatment. It is not meant to remove the agonists from the class of people committed to living together, but rather to demonstrate that the agonists must change their behavior to ensure appropriate commitment to the principles undergirding the shared political project of living together—just like torching the police car. It is not meant to convey that 'leveling sudden, aggressive, overwhelming force...is an appropriate way to solve...disputes', but rather to demonstrate precisely the opposite by performing the tension which the violence seeks to remedy in a principled manner that resonates with its targets and its broader audience—just like torching the police car (p. 486). Such violence does not prevent any parties from living together in ways that enable others to do so on their own terms. Indeed, given the ultimate aim, such violence is carried out with the hope for and possibility of future cooperation presupposed, which in itself presupposes all parties' capacity for cooperation.

So while I agree that personal violence poses a problem for genuine communal living, it is not inherently inconsistent with it. Some instances of personal violence can remain at the outer edge of the political without going beyond. But a question of scope arises. The upshot of my argument is to broaden the set of activities that count as civil disobedience, a set already broadened by Adams's argument. A worry might emerge that if my argument is correct, then it is not clear what might stop more aggressive, specifically lethal, violence from being consistent with civil disobedience on my account.³ If pushing or shoving a police officer is consistent with a commitment to the political, then is torching the police car with officers inside it, or shooting at police officers, also consistent with a commitment to the political?

I think the clear answer is that no, such violence is not consistent with a commitment to the political, and there are relevant distinctions between those acts of violence and the example I give above that I argue *is* consistent. Given that torching a police car with officers inside it and firing at police officers involve lethal (or potentially lethal) violence, the protestors in these cases are placing the police officers outside the class of people that they must remain committed to living together with, either by literally removing them permanently from that class or at least threatening to so

³ I would like to thank an anonymous reviewer for pressing me on this distinction.

remove them. Such violence would (threaten to) make it impossible for the targeted police officers to engage in future cooperation on their own terms, thus undermining any claim that might be advanced to insist such violence is consistent with a commitment to the political. So lethal violence cannot be consistent with a commitment to the political—even when such violence might perform the very same tension that some communities experience between ideals and practice.

Lethal violence places others outside the class of persons protestors must be committed to living together with in an extreme way. But lethal violence is not the only way to place others outside the class of people we must be committed to living together with. Consider violence that is severe enough to maim or severely and permanently injure without endangering life, such as beating a police officer with a crowbar.⁴ This, like lethal violence, would also be incompatible with a commitment to the political. While such violence does not permanently eliminate the possibility of future cooperation altogether, maiming or severely and permanently injuring the police officers would prevent them from being able to live together on their own terms. It would do this by imposing certain conditions on them, namely the disabilities that attend the maiming or permanent injury, that fundamentally alter the possible ways in which they could conceivably live together. Thus, forms of violence that pose a reasonable risk of maiming or permanently injuring would be inconsistent with a commitment to the political and therefore incompatible with civil disobedience.

There will of course be a range of cases that fall somewhere between pushing or shoving police officers and maiming or shooting at them. Whether such cases remain consistent with civil disobedience will need to be decided on a case-by-case basis. Irrespective of those cases, I take myself to have shown that at least *some* personal violence can remain consistent with Adams's account of civil disobedience as he articulates it—namely, certain non-lethal, relatively mild forms of personal violence that maintain the ability of everyone to live together on their own terms, so long as those terms are consistent with the principles of justice that undergird the shared political project. The upshot is that while my argument seeks to expand the set of cases consistent with civil disobedience beyond even what Adams does in his argument, it does not do so to an outrageous extent.

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⁴ I am grateful to an anonymous reviewer for pressing me to consider cases such as this.