Dirty Hands as a 'Weapon of the Weak': 'Heroism', 'Aristocratism', and the Ambiguities of Everyday Resistance

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Forthcoming in the *Journal of Ethics*

"Don't it 'sprise you, de way dem kings carries on, Huck?"
"No," I says, "it don't … all kings is mostly rapscallions, as fur as I can make out."
Mark Twain, The Adventures of Huckleberry Finn

Huckleberry Finn's conviction that all kings are scoundrels is familiar. Attitudes of this sort, which often contain a mixture of cynicism and disillusionment with democratic politics, are encapsulated in numerous opinion polls that reflect what Michael Walzer (1973: 162) terms, in his famous article *Political Action and the Problem of Dirty Hands,* 'the conventional wisdom' that politicians are 'morally worse, than the rest of us'. Democratic politicians, like the despots Huck scorns, are perceived as power-craving opportunists who abuse public funds, take bribes, and secure sinecures for their friends and family. Yet, Walzer (1973: 161 – 162) maintains, this view cannot be fully explained by appeal to the aforementioned cases of venality which frequently capture the headlines but should be also traced to a more disquieting, yet 'central feature of political life': the problem of dirty hands (DH).

Reduced to its essentials, the DH problem pertains to certain tragic cases which reveal the existence of a discontinuity between moral and political action, and, correspondingly, of an intimate connection between political expedience and the capacity to employ, authorise, or stomach certain actions which are morally disagreeable, if not odious. For instance, democratic politicians might have to deceive for the sake of political success or, even, authorise torture in order to divulge life-saving information. The moral politician, Walzer (1973: 160 – 168) suggests, cannot always wear his innocence on his sleeve: 'If he were a moral man and nothing else, his hands would not be dirty' but he would 'fail to measure up to the duties of his office'. Despite Walzer's endeavour to extract the problem from the world of Renaissance princes and Twainian rulers, and consider its insights within the context of democratic politics, and even though a lot of ink has been spilled for the sake of extending Walzer's thesis beyond the confines of professional politics (Stocker 1990; Cunningham 1990; de Wijze 1994, 2005, 2014, 2018; Gowans 2001; Nick 2019), the conventional way in which DH is discussed still carries a rather profound "aristocratic" or "heroic" flavour. As Judith Shklar (1984: 213) writes, the DH problem typically confronts 'a statesman', 'a heroic figure who must make enormous moral sacrifices for the sake of his ideology or the common good' (see also Parrish 2007; de Wijze 2018). The trouble with this account, however, is that it 'does not make much sense in a liberal democratic state'. The 'ethical conflicts' discussed in the literature on DH 'are those of the aristocratic neoclassical drama of Corneille': they constitute 'a leftover from the highly personal state of the early modern period' and eschew 'the mundane', and 'the quotidian' (Shklar 1984: 242 – 245). Taking its cue from Shklar's thought, this paper elaborates this insufficiently problematised aspect of the conventional DH account. In so doing, it sets the foundations for an alternative way of thinking about the DH problem which transcends the "heroic" or "aristocratic" model, and which locates that phenomenon – the prospect of 'doing wrong to do right' or of practicing certain moral vices

for political reasons – within certain manifestations of the 'democracy of everyday life' – the context of quotidian politics as practised and encountered by ordinary democratic citizens.

What is problematic about the conventional account, I contend, is that it paints the DH problem in democratic cultures as the exclusive, albeit deeply unfortunate and rare, prerogative of those bestowed with at least a modicum of political power; those who, in certain stark, one-off, situations are compelled to display unbridled heroism against adversity, momentarily soil their purity, and elevate themselves into mythical creatures of supreme moral sacrifice. As a result, the conventional DH account presents us with a romanticised, impoverished view of democratic politics, and political agency. Despite the fact that a small forest has been sacrificed at the altar of making sense of DH, its proponents have little, if anything, to say about the plight of the *powerless* in democratic societies – the excluded, the marginalised, and the dispossessed; those who are compelled to *routinely* dirty their hands as a response to the injustices which they encounter on a daily basis[1]. Though *prima facie* paradoxical, such a systematic omission is neither accidental nor trivial: their alleged fidelity to the moral grubbiness of public life and their apparent sensitivity to immorality and injustice notwithstanding, proponents of the conventional account of DH have severe problems in coming to terms with the ubiquity of social conflict and injustice.

By elaborating on this neglected paradox, this paper seeks to go some way towards filling the aforementioned lacuna in the scholarship of DH. The problem of DH, I want to suggest, should not be merely seen as a lamentable, sparse privilege of the powerful – those who, in certain temporarily static situations, are compelled to act immorally *on behalf of* the democratic state for the sake of *realpolitik*, the common good, or the dictates of justice. Rather, I wish to argue that some manifestations of that phenomenon might also constitute a habitually powerful 'weapon' in the pharetra of the weak – those who are compelled to act immorally, systematically, and covertly, *against the* democratic state, for the sake of resisting injustice and oppression. Specifically, I seek to illustrate how certain 'lesser' immoralities or moral vices – e.g., dissimulation, and subterfuge – might constitute inextricable aspects of the practices of 'everyday resistance' and form an integral part of a larger arsenal of resistant practices.

If correct, the argument articulated in this paper has crucial implications for the way in which we should conceive of the DH problem. It also puts some flesh on the bones of Shklar's disagreement with Walzer's thought – a disagreement rooted in 'a dialogue between an exile and a citizen' (1998: 377). Finally, my argument contributes to contemporary debates on civic resistance. Everyday resistance, especially in the context of democratic politics, is often discounted, delegitimised, or even denounced due to its morally impure, unheroic nature – its association with subterfuge, deception, and complicity[2] (Kirkpatrick 2011; Leebaw 2019; Mihai

[1] Though not all DH theorists espouse the conventional account, so construed, even those who appear to conceive of DH in more realistic terms (e.g., Hollis 1982; Hampshire 1989; Williams 1978; Philp 2007), tend to conceive of the problem as a privilege of the powerful.

[2] To suggest that practices of everyday resistance often entail subterfuge, deception, hypocrisy, and forms of complicity, is not to say that everyday resistance *as such* ought to be reduced to the aforementioned moral vices (see Hollander and Einwohner 2004). The alternative account of DH-as-a-weapon-of-the-weak developed in the

2020; Vogler 2020; Mrovlje and Kirkpatrick 2020). By accepting that practices of everyday resistance could plausibly constitute manifestations of DH, we might restore them to respectability within the repertoire of civic resistance. As such, the alternative account of DH developed here enhances our understanding of the potentialities of resistance in the context of democratic politics: it illustrates how certain practices of everyday resistance gain their strength precisely by virtue of their connection to the lesser moral vices of subterfuge, and betrayal on the one hand, and their implication in forms of complicity on the other.

The discussion proceeds as follows. In the first section, I elaborate on the conventional, "heroic" and "aristocratic" account of DH. In particular, I upset the propensity to reduce the "heroic" or "aristocratic" flavours of that account to its supposed restriction of DH to those occupying the higher echelons of public life. In doing so, I suggest that the heroic and aristocratic elements lurking in the background of the conventional account stem from its adoption of a vision of 'heroism-as-greatness' and its failure to 'give injustice its due' respectively. I then develop in more substantive terms the alternative account of DH as a 'weapon of weak', by engaging with the philosophical literature on 'everyday resistance', mostly owed to James C. Scott's thought, and African-American social and political history – specifically, daily, evasive acts of subversion in the Jim Crow South. In the final section, I briefly consider the wider implications of DH-as-a-weapon-of-the-weak, by locating that argument within the larger context of the tradition of political thought on the ethics of resistance.

Heroism & Aristocratism in Conventional Dirty Hands Analyses

'There is', Tony Coady (2018) remarks, 'a strong strand of political exceptionalism inherent in the DH story'. Coody's remark captures a straightforward sense in which the conventional account might be said to be "aristocratic" or "heroic": it is too narrow in scope. Proponents of the conventional account, the argument goes, enamoured by 'the world of kings and princes' (Thompson 1987: 11), conceive of DH as an inevitable accompaniment to statecraft and pay insufficient attention to the democratic context (Sutherland 2000; Shugarman 2000; Parrish 2007; de Wijze 2018). The dirty-handed agent is a valiant politician who heeds Machiavelli's (1961: 248) motto 'I love my native city more than my own soul' and who is willing to enter the grubby realm of high-end politics, renounce any hope he may have for the salvation of his soul in order to enable the rest of us to attain salvation, should we deem that quest worthwhile.

Walzer's thought is seen as an exemplar of this narrow view. Or, so critics of the 'heroic/aristocratic *qua* narrow view' suggest (Garrett 1996; Gowans 2001; Parrish 2007; Allett 2000; de Wijze 1994; Beiner 2000; Stocker 1990; Shugarman 2000; Coady 2018; Alexandra 2000). For instance, in his seminal article, Walzer (1973: 161 – 179) writes that DH refers to whether 'those who govern us' can govern well, without losing their innocence. Similarly, in *Just and Unjust Wars*, he notes that the question pertinent to DH is whether 'soldiers and statesmen can override the rights of innocent people for the sake of their own political communities' (Walzer 1977: 254; see also Walzer 2004: 46).

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paper differs from Tommie Shelby's (2015: 67) account of 'impure hip hop dissent', the content of which is 'generally not covert, disguised or veiled' but rather constitutes an 'openly transgressive', 'in-your-face' example of everyday resistance.

This is a well-rehearsed exposition of the "heroic" or "aristocratic" account but is, nonetheless, problematic, and incomplete: it offers a crude caricature of the contemporary literature on DH; and, more importantly for our purposes here, it elides "heroism" and "aristocratism", and fails to fully capture certain elements lurking in the background of the conceptual structure of the conventional account which are constitutive of the "heroic" and "aristocratic" undertones with which that account is associated. To suggest that the conventional account is "heroic" and "aristocratic" (or, in reverse, insufficiently democratic) is not to say that its proponents have *nothing at all* to say about democratic politics, or the way in which individuals other than democratic politicians might be affected by that problem. For, conventional DH theorists do not merely focus on the question of whether the DH of democratic politicians are compatible with the principles of democracy (de Wijze 2014, 2018; Nick 2019), but have also sought – explicitly or implicitly – to respond to the worry voiced by promulgators of the 'heroic/aristocratic *qua* narrow view' by extending the conventional vogue of the problem beyond the narrow confines of high-end politics in at least two different ways.

The first of these – call this the *direct responsibility argument* – suggests that ordinary citizens (amongst others) might, in certain tragic cases, be also *expressly* confronted with the prospect of DH and directly challenges the presumption that 'inescapable moral wrongdoing' is 'non-existent or of negligible importance in the rest of life' (Gowans 2001: 229; de Wijze 2018; Cunningham 1992; Stocker 1990). Examples of DH beyond professional politics, we are told, abound: lawyers faced with tragic cases which compel them to 'violate moral principles … for public purposes' (Griffin 1995: 222); business managers who, in difficult financial times, are required to honour their 'fiduciary duties to shareholders and the community' and 'dismiss an employee who has provided years of faithful service' (Christensen and Boneck 2010: 54; Badaracco 1997); Antigone's conflict, in Sophocles' homonymous play, on whether to fulfil her duties *qua* sister, and bury her brother and traitor of Thebes, Polynices, or satisfy her responsibilities *qua* citizen of Thebes, and submit to Creon's decree to leave Polynices's body unburied and dishonoured (de Wijze 1994); Sophie's dilemma, in William Styron's *Sophie's Choice*, forced by a guard at a Nazi concentration camp, of having to choose between one of her children to be killed in order to avoid both being killed (de Wijze 1994; Nick 2019); Bernard Williams's Jim and the Indians, in *Utilitarianism: For and Against*, which focuses on Jim, a traveller who finds himself in a South American town, and who is confronted by Pedro, an agent of the state who has 20 protesters against the wall, ready to be executed, unless Jim shoots one of them (de Wijze and Goodwin 2009); and, Albert Camus's anti-tsarist revolutionaries, in *Les Justes*, who conspire to execute the Grand Duke (Walzer 1973).

But the *direct responsibility argument* can also take a somewhat different shape. What is apparent in Walzer's (1973) original formulation, is that, even if one focused on politicians, the prospect of moral pollution out of *raisons d'état*, does not merely taint the democratic politician but is, rather, contagious in at least one specific way: it leads to a second-order DH conflict, confronted by democratic citizens. The democratic politician, Walzer (1973: 179) maintains, should reveal her DH to the community which should be entrusted with the task of punishing the politician for her moral transgressions. The absence of relevant institutions to which that task might be entrusted notwithstanding, such a punishment, the rationale of which is both cathartic and redressive – e.g., it enables the dirty-handed politician to 'wash their hands clean' (Walzer 1973: 178) and facilitates the recognition and redress of the injustice committed (de Wijze 2018, 2013) – is not devoid of moral loss. Ensuring

that the democratic politician 'pays the price', Walzer (1973: 180) notes, is impossible 'without getting our own hands dirty'.

The second argument – call this the *indirect responsibility argument* – suggests that ordinary citizens might be *indirectly* tainted by the politician's DH. To fully 'appreciate the difference that democracy makes', Dennis Thompson (1987: 11, 18) writes, is to acknowledge that the democratic politician does not merely dirty her hands 'for us, but with our consent – not only in our name but on our principles'. Or, as David Archard puts it, 'the democratic public authorizes its politicians to act on their behalf'. As such, 'we do not … escape getting our hands dirty, even if they are not as dirty' (Archard 2013: 781, 785). The thought here, then, is that the very nature of political representation in democracies entails that citizens 'shoulder some of the moral dirt that devolves on politicians who dirty their hands' (de Wijze 2018: 144).

On the face of it, the *direct and indirect responsibility arguments* cast the net of dirt in the democratic context wider and offer a fertile ground for exploring how democratic citizens might be implicated in DH. Yet, despite their endeavour to "democratise" and/or broaden the scope of DH, such arguments do not fully evade the "aristocratic" and "heroic" connotations with which the conventional account of DH is associated. Nor, by implication, do they fully grapple with 'the quotidian' and 'the mundane'. For, they do not reach far enough.

Rethinking Heroism in Conventional DH Analyses

Let me start by elaborating on the vision of heroic agency which fuels the conventional account, of which the *direct* and *indirect responsibility arguments* form an essential part. Whilst both such arguments appear to stretch the conventional formulation of DH, they do not take issue with its conceptual structure *per se*: they take this at face value and merely extend its insights beyond the confines of political life, narrowly construed (Tillyris 2015). The extension of the problem beyond the realm of professional politics notwithstanding, then, the ethical conflicts discussed by promulgators of such arguments are, to use Shklar's (1984: 243) words, those of Corneille still; proponents of the conventional account remain beholden to a view of DH as 'a peculiarly shaking, personal and spectacular crisis'.

Shklar's remark uncovers an integral aspect of the conceptual structure of the conventional account which I have elaborated elsewhere: the squabbles amongst DH theorists over the issue of scope notwithstanding, the conventional account, narrow or otherwise, is unsatisfactorily 'episodic' or 'static': it construes DH as a momentary, rare anomaly which disrupts the normality of purity and innocence (Tillyris 2015, 2019a). Walzer's (2004: 40) portrayal of the problem as a stark tension between 'the consequentialism of extremity' which momentarily 're-imposes itself' and 'the deontology of normality' suggests this much. So, too, do the allusions, popular amongst DH theorists to 'innocence lost', 'moral purity tarnished' and 'supreme emergency' (Walzer, 1973, 1977, 2004; de Wijze 1994, 2014, 2018; Gowans 2001; Stocker 1990). The departing assumption of the conventional account is an innocent, morally pure agent impaled by a one-off, dramatic conflict, and compelled to renounce his innocence and purity. Hence, DH theorists' fetishism with 'anguish' (Walzer 1973), 'guilt' (Stocker 1990; Gowans 2001), or 'tragic-remorse' (de Wijze 2005): the prospect and, ultimately, the renunciation of 'innocence' and 'purity' is portrayed as a traumatic experience (Tillyris 2019b). Yet, as gestured

earlier, the conventional account does not rule out the possibility of catharsis – of reclaiming one's fleetingly tarnished innocence and purity. Like Camus's just assassins, who accept their execution as 'self -punishment and expiation', the democratic politician does not 'surrender himself forever to the demon of politics': once appropriately punished, 'his hands will be clean again' (Walzer 1973: 178).

If granted, the recognition that the conventional account is 'static' sheds new light on the 'heroic' vision of agency which lies at its core. The vision of heroism which underpins the conventional account does not emanate from its confinement of the problem within the narrow sphere of professional politics – the conviction that moral purity, and innocence are possible in all spheres of life bar political life, narrowly construed – but, rather, from the recognition that its *default position* is one of moral purity and innocence in *all* spheres of life. By virtue of its 'episodic' nature, the conventional account sanitises public *and* social life: it reduces DH to 'a glamorous melodramatic issue' reserved 'for conspicuous agents only' and effaces the recognition that as 'social actors', individuals 'responsible for other people and not just to them', we 'all have unclean hands'; that, 'life in liberal democratic societies imposes extraordinary ethical difficulties on us: to live with contradictions, unresolved conflicts, and a balancing between public and private imperatives' (Shklar 1984: 242 – 243, 249). I say more on this later on. What is important to note, for now, is that the vision of heroism which underpins the conventional account is not one of 'heroic political leadership' *per se*, but rather one which resembles the broader vision of 'heroism-as-greatness' which dominates much of the literature and public discourse on heroism (Mihai 2020; Peabody and Jenkins 2017).

The problem of DH is seen as an extraordinary phenomenon which involves a heroic act – 'a solitary, existential, and voluntary choice motivated by a noble reason' (Mihai 2020: 350) – reserved for extraordinary, albeit deeply unfortunate, individuals. For, these individuals display Herculean fearlessness in the face of adversity; they possess, what we might term following Michael Slote (1983: 97 – 100), 'a moral stomach' – the ability 'to overcome' the 'pangs of conscience', to act decisively by courageously sacrificing their deeply-held moral principles for a noble cause and, ultimately, in a grand, singular moment of apotheosis, to publically display their dirt, imperil their career (in the case of the politician) or their life (in the case of the revolutionaries or resisters), for the sake of restoring their innocence. Like the image of the great hero which so often captures our imaginations, the DH agent possesses 'specific, demanding, and exceptional' traits, not because – as critics of the narrow view would have it – of their specific station or role, but rather, because of their encounter with and response to an exceptionally rare, stark episode of tribulation and tragedy – a 'morally sticky situation' which is 'thrust upon' the agent and which 'threatens' their 'innocence through no fault of … [their] own' (Cunningham 1992: 240).

Rethinking Aristocratism in Conventional DH Analyses

The *direct* and *indirect responsibility* arguments do not just misdiagnose the specific way in which the conventional account is "heroic"; they also fail to fully account for, and, ultimately, evade the aristocratic flavours of that account. For, that account's aristocratism does not merely emanate from its obsessiveness with images of gallant 'princely' leadership. Rather, despite its alleged, attuned sensitivity to injustice and immorality,

the conventional account, at least within the context of democratic politics, fails, to use Shklar's (1990) words, 'to give injustice and the victims of injustice their due'.

As Shklar (1990: 30 – 32) notes, a core motif of the aristocratic thread which sustains the Platonic, Aristotelean and Augustinian ethics of 'self-perfection' or 'salvation' is that such accounts 'look primarily at the character of [the] agents' of injustice, 'shunting the victims of injustice aside'. Something similar appears to be at work in conventional DH analyses. The *direct* and *indirect responsibility* arguments seek to upset the narrow view which directs our worried glare on politicians who are compelled to soil their purity for *raisons d'état*. Yet, despite casting the net of dirt in democratic cultures wider by encompassing democratic citizens into their calculus, the basic unit of analysis remains unaltered: the recognition that the distinction between victims and perpetrators becomes somewhat blurred by the DH problem aside, the seemingly pluralist, anti-utilitarian sensitivity to the moral costs and injustices of DH acts (Walzer 1973, 2004; de Wijze 1994; Stocker 1990; Gowans 2001) and the recent *en passant* comments on 'redress' and 'victims of injustice' notwithstanding (de Wijze 2018), the conventional account has little to say about those who have been wronged, and, in the most dramatic cases, brutalised and maimed by these injustices[3]. Rather, its focus lies on the perpetrator(s) of injustice and immorality – the agent(s) who dirtied their hands, the effect of such dirty acts upon their moral purity and ways in which the hope for salvation might be regained As de Wijze (2012: 199, 190) puts it, a DH analysis 'explores … how good people can be morally compromised'; how 'moral persons … engaged in *realpolitik* maintain their moral integrity … when the only way to ensure … stability … requires the use of immoral means'.

The elision of injustice from democratic cultures also manifests itself in a different manner. In seeking to upset the simple dichotomous choice between Christ – an apolitical life of moral purity –, and Caesar – a political life of (temporal) grubbiness – the *direct* and *indirect responsibility* arguments appear to erect a different, albeit equally problematic, dichotomy: between *life in a democratic society*, characterised by dirty-handed acts carried out *on behalf of a democratic state*, for the sake of *realpolitik*, the common good, or restorative justice; and, life in *a grossly undemocratic society*, characterised by the dirty-handed acts imposed by or carried out *against an undemocratic state* for the sake of overcoming or responding to injustice and oppression – be it the apolytarchic Thebes, a fascist South American government, the Nazi regime, or tsarist Russia. What seems to emerge from the *direct* and *indirect* responsibility arguments, then, is a sharp juxtaposition between two distinct, diametrically opposed, associations – an association between a democratic society, justice and the common good, and fidelity to the democratic *polis* on the one hand, and an association between an undemocratic society, injustice, and resistance on the other.

What is problematic with that dichotomy is that it appears to put forward an image of DH in democratic cultures as the lamentable privilege of 'political somebodies': those bestowed with at least a modicum of political power and influence, who have access to procedural justice, or who enjoy 'the standing' of a democratic citizen – individuals who are 'heard', who are seen 'counting', and who are 'represented' by virtue of being 'spoken for' – and, who are compelled to soil their purity, either directly or indirectly, *on behalf* or *for the sake of the democratic state* (Shklar 1991: 399). Or, in reverse, the conventional account crowds out the DH of the 'weak' in

[3] On this issue, see also Nick (2022).

democratic cultures – the excluded, the unheard, or unrepresented who are compelled to employ certain moral vices or immoral actions *against the democratic state* in order to overcome the injustices with which they are confronted. This much appears to follow from the aforementioned list of cases utilised by proponents of the *direct* and *indirect responsibility* arguments which seek to broaden the scope of the problem. Though not comprehensive, that list is indicative of the state of the literature on DH, and bespeaks to the paradox at which I gestured in the introduction of the paper: though a lot of energy has been expended for the sake of making sense of the problem and of elaborating the moral grubbiness of politics, the literature on DH – seemingly a natural place to seek guidance on normative issues pertaining to the murkiness of democratic resistance – does not include a *single case study* which might connect that phenomenon to the ethics of powerlessness and resistance in democratic cultures. This paradox cuts deeper than the fact of simple omission. The shunting of injustice, and the dirty-handed acts of resistance employed by the weak against the democratic state, is structural and symptomatic of a profound malaise which permeates the conventional account – a malaise rooted in that account's tendency to couch the problem in an extra-terrestrial, ideal vision of community.

This issue becomes apparent if one pays closer attention to the assumptions which buttress the conventional DH account. Recall that Walzer and his heirs cast DH as a tension between Kantian and Utilitarian principles. Proponents of the conventional account do not thus question the overall validity or universalist premises of such theories but take these for granted (Tillyris 2016a). As such, whilst the conventional account purportedly mends some of the insights of Kantianism and Utilitarianism – by pointing to the existence of an ephemeral disharmony in morality – its discussion of DH problematically inherits fragments of what Shklar (1990) terms the 'normal model of justice' of which both such theories form part – an image of a perfectly just polity under the aegis of universal or society-wide substantive principles to which rational individuals can ascend, and a corresponding faith in authoritative institutions to enforce such principles.

The problem with the normal model, Shklar (1990: 27) notes, is that 'it is not made for us'. This is not just because the quest for a singular, monolithic conception of justice displaces the recognition that 'our subjective, personal experiences are too various and incommunicable to be fit into general rules of conduct' and that 'no [substantive] rules we could invent would be better because we remain … too diverse to be fit into any single normative scheme'. Rather, in its obsessiveness with extra-terrestrial visions of perfectly just, harmonious polities, the normal model shuns the recognition that 'injustice does not stand outside the gate of even the best of known states' – that it 'occurs continuously within the framework of an established polity'. At best, that model fails to provide 'an elaborate or serious understanding of injustice as a personal and political experience' and has 'severe difficulties in coming to terms with the victims' of injustice: 'it limits itself to matching their situation against the rules' and eschews the 'irreducibly subjective component' of victimhood (Shklar 1990: 17-19,37). At worst, not only is the search for substantive rules fruitless and insensitive to injustice, but any quest to impose these might perpetuate injustice; confidence in such rules makes us 'arrogant' and 'cruel': 'far from reducing our cruelties, rules simply redirect and formalize our ferocity' (Shklar 1990: 26-27).

It is not a surprise then, that the conventional DH account treats that phenomenon as a stark, extraordinary episode which disrupts the normality of purity, or that it has nothing to say about injustice or resistance in

democratic cultures. For, in a perfectly just, harmonious polity, these phenomena are but a 'surprising abnormality' (Shklar 1990: 17). The shunting of injustice is not only observable in variations of the conventional account which cast the problem in Kantian or Utilitarian principles. Rather, it also extends to expositions of DH which couch the problem onto universal or society-wide principles or 'oughts' (Stocker 1990; de Wijze 1994; see Tillyris 2019a) and constitutes a persistent theme in Walzer's thought. This insight is encapsulated in Shklar's (1998: 385) 'core disagreement' with Walzer's thought – Walzer's emphasis 'on shared understandings', which informs his account of justice, and citizenship in *Spheres of Justice* and *Obligations* on the one hand, and his theory of just warfare in *Just and Unjust Wars*, on the other.

Even though Walzer's (1984: 4 – 6) enterprise does not entail a quest for universal, abstract principles – his endeavour is not to 'sketch a utopia located nowhere' – , his seemingly more grounded account of justice and citizenship is no less abstract and perilous than the Enlightenment vision he rails against. For, Walzer (1984: 28) does not dispense with the search for common, substantive principles of justice; rather, he contends that these principles can be extracted from 'the political community' – our 'collective consciousness' and shared 'sensibilities and intuitions' produced by a common 'language, history and culture'. Such a vision of community does not just efface the recognition that democratic citizens 'are culturally disparate and often deeply hostile to one another'[4] (Shklar 1998: 385). It also appears to treat 'nations' like 'clubs', sustained by bonds of 'group identity', 'traditional culture' and 'national loyalty', thereby condoning an 'erroneous' and 'violent' political view – a view 'responsible for most of the horrors of the 20th Century' (Shklar 1998: 384, 382). Similar problems permeate Walzer's theory of just wars, which grounds states' right to wage war in their 'moral standing' – their constitution as political associations moulded via an organic social contract and entrusted with the preservation of security and of *a common cultural life* (Walzer 1977: 53 – 58). The issue here is not just, to use Charles Mills' (2009: 171) words, that the origins and contemporary realities of liberal democratic states, 'established through invasion and conquest', explode 'the foundations of a conceptual framework predicated' on the notions of social contract and common understandings, but also that the search for substantive principles of just warfare is futile and irresponsible. To understand war 'well enough', Shklar (1990: 73) notes, is to recognise that 'the language of justice is wholly irrelevant to it': 'to be drawn into war for sheer survival might be a misfortune that the victims cannot avert but it cannot be just'. For, what can be just about 'an enterprise in which the innocent perish more frequently than the guilty?'

Dirty Hands as a 'Weapon of the Weak': Everyday Resistance and Complicity

That the conventional account of DH is seasoned with a "heroic" and "aristocratic" flavour need not entail that DH ought to be merely treated as the exclusive privilege of the powerful who, in certain momentous, momentary episodes, are compelled to demonstrate unrestrained heroism in the service of the democratic state or the

[4] Shklar's (1998) insights on deep pluralism and conflict are not uncontroversial. Whilst offering a comprehensive defence of Shklar's account is beyond the paper's remit, it is worth noting that similar insights are echoed and elaborated by critics of deliberative democracy (see Sanders 1997; Johnson, 1998), by those immersed in the tradition of realism in political thought (see Hampshire 2000; Mouffe 2005; Galston 2010; Vogler and Tillyris 2019), and by proponents of realism in political science (see Walsh 2012; Achen and Bartels 2018).

common good. Yet, transcending the "heroic" or "aristocratic" model, and, thereby, conceiving DH as a habitual 'weapon of the weak' requires a considerable stretching of the way in which we think about the problem – e.g., abandoning the tendency to construe DH as a rare, shaking episode on the one hand, and dispensing with the romanticised visions of community and moral purity in which the conventional account is couched on the other. Incorporating the theme of resistance into a DH analysis, requires us to commence from the grubby realities of politics, to take injustice seriously, and to approach DH – broadly construed as the prudential practice of, or engagement in, moral vices or immoralities – in, what I have elsewhere termed, 'dynamic' terms – as a persistent phenomenon of public and social life (Tillyris 2016a; 2016b).

It might appear that the obvious, most fertile terrain in which an account of DH as a weapon of the weak might be nurtured entails cases of open defiance, whereby the resister(s) "speak truth to power" and voice their sense of injustice by engaging in morally dubious acts – e.g., incivility, rioting and looting, or revolutionary violence. Yet, the exploration of such a cluster of cases – often seen as the *sine qua non* of resistance (Walzer 2017; c.f. Kirkpatrick 2011; Leebaw 2013; Vogler 2020; Mihai 2020) – via the lens of DH will not suffice (at least for my purposes). For, such an endeavour, fruitful as it might be, will not enable us to sufficiently transcend the heroic model or, by implication, to adequately capture everyday resistance and the ambiguities of it.

The tendency to reduce resistance to glorified acts of transparent opposition often encourages the establishment of 'myths of heroic agency', the erroneous mythologisation of resistance[5] (Leebaw 2013: 247; Mrovlje and Kirkpatrick 2020). This way of thinking about resistance conforms to the vision of 'heroism-as-greatness', and has certain structural similarities with conventional, static accounts of DH. 'Heroic accounts of resistance', Gisli Vogler notes (2020: 62 – 63), reduce that phenomenon to 'an individual, one-off act, which emerges out of an independent deliberation process in which the hero has a troublesome', though 'clear-cut choice to make' and are fuelled by the supposition of 'sovereign agency': 'resisters are portrayed as acting voluntarily, decisively, autonomously, [and] without fear', but 'at a potentially high personal cost'; 'unfailing in their commitment to their cause', they are animated 'by principled integrity and reason'.

To construe resistance in such a manner, however, is to erect various problematic dichotomies which obfuscate the ambiguities of resistance. Of particular interest for the purposes of this paper, is the dichotomy between resistance and silence. Resistance *qua* heroic act of open defiance is 'untainted by collaboration and complicity'; it entails 'speaking up', 'breaking the silence' and is construed as 'the *only* appropriate' form of dissent – a display of 'integrity, courage, commitment and fortitude in the service of truth and justice'. Silence, on the other hand, is a mark of 'complicity', 'complacency', and 'cowardice' – the very antithesis of resistance, animated by ideological conformity, opportunism and/or a desire to lead a comfortable, undisturbed life (Mihai 2020: 347; see also Kirkpatrick 2011; Leebaw 2013; Viera 2020). On this account, Mihaela Mihai explains, the 'silent witnesses are passive by-standers to and often beneficiaries of others' suffering' and silence ought to 'be denounced, condemned and countered by voice and action'. Such a dichotomy between heroic resistance and cowardly silence is also evident in Shklar's (1990: 42 – 45) sophisticated account of 'passive injustice' – a 'civic vice' which entails a failure to 'speak up' and directly challenge injustice, fuelled by 'cowardice', 'evasion', or 'an

[5] For a comprehensive consideration of resistance, see Hollander and Einwohner (2004).

unwillingness to give up the peace and quiet that injustice can and does offer'. The trouble with that dichotomy, however, is that it puts forward an impoverished view of political agency which disregards power relations and the difficulties of agency in contexts of injustice, displaces the murky realities of resistance, and impoverishes our imagination of the possibilities of resistance (Kirkpatrick 2011; Vogler 2020; Mrovlje and Kirkpatrick 2020). For, it explodes the conceptual terrain on which resistance, complicity, and silence – or, the absence of overt dissent – can coexist, and thereby effaces acts of resistance which are neither overt nor static and heroic, but rather covert, habitual, and quotidian.

One of the ways in which the recent scholarship on resistance sought to transcend the vision of heroic resistance is by turning to 'everyday resistance', mostly owed to James C. Scott's account developed in *Weapons of the Weak: Everyday forms of Peasant Resistance*, and *Domination and the Arts of Resistance: Hidden Transcripts* (Vogler 2020; Kirkpatrick 2011). Taking my cue from that scholarship, I suggest that the barebones of Scott's account, though seemingly inappropriate for democratic cultures due to an emphasis on 'conditions of tyranny or near-tyranny' (Scott 1990: 20), create the conceptual space for rethinking DH, and casting that problem as a habitual 'weapon of the weak' in the context of democratic cultures.

The Arts of Quotidian Resistance: Dirty Hands as a 'Weapon of the Weak' in Democratic Cultures

Scott's account of 'everyday resistance' sets off from the recognition that our contemporary fascination with "straight-talkers" notwithstanding (Markovits 2006), our acceptance that the age-old dictum "speak truth to power" carries a utopian flavour is testament to the fact that such a dictum is rarely practiced. The necessity for obfuscation, and mask wearing, which often arises in conditions of dependence and contestation, does not merely exert its force upon those occupying the higher echelons of public life who, reliant on a fragmented public, are often compelled to employ such vices for the sake of securing certain important political ends (Grant 1997; Tillyris 2016b); rather, it also possesses a bottom-up trajectory, and forms an integral aspect of the practices of resistance employed by the powerless in conditions of oppression and exclusion – conditions which 'deny subordinates the ordinary luxury of negative reciprocity: trading a slap for a slap, an insult for an insult' (Scott 1990, 23). As Scott emphasises, we should not wait for 'open social protest to lift a veil of consent and quiescence. A view of politics focused either on what may be command performances of consent or open rebellion represents a far too narrow concept of political life' (Scott 1990: 20). For, a large portion of the ordinary political life of subordinate groups 'is to be found neither in overt collective defiance of powerholders nor in complete hegemonic compliance, but in the vast territory between these two polar opposites' – what Scott terms 'infrapolitics': a politics of insubordination that 'takes place in public view', but which is, for prudential reasons, predicated on 'disguise', outward performances of 'deference', and which is thereby designed to act as a bulwark against the Damoclean sword of the powerful (Scott 1990: 3, 18 – 24, 184).

By engaging with studies of slavery, serfdom, caste subordination and patriarchal domination (amongst others), Scott (1990: 134) thus articulates an account of 'voice under domination': he sketches the contours of the plurality of the hidden quotidian practices of resistance of subordinate groups who 'dare not speak in their own name'. Though elaborating on all of these manifestations of resistance is beyond the remit of the essay, it is important to note that such practices tend to fall into two broad, not mutually exclusive, categories based on the specific nature of subterfuge entailed in each of these. The first category – what we might term *anonymous*

resistance – involves 'the concealment or anonymity of the resister': cases whereby the message *qua* act of deviance was transparent, but the identity of the messenger(s) is disguised or ambiguous (Scott 1989: 54). Examples of these sort of practices include 'foot-dragging', 'sabotage', 'pilfering', 'clandestine tax evasion', 'shirking' and 'shabby work for landlords' (Scott 1990: 14; Scott 1989: 53), the propagators of which hope that they and/or their act, will be 'undetected' or 'passed over' (Scott 1989: 54). Gossip, carnival, songs rehearsed in private, conveying a critique of power function in a similar manner: those immersed in such practices are, often by definition, anonymous or securely hidden behind masks, either literal or metaphorical (Scott 1989, 1990). The second category – what might be termed *coded resistance* – pertains to acts of resistance in which the identity of the resister(s) is quite transparent but the message itself, though expressing 'a wish for negative reciprocity, a settling of scores when the high shall be brought low and the last shall be first' is 'designed to have a double meaning', and is intended to grant its disseminators protection under a veil of ambiguity (Scott 1990: 18 – 19; Scott 1989: 53 – 54). Slave spirituals covertly addressing the themes of justice and freedom, and various folktales of peasant and slave cultures featuring trickster figures constitute telling examples of this type of resistance – e.g., Brer Rabbit stories, seemingly innocent tales about animals which covertly celebrate 'the cunning wiles and vengeful spirit of the weak as they triumph over the strong' (Scott 1990: 19).

Though different from open declarations of resistance, such practices of disguise are integral in directly subverting oppressive structures on the one hand, but also in nurturing a dissident culture on the other. As Scott notes, it is not just that 'the aggregation of thousands … "petty" acts' of *anonymous resistance* can 'have dramatic economic and political effects'; rather, 'the occasional insurrection' cannot be understood without reference to such 'rituals of disguise and anonymity without which such action would not be possible' and 'the sequestered social sites at which such resistance can be nurtured and given meaning' (Scott 1990: 192, 151, 22). In this sense, acts of everyday resistance, though often self-serving, disorganised, and ambiguous possess, what we might term following Derek Edyvane (2020), *communicative value* and form 'the silent partner(s) of a loud form of public resistance' (Scott 1989: 199). Whilst acts of *anonymous* and *coded resistance* – by virtue of their veiled and often difficult to decipher nature – are unsuitable vehicles for issuing an explicit demand for recognition to one's oppressors, they constitute expressions of refusal still: they communicate something important to their practitioners and community and form sources of individual and cultural self-respect, dignity, pride, and self-assertion. To wit, such acts constitute 'the infrapolitical equivalent of open gestures of contempt and desecration'; they have a crucial role in the formation of a collective consciousness and mass mobilisation, as they are 'aimed at resisting the denial of standing or dignity to subordinate groups' (Scott 1990: 199; Levine 1977).

Despite its potential efficacy and strategic preferability *vis-à-vis* open defiance, everyday resistance is not devoid of moral loss. This point is glimpsed by W.E.B Du Bois's (1969: 221 – 222) account of the African Americans' double consciousness which arises from racial domination: 'Such a double life with double thoughts, double duties, and double social classes, must give rise to double words and double ideals and tempt the mind to pretense or revolt, to hypocrisy or radicalism'. Though the sharp demarcation between covert and overt resistance has been challenged by the more recent literature (Gutmann 1993; Vinthagen and Johansson 2013), the tension between the need for public impact and the strategic endeavour to remain hidden captures certain

important dimensions of the ways everyday resistance requires its practitioners to dirty their hands. The intrinsic moral dubiousness of specific acts of everyday resistance aside, the recognition that *anonymous* and *coded resistance* are intimately connected to outward performances of deference entails that such practices of everyday resistance require the persistent, effective exhibition of certain moral vices or, qualities of character which one might hope to avoid should they seek to a morally admirable way of life – e.g., subterfuge, hypocrisy, the tactical exercise of self-control and the suppression of one's anger which entail the partial suspension and betrayal of one's most cherished aspirations.

But the dirt of everyday resistance casts a wider net. The appearance of 'servility' requires an 'attuning response to the mood and requirements of the powerholder' – an 'adaption to the inequalities in power' that are 'depicted as natural characteristics of the subordinate group' – and is purchased at the cost of contributing to the legitimation of 'the social ideology of the dominant': 'subordinates … bow and scrape, they seem amiable, they appear to know their place and to stay in it, thereby indicating that they also know and recognise the place of their superiors'[6] (Scott 1990: 33 – 36). Albert Hirschman's (1970) distinction between exit, voice and loyalty is instructive here. Everyday resistance should be distinguished from exit, as it insufficiently distances itself from the structures of oppression it unsettles; rather, it entails putting up with, continuing to live and act within that arrangement. It also differs from voice, which is typically confrontational and expresses publically one's disapproval: the motivations and intentions of everyday resisters are often unclear or difficult to discern, and, in the case of *coded resistance*, the intention is to veil one's resistance. Finally, everyday resistance has a murky relationship with loyalty. In resisting oppression, the everyday resister does not break with institutional rules and structures of domination in the way exit does; as such, practices of everyday resistance appear to collapse the distinction between resistance and opposition, and complicity and collaboration.

Whilst Scott's account carves the conceptual space for thinking about everyday resistance as a manifestation of DH, one might doubt whether such practices and rituals have a place in democratic cultures. Even if one did not subscribe to the innocent vision of democracy lurking in the background of the conventional DH account, the thought here is that in the context of democratic cultures, everyday resistance seems unnecessary. For, such cultures furnish democratic citizens certain rights that serve to provide access to procedural justice: a capacity to express one's sense of injustice publically via various institutionalised channels – e.g., voting, lobbying, campaigning, engaging in, what Holloway Sparks (1997: 75) terms, 'dissident citizenship': 'marches, protests, and picket lines; sit-ins, slow-downs, and cleanups; speeches, strikes'. As long as such rights are enshrined and

[6] As Scott (1990: 29) writes, the strategic performance of deference with which acts of everyday resistance are entwined 'comprises not only of speech acts but conformity in facial expression and gesture as well as practical obedience to' or tolerance of 'commands that may be distasteful or humiliating'. Examples of such deference include slaves pretending to be idle, lazy, and inarticulate, and British working classes using the term 'Sir' in their exchanges with powerholders. Though often integral aspects of tactical disguise and everyday resistance, such outward performances of deference are purchased at the cost of contributing to the legitimation of the narrative of the dominant and formed a resource of oppression (Scott 1990: 34; Kelley 1990). For, they take 'place on a stage on which roles have been largely scripted from above and on which the usual appearances, no matter how artful, must reinforce the appearances approved by the dominant' (Scott 1990: 35).

protected then, resorting to the extra-institutional, covert means of everyday resistance seems unnecessary. Hence, the tendency to apply Scott's work to grossly undemocratic contexts on the one hand (Kirkpatrick 2011), and the philosophical tradition of civil disobedience in democratic cultures on the other, a core element of which is publicity (Bedau 1961; Rawls 1971; Brownlee 2017).

But the vision of democracy animating that argument is unsatisfactorily idealistic still; it fails to appreciate the ways in which access to procedural justice and the aforementioned rituals of dissident citizenship in democratic cultures are often hampered by the various forms of oppression and exclusion which everyday resistance targets[7]. Shklar's (1991) account of democratic citizenship 'as a standing', mentioned earlier, is instructive here. 'Citizenship-as-standing', for Shklar (1991: 2), should be distinguished from 'citizenship-as-status': it acknowledges 'voting' and 'earning' as 'the two great emblems of public standing', but also emphasises the importance of 'social standing' – having a sense of 'somebodyness' – and is, thereby, not reducible to these. Differently put, the formal status of democratic citizenship, does not necessarily warrant one's social, and political 'somebodyness'. For instance, Shklar mentions the exclusionary policies introduced in the post-Reconstruction era which compromised African Americans' right to 'vote' – a right which, though granted, could not be enacted: '[t]he vote could not protect the black Southerner against grotesque registration requirements, literacy tests, poll taxes, grandfather clauses, white primaries, and more chicanery than they could possibly defeat' (Shklar 1991: 55). Further, the right to protest was castrated by Draconian measures, the excessive use of force employed by agents of the democratic state. Enjoying the legal status of citizenship is not thus an indication of any meaningful form of standing or of one's capacity to voice one's sense of injustice. And, even when legal and political barriers are removed, Edyvane and Kulenovic note, 'there can remain considerable social barriers to standing' – e.g., social castigation, threats to one's wellbeing, economic repercussions. Hence, confidence in the rights which accompany one's status as a democratic citizen sits uneasily with the recognition that the 'history of liberal democracy' is entwined with cases in which 'citizens have found themselves "voiceless"' – not because 'they have been denied the basic rights of citizenship' but because 'they have not been able to exercise them fully' due to the manner in 'in which the social and political structure of society has practically (if not legally) excluded them' (Edyvane and Kulenovic 2017: 1365 – 1366).

Herein emerges the impetus for everyday resistance: the recognition that the history of democratic cultures is entwined with oppression and exclusion often renders acts of political protest unbearably costly or strategically imprudent. This point is captured dramatically in cases of everyday resistance to Jim Crow which, though numerous, are often neglected by historians and resistance scholars. As Robin Kelley (1993: 76) notes, 'by ignoring or belittling everyday acts of resistance', numerous historians 'concluded, as Lester C. Lamon did in his study of Tennessee, that black working people "remained silent, either taking the line of least resistance or implicitly adopting the American faith in hard work and individual effort"'. But, to reduce silence and deference to complicity *tout court*, would not just entail the adoption of an unsatisfactorily narrow, heroic account of

[7] In her recent study on civil disobedience during the Civil Rights Movement, Erin Pineda (2021) argues that the tendency to portray civil disobedience as the standard for acceptable forms of protest in liberal democratic cultures does merely fail to appreciate that injustice formed part of the fabric of liberal cultures, but it also delegitimizes other forms of resistance.

resistance; it would be to also fail to capture 'African-American political history' of which 'daily, unorganized, evasive, seemingly spontaneous actions' employed under a morally problematic, but nonetheless prudentially necessary veil of deference, hypocrisy, and subterfuge constituted an important part (Kelley 1993: 76; Hurston 1935). African Americans, Earl Lewis (1991: 10) writes, turned 'segregation' into 'congregation': in light of the difficulties of organised, public acts of defiance, they resorted to the creation of covert social spaces of opposition, mutuality, and fellowship, which facilitated the employment of various acts of *anonymous* and *covert resistance*, and which offered partial refuge from the indignities of racism.

With regards to *anonymous resistance*, for instance, working class African Americans employed theft, sabotage, and what Michel de Certeau (1983) calls 'wigging'. Workplace theft was a strategy employed to compensate for low wages and abuse. For example, 'in the coal mines of Birmingham', miners stole 'coal for their home ovens', whereas 'in the tobacco factories of North Carolina, black workers' pilfered 'tobacco (which they usually sold or bartered at the farmers' market)' and rigged 'the clock in order to steal time (Kelley 1993: 90). Workplace sabotage was a strategy used to 'counter speedups', whereas domestic workers abused their employers' property (Korstad 1987; Hunter 1990). Finally, the practice of 'wigging' enabled 'workers not only to take back precious hours from their employers but resist being totally subordinated to the needs of capital' by appropriating a portion of their labour power and spending it on oneself or one's family (Kelley 1993: 91).

With regards to *coded resistance,* African Americans drew on the rich tradition of covert opposition employed during slavery – specifically, veiled protest music. As Rickey Vincent (2013: 275) writes 'from the outset of the black experience in America, a dual language of music was employed to allow subversive communication to occur through the established work songs and Christian spirituals'. This is also emphasised by Stokely Carmichael (2005: 529) in *Ready for Revolution*: '[w]e are African people, so it was natural that from the beginning, from the spirituals right on up, music would be our weapon and our solace'. Though derided as apolitical, conformist, and escapist (Levine 1977; Lincoln and Mamiya 1990; Spencer 1990) – embodying an inclination toward seeking relief in the afterlife than engaging in real-life struggle – black gospel music suffused into the marrow of everyday infrapolitical life and constituted an apt manifestation of Du Bois's (1989: 186) remark that 'deception constitutes the natural defence of the weak against the strong'. As Anthony Heilbut (1997: 262, 297) notes in *The Gospel Sound*, the gospel was strategically charged with veiled meanings, sacred symbolisms that escaped whites but resonated with the black community: it reflected 'the inescapable conditions of black life' and constituted a form of 'music sung by people in terrible conditions about those conditions, in an attempt to get out of them'. For instance, one such song, '"Follow the Drinking Ground" veils a reference to the Big Dipper, the star formation that pointed the way north during slavery; "Wade in the Water", a song about baptism was also used as a call to cross the river to freedom' (Vincent 2013: 275).

But it was not just grassroot gospel communities which fostered a dissident culture by covertly imbuing the black community with visions of black pride, and hope. Another crucial tool of coded resistance was the radio. As Vincent (2013: 158) notes, though black America 'had to contend with assimilation-oriented celebrities such as O.J. Simpson' and 'militants such as Eldridge cleaver', there existed an additional group of black celebrities

that straddled 'the boundaries between soul power and selling out: the black radio personalities'. Whilst economic repercussions, the fear of alienating white listeners, social censure, and personal harm, rendered open opposition to racial injustice imprudent, black radio personalities contributed to the explosion of black consciousnesses via covert means (Walsh 1997). As New Orleans' DJ Vernon Winslow explains, black DJs developed a 'language for insiders' which 'white folks couldn't understand' but which 'became a unique identity' and source of 'pride and solidarity'; they would signal African Americans by playing a certain song – e.g., Big Joe Turner's 1954 "Shake, Rattle and Roll" – or repeat coded phrases preparing their audiences to march. For example, Shelley "The Playboy Stewart – a popular DJ in Birmingham, Alabama – repeatedly broadcast coded announcements concerning a "big party" (a reference to a large demonstration), urged his audiences to "bring [their] toothbrush" as they ought to "brush [their] teeth" (a caution that they might spend the night in prison), or to avoid specific roads due to bottlenecks (a warning that those roads were blocked by the police) (Ward 2006; NPR 2013). Though sustained by the appearance of neutrality, deference, and subterfuge, and despite the fact that they formed part of a wider culture of oppression and exploitation and were not, thereby, devoid of moral wrongdoing *tout court*, such practices were crucial in fostering the psychological empowerment of the African-American community and formed an important aspect of overt and covert resistance[8] (Newman 1988; Newman 2000; NPR 2013).

Conclusion

To reduce DH as a sparse privilege of the powerful – those who, in certain momentary situations, are compelled to act immorally *on behalf of* the democratic state, for the sake of *realpolitik* – would be a mistake. Rather, some manifestations of that phenomenon also constitute a habitually powerful 'weapon' of resistance in the pharetra of

[8] One might cast doubt on the immorality or dirt of such acts of everyday resistance. Acts of anonymous and coded resistance, the argument goes, constitute violations of civic duties – one's obligations *qua* citizen –, as opposed to natural duties – one's obligations *qua* moral person – and are, thereby, less morally problematic in conditions of domination and injustice. In such conditions, civic duties, unlike natural duties, are not binding (see Rawls 1971; Shelby 2007). In this sense, neither theft, sabotage, winging, the use subterfuge, and concealment inherent in protest music and DJ broadcasts, nor the veil of hypocrisy and deception which accompany such acts ought to be seen as dirty. This argument, however, is problematic. Firstly, as Rob Jubb (2019) argues, the distinction between the moral bindingness of natural and civic duties is predicated on a problematic, binary distinction between nearly just and unjust societies which distorts and oversimplifies the way we should think about the moral and political acceptability of different forms of resistance in different contexts. Secondly, even if we were to accept the distinction between natural and civic duties, acts of everyday resistance also constitute violations of the former: they compromise the unconditionally binding natural duties of mutual respect and justice which require us to respect others' moral personhood, and protest or resist unjust institutions and arrangements. For, as noted, acts of everyday resistance constitute the 'infrapolitical equivalent of open gestures of contempt' (Scott 1990: 199), and, though important in undermining and resisting injustice, also contribute to its legitimation and reproduction and are intimately connected with forms of complicity.

the weak: the excluded and the oppressed who are compelled to act immorally – systematically, and covertly – *against the* democratic state, in order to combat the injustices they encounter in their daily lives.

If correct, my argument offers a new perspective on scholarly debates about the ethics of resistance. That it is difficult to see what I have termed *anonymous and coded resistance* as plausible or legitimate forms of resistance in democratic cultures might well be explained by the way in which our apprehension of that phenomenon is distorted by unsatisfactorily 'heroic', 'ideal' visions of resistance. For instance, Marxist and post-Marxist thought tends to cast resistance within the binary of good and evil, where emancipation requires an open declaration of rebellion against the villainous forces of oppression (Scott 1990; Anker 2012), whereas a large portion of the philosophical tradition of civil disobedience construes defiance as a one-off, exceptional, public act which disrupts the normality of conformity (Edyvane 2020). For all their merit, such theories fail to capture the moral ambiguities of resistance; they present us with a limited view of political agency which disregards the difficulties of agency in contexts of injustice, and which discredits less heroic, murky, quotidian acts of resistance.

The account of DH-as-a-weapon-of-the-weak developed here expands our understanding of the potentialities of resistance in democratic cultures: it suggests that certain practices of everyday resistance gain their strength by virtue of their prudential connection to the lesser moral vices of subterfuge, and betrayal, and their implication in forms of complicity. Though the nature of such practices is dependent on the circumstances with which the resisters are confronted and the resources available to them (Scott 1989, 1990), as long as our democratic polities are ridden with persistent injustices, and in light of the increased perils of open defiance (Thomas et al. 2020; Monbiot 2021; Nagdee 2021) dirty-handed acts of everyday resistance can form an integral aspect of the panoply of democratic resistance.

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