

Dirty Hands and Pollution

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“There is no politician who can flatter himself upon his innocence. To govern, it has been said, is to foresee, and the politician cannot excuse himself for what he has not foreseen. Yet, there is always the unforeseeable. There is the tragedy.”

– Maurice Merleau-Ponty

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Introduction

The problem of dirty hands, which addresses a fundamental tension between morality and politics, is part and parcel of today's cultural atmosphere, and it has been for a long time. We are obsessed with its central idea: that it is sometimes right to do what is wrong. From the tragedies of ancient Greece to Shakespeare, and such literary works as *Billy Budd* (Melville), *Die Maßnahme* (Brecht), *Les Justes* (Camus), *Waiting for the Barbarians* (Coetzee), *Sophie's Choice* (Styron) and of course *Les mains sales* (Sartre), the difficulty of living a good life in the midst of a moral mess is reflected and artfully expressed¹. As usual, contemporary moral philosophy was comparatively late to the party². The problem of dirty hands received its first explicit and systematic treatment in the work of Michael Walzer, which has therefore come to be known as the official birth of the problem in philosophical literature.

This high atmospheric pressure was exercised by a specific methodology. The practice of drawing distinctions – man and woman, nature and society, morality and politics – is a fundamental part of every culture. But the same holds for the pollutions of these distinctions: “the mixing of what should remain separate”, seen from within a particular culture³. Various strategies can be deployed to restore cosmological order. In contemporary moral philosophy, solutions to philosophical problems have taken the shape of an insistence on separateness: the response to the muddled universe of morality and politics is to ‘restore the balance’. This aim seems to have eclipsed all other considerations. As a result, the general response to the problem of dirty hands has been to freeze the problem of dirty hands into a moral dilemma. In this version, we are faced with a choice: one between morality on the one hand, and politics on the other. We only have to decide which of them should prevail given the particularities of the case at hand. Both Walzer's take on the problem and subsequent discussions are the product of this intellectual climate, with which any friend of philosophy has been gradually familiarized over the course of the last few decades, and which has become dominant almost to the point of monopolisation.

I argue that the moral dilemma approach to the problem is not only unhelpful with respect to the general tension between politics and morality, but adds an extra layer of obscurity. It does so in three ways, all of which are

¹ This list is taken from De Wijze 2004, 456n.

² Strictly speaking, Ancient Greek philosophy was heavily involved with the theme of “the fragility of goodness” (see Nussbaum 2001). I will not discuss that legacy here, but confine myself to the twentieth-century version of the problem, which arose under different historical circumstances.

³ Oudemans & Lardinois 1987, 83-84.

interrelated. First, ethics is reduced to ‘quandary ethics’ (which considers only the choices of individuals in particular scenarios), and thereby to what is essentially a sophisticated method of problem-solving. Second, the still shot of the moral dilemma does not capture the historical nature of the moral situation in which the problem of dirty hands occurs. Third, the philosophical methodology becomes part of the problem rather than the solution when ‘the tragic condition’ obtains. In such a situation, two sets of values are both fully appropriate and yet in conflict with one another⁴, so that the coherence of our moral universe, which is presupposed by the moral dilemma approach, is shattered. These lines of thought lead to the conclusion that the problem of dirty hands cannot be adequately addressed by the moral dilemma approach: no Either/Or will do. We need an alternative that can function as an extension to and, to some extent, criticism of contemporary moral and political philosophy and simultaneously does justice to the unruly nature of both moral and political reality⁵.

The search for a new approach to the problem of dirty hands is especially relevant in this day and age, as morality and politics seem to have grown tired of each other. Modern politicians are seen as making at most instrumental use of moral considerations. Sometimes, the mask even comes off: consider Harry Truman, who almost proudly assured the public that he had never lost a night’s sleep over his decision to release atomic bombs over Hiroshima and Nagasaki. So what is it that politicians do? Let us ponder an item of popular culture. The aptly named Democracy video game series focuses on political simulation. Each game is essentially a database, a giant spreadsheet through which the player is asked to navigate. The goal is to be politically successful, which is measured by the support of various partially overlapping factions, so that the winning strategy will balance the various interests and policy spearheads of the factions. The player does this by manipulating sliders and implementing policies: the effects are measured quantitatively and known in advance. Politics is represented as a purely technical exercise. The idea that actual politics works similarly is a persistent one: theoretically, real-life politicians are judged mostly in accordance with their statistical performance, that is to say, the quantitatively measurable changes society underwent during their time in office. Practically, of course, many political parties pursue determinate moral goals as a matter of conviction. It is worth noting that we cannot make sense of that fact, given the theoretical background that I have just sketched.

⁴ De Mul 2014, xiii

⁵ The history of philosophy contains many examples of alternative approaches to dirty hands (for an overview, see Parrish 2007): I partially draw on those earlier versions, but do not aim to provide a systematic account.

Conversely, individuals and groups pursuing goals of a moral nature think of the powers that be as essentially corrupt. Although particular politicians are sometimes named and shamed, the resentment often seems to attach itself to politics ‘as such’. It is ‘politicians’ who are untrustworthy. Note that these two images reinforce one another: because the politician does not see it as his job to be a good person at all times, the general perception of politics as amoral or even immoral finds support; and because morality appears largely as the concern of groups who distrust politics, it becomes equated with the angry shouts of activists and protestors, and hence not with the everyday proceedings of the politician⁶.

By representing the relation between morality and politics in this way, Walzer and subsequent authors⁷ presuppose that they can be neatly separated: indeed, it becomes hard to express how the two are related. There is always the fact that political parties will have to cater to the preferences of the majority, which are often moral in nature, but this is in itself a purely statistical consideration. However, if the tragic condition obtains, in the sense previously mentioned, politics and morality can both become ingredients of a single situation. This is exactly what happens in dirty hands scenarios, where it is right to do what is wrong. The moral dilemma approach advocates re-separating the two by ‘restoring the balance’, deciding between them in particular cases. This is made impossible by the tragic condition itself. In other words, we should not understand morality and politics as disjuncts in those cases: they transform into conjuncts.

This discovery, however, leads us beyond isolated cases. It pollutes the distinction between morality and politics itself. In the same way that global warming shows us that nature and society ‘flow into one another’⁸, the problem of dirty hands shows us how the same is true of morality and politics. Their interrelation is characterized by mutual encroachment, which is reflected in what I call the normative framework of dirty hands. Using that framework, we can put to the test the conviction that morality is irrelevant to politics and vice versa. It will have to be shown that the neat separation between the two breaks down. I focus on the moral situation of extrication. In such a scenario, the politician’s hands have been ‘objectively’ made dirty because of the fact that he has

⁶ Part of political philosophy reflects and reinforces this ‘separation of powers’. Consider, for instance, the influential idea of “the priority of the right over the good” (Rawls 1999), which proposes that politicians turn away from seeking to realize a particular good within society and instead confine themselves to ‘managing’ others’ attempts at doing so. See Sandel 1984 for a criticism of this ‘Kantian’ approach to politics.

⁷ See note 13.

⁸ Latour 1993, 50

‘inherited’ a situation (from his predecessor, for instance), which greatly limits his possibilities for action. The ‘transitory’ morality appropriate to such situations does not lend itself to ahistorical analysis; it cannot be reduced to a moral dilemma. That means that careful distinctions are not enough to confront the problem of dirty hands. Rather, the problem of dirty hands unveils that such a methodology is itself problematic, because of what I call the problem of overdistinguishment.

Both the interconnected nature of politics and morality and the resulting internal frictions have been important factors in the political development of Soviet Marxism. This would be a matter of considerable interest even if it were only for the general fact that Marxism, in some form, was and remains an influential point of reference for both the theory and practice of politics. But it is especially worth examining because Soviet Marxism offers an interesting test case for the normative framework of dirty hands. It is essentially involved in a delicate balancing act between theory and practice. By taking Soviet Marxism as a case study and analysing it in terms of the morality of extrication, I hope to offer a new perspective on the historical development of Marxism that will prove valuable in the broader context of political morality, while also casting light on the applicability of the normative framework of dirty hands.

On an even more general level, such an analysis has implications for philosophical methodology. If Soviet Marxism can be analysed more adequately by viewing politics and morality as complementary, as I propose, then the problem of overdistinguishment is officially on the table. This would lead us in the opposite direction of contemporary moral philosophy, with its distinction-happy tendency. It is my hope that this thesis can contribute, in some small way, to a reversal of that tendency. Let us therefore ask anew: how do morality and politics relate to one another?

Chapter 1: The moral dilemma approach

The idea that politicians are somehow untrustworthy has been widespread for a long time. In Plato's *Republic*, Socrates describes that a position of political leadership tends to have a corrosive effect on one's moral character. Though this will make the wise man unwilling to take on office at first, he will simultaneously be aware of the fact that it would be for the best if he were to assume office. In that way, for Plato, the true leader can be found out in two ways: an initial unwillingness to reign and subsequent resignation to the task at hand⁹. The central insight is that the truly virtuous person will sometimes have to deviate from the path of virtue, not through some fault of his own, but because of his position as a political leader. Political philosophers have reflected on these and related issues ever since the days of Plato.

Today, it is commonly thought that morality has no place in politics. While the appeals of morality are certainly not useless, it is not up to the politician to pay them much heed. Imagine a not-so-foreign scenario, where a government is guilty of civilian deaths as a result of military action. We may expect protests. Perhaps one of the politicians who issued the command that led to the deaths sympathizes with the cause of the protestors. After all, any loss of life is a terrible thing. On the other hand, politics sometimes requires less-than-moral action. If the government is to steer its country in a viable political direction, it hardly seems realistic to dwell on immoralities incurred along the way. The protestors are right to take offence, because of the immoral nature of the government's actions; but such is the nature of political leadership. Perhaps the politician, remembering Plato, will reflect that there is something noble about his position: he is the one who has been chosen by fate, or, more concretely, the electorate, to take up the task of resisting morality where necessary. The 'moral division of labour'¹⁰ has struck a firm line between regular people, including protestors who spend their lives worrying about morality, on the one hand, and politicians, who are 'good politicians' precisely because they know they are not regular people, on the other. Their office requires them to break the rules in some situations: to 'get their hands dirty', even, and perhaps especially, if they are good people.

But how should we account for this separation between everyday morality and political expediency? It seems that the politician somehow knows better, but only in a complex sense. While he certainly overrides the rules of morality, and is aware of doing so, this does not mean that those rules are now defunct. Just because a politician breaks a certain moral rule does not mean that others are entitled to take liberties with it. Morality is still in place. That means that the

⁹ Plato 1997a, [520e-521b], 1137-1138

¹⁰ Nagel 1978

politician requires a special kind of justification: one that explains how it can sometimes be right to do what is wrong. How should we approach this issue?

1.1: Quandary ethics

Recent decades have seen much academic involvement with this so-called problem of dirty hands, which has mostly been focused on a restricted set of cases. It has been especially fashionable to style the cases in question ‘moral dilemmas’. Suppose that an up-and-coming politician, who is also a good man, has the opportunity to strike a deal with an unsavoury party in order to secure an important result for himself, for instance in an election; and that the political influence he can wield as a result of their influence would greatly benefit the community he leads. Should he involve himself with such practices? (Call this the *Mafioso* case.) Or, alternatively, suppose that a known terrorist has been captured. It is known that he has crucial information concerning an imminent attack that is sure to lead to an enormous catastrophe, which could be prevented if the information can be wrested from him somehow. Furthermore, resorting to enhanced interrogation would guarantee that the terrorist would deliver the information to his capturers, and there is no other way of securing this result. Even if there is a general requirement not to engage in enhanced interrogation, should it not be said that the price of refraining is simply too great?¹¹ (Call this the *Enhanced interrogation* case.)

There are good historical reasons for approaching the problem of dirty hands in this fashion. Michael Walzer, who gave the problem its name in the 1970s and has been influential in its later development, introduced the problem by insisting on the reality of moral dilemmas. Walzer argues that because of cases such as the above – both are slightly edited versions of his own examples – it cannot be fruitfully maintained that we should act in accordance with a single moral theory in all cases¹². In his formula: the wrong thing to do can sometimes be the right thing to do. I submit that casting the problem of dirty hands in terms of a moral dilemma is itself a philosophical mistake, and one with deep roots in contemporary moral philosophy¹³. Let us therefore consider Walzer’s cases somewhat more critically.

¹¹ Walzer 1973, 164-168

¹² *ibid*, 162

¹³ This is in itself noteworthy, because Walzer is not a ‘typical’ moral philosopher. For example, he argues – rightly, in my view – for a rich and complex relation between universality and particularity in moral discourse (see Walzer 2006), whereas ‘typical’ moral and political philosophers often prefer a more one-sided universality (see Walzer 1981, in particular on the allegory of the cave). Walzer 1973, however, even if considered in the context of Walzer’s other works, can only be described as originating the moral dilemma approach as elaborated in the present chapter. Perhaps this was an

Both scenarios come with weighty presuppositions. In the *Mafioso* case, only the politician's influence can secure a better tomorrow. He is a very influential figure in that sense. At the same time, however, he cannot win without cheating: his future subjects simply refuse to understand what is in their own best interest, or the political game has been rigged so as not to give him a chance. We may grant all of this for the sake of the argument, of course. As soon as we attempt to apply it, however, we find that this case amounts to no more than a thinly disguised 'the ends justify the means'. Even with respect to the ends, we are asked to suppose that the policies of the cheating politician will lead to wonderful consequences. But, as the saying goes, the road to hell is paved with good intentions. The fact that any politician is able to force his political convictions on the electorate betrays that this case is not first and foremost a moral dilemma, but descriptive of a political problem.

In the *Enhanced interrogation* case, too, much has to be assumed. We are supposed to know that the captive really is a terrorist, that the attack is soon to take place with disastrous consequences, that the terrorist has information that can stop the attack from happening, and that the only way to get to that information is to engage in enhanced interrogation. This case is in fact a model of the use of moral dilemmas in contemporary moral philosophy. It is a species of what has disparagingly been called 'quandary ethics'¹⁴.

It is customary to believe that the task of ethics is to provide systematic guidelines for actions in problematic scenarios. In other words, ethics is about problems: it is the discipline concerned with adequately framing and thus resolving them. Though this quandarist conception of ethics may seem self-explanatory enough, it entails a reduction along two axes. Firstly, it represents the scenarios it discusses as 'objective data'. In the final analysis, The *Mafioso* case is problematic for precisely this reason: the supposed moral dilemma turns out to be the product of an antecedent political wrong. Only thinking about whether or not the politician has a moral right to cheat will not address what is at the root of that situation. This has more general implications as well. If we approach morally problematic situations only as moral dilemmas, we help to obscure the responsibilities that may lie beyond the particularity of the situation at hand: political reform, for instance. Secondly, reducing ethics to quandary ethics implies a substantial assumption about the order and coherence of the moral universe. The so-called 'trolley cases'¹⁵ are an extreme example.

attempt at 'extrication' (see Chapter 2), but if so, its effective history has shown it to be ineffective in that respect.

¹⁴ Pincoffs 1971; see also Appiah 2009.

¹⁵ The image is original with Foot 1976.

A trolley case describes a moral protagonist in command of a switch. That switch will deflect an oncoming train from one track to another; both tracks have trapped workmen on them. Typically, one set of workmen will have to die if the other set is to be saved. In such situations, the moral protagonist has a determinate amount of options available to him, which refer to and correspond with various moral theories. For instance, if he chooses to deflect the train to the smallest set of workmen for the reason that fewer lives will be lost, he has presumably made a utilitarian decision.

In one version of the trolley case, the protagonist can only operate the switch by pushing an innocent bystander onto the tracks from a footbridge. The decision to refrain from doing so (even if the utilitarian calculus would render a push the best decision) on the grounds that such action is ‘wrong by its very nature’, is then glossed as a deontological decision. We are asked to conclude from the experimental research that has been done on these cases that most people are neither fully ‘utilitarian’ nor fully ‘deontological’.

Such experiments are interesting in that they offer various insights into moral psychology. But is ethics itself really like this? The underlying idea seems to be not only that ethics involves no more than an action-oriented kind of problem solving, but also that ethical problems should be approached as if they were court cases. A judge (perhaps assisted by a jury) selects the relevant (set of) pre-existing legal rules and principles and applies them to the case at hand. This presupposes the availability of the rules and principles themselves, as well as a fit between some set of rules and principles on the one hand, and the case itself on the other. In other words, it requires the idea that the moral universe can be ‘carved at the joints’¹⁶; that every moral situation comes ‘pre-packaged’ as a collection of various morally salient aspects, and all the moral agent has to do is determine which of the various available theories it is most suitable to be mapped onto. The solution to a moral dilemma will always be to select one of the possibilities of action, and to reject the other. Our moral universe is orderly and coherent in the sense that if we cut it up into sufficiently small pieces (that is to say, make the proper conceptual distinctions), then a solution to our moral problems can and will be reached.

Descriptions of our ethical lives along these lines are mostly important because of what they leave out. Most of the time, we are not switch operators or judges. And, more importantly, once we approach ethical problems as if we were, some fundamental questions are already barred off. Are we *truly* powerless to affect the parameters of the situation at hand? How, if at all, can we prevent ‘moral messes’ from arising in the first place? And, most fundamentally: is it true that the moral universe is essentially orderly and

¹⁶ Plato 1997b, [265e-266b], 542

coherent? I will be concerned with this final question for the rest of the first chapter. I will make the case that it is not only important to consider in some detail, but that it should in fact be answered in the negative.

1.2: The central role of distinctions

What role do moral rules and principles play in our lives? On the moral dilemma approach, they comprise the several horns of the dilemma. In other words, if we are faced with a choice in a concrete moral situation, what is required of us is a choice between a determinate set of alternatives. For instance, in the *Mafioso* case, we are asked to choose between securing public benefit and steering an honest course. If we choose one over the other, we are thereby privileging one morally salient feature of the scenario over another: the consequences the politician brings about as a direct result of winning the election or the moral nature of the action needed to produce that consequence, respectively. A similar point applies to the *Enhanced interrogation* case. Notice that in both scenarios, the decision to be made is framed in terms of a tension between privately held morality and public expediency: like the judge who weighs a court case, all the ethical agent (or the experimental subject) has to do is to decide which of the pre-established (sets of) rules applies to the particularities of the case.

This idea has been a powerful one in recent moral philosophy¹⁷. As a casual glance at most academic philosophy journals shows, the design of increasingly complex conceptual roadmaps in order to do justice to the potentially enormous variety of cases is a very popular method. Oftentimes, intuitions will vary as the case varies. The task of the philosopher is then to explain *why* intuitions vary – which new feature of the case gave rise to a re-evaluation of the factors relevant to the moral decision, for instance. This is an ‘inductive’ way of doing philosophy, which is reflected both in experimental philosophy and in the widespread use of thought experiments. The aim of both is to find out what it is about the way a given case is altered that elicits particular moral intuitions – thus making the concepts we employ increasingly precise. An example can be found in the ‘trolley problem’ literature: when the question is not whether or not to flick a switch, but whether or not to push a fat stranger onto the tracks – killing him but stopping the trolley – experimental subjects react significantly differently. Whereas an overwhelming majority of respondents would flick the switch, only a minority tells the experimenters that they would push the fat man to his death¹⁸. In a conceptual reconstruction of the

¹⁷ The tradition of virtue ethics does not only provide a historical alternative, but also a coherent contemporary ethical position that shuns quandary ethics: its rediscovery was, to some extent, the product of a criticism of quandary ethics (Appiah 2009, see also section 1.3). The tradition that emphasizes the ‘ethics of care’ is another important exception to my general account.

¹⁸ Thomson 1976, 545

relevant factors, the philosopher then concludes that the explanatory distinction to be drawn is that between killing and letting die. This preliminary conclusion can then be further modified, if this is necessary in view of new experimental data or newly devised thought experiments.

Whether or not the hypothesis that drives this development is confirmed at a particular theoretical junction is almost beside the point: the scenario can always be varied in a particular way, which already reflects a novel conceptual distinction. For example, the author who coined the trolley problem, Philippa Foot, hypothesized that her scenario showed that ‘negative duties’, such as the duty to refrain from killing, are more stringent than ‘positive duties’, such as the duty to save lives. But many counterexamples can be devised, and have been devised. What if the negative duty is relatively unimportant, whereas fulfilling the positive duty would make a major moral difference? After a long discussion, which includes fictional protagonists ranging from Alfred and Bert to Harry and Irving, Judith Jarvis Thomson concludes:

The cases have to be looked at individually. If nothing else comes out of the preceding discussion, it may anyway serve as a reminder of this: that there are circumstances in which – even if it’s true that killing is worse than letting die – one may choose to kill instead of letting die (Thomson 1976, 551).

No general conclusions can be drawn, then. The variety of cases is simply too great to be subsumed under a single moral concept that can tell us what to do in all cases. But we are not to conclude, of course, that (applied) ethics is simply too difficult a subject matter. Instead, we are to do the fundamental work of interpreting particular cases according to their morally salient features. Once that has been done, we can develop an argument that will solve that particular dilemma. We simply have to go one case at a time.

From this, it follows that the particularities of the situation dictate which philosophical concepts can be employed in what way. That is to say that the meaning of ‘killing’ or ‘letting die’ (as moral concepts) cannot be established ‘in general’. Such a notion is simply too imprecise to make sense (“we shan’t be able to decide until we get clearer what these things come to”¹⁹). Each case carries with it its own conceptual conditions, and it is only in such a context that particular versions of moral concepts can be deployed. For our concepts to make sense, we need to make very precise distinctions.

If we translate the above into the language of dirty hands, we arrive at the conclusion that there is no final answer to the question whether privately held morality should prevail over public expediency or *vice versa*. Both concepts

¹⁹ Thomson 1976, 551

must be reconstructed from the ground up, by considering their respective moral weight in particular cases. This can only be because there are many dimensions to privately held morality and public expediency. If a conflict between them arises, all we can sensibly do as philosophers is to decide which of them prevails in particular cases. The way the problem of dirty hands has been treated in the literature largely conforms to these standards, and urges us to choose either the ‘moral’ or the ‘political’ concept²⁰. This proposed solution reflects the way the problem is often represented: it arises fundamentally as a result of overly generalizing language on the part of philosophers. We should redraw our conceptual roadmap by insisting on the distinction between morality and politics, thus ‘restoring the balance’: we need to show which consideration should carry the day in particular cases. Such an approach to the problem of dirty hands is unacceptable for various reasons, as I hope to make clear.

1.3: Beyond coherence and into tragedy

The first line of objections to this approach is historical. Both the quandarist nature of the ‘dilemma’ and the supposed dilemma itself are only meaningful in the context of the historical route travelled by moral and political philosophy. Ethics is not necessarily exclusively concerned with problems, but has also addressed projects that go beyond particular cases. The tradition of virtue ethics is a prominent example; its adherents do not pose the question what makes a particular action morally good, but focus instead on what it means to be a good person. In addition, there are other ways of fleshing out the problem of dirty hands, ranging from the tension between Christian virtue and political effectiveness to the idea of private vices and public benefits. Both points have been made in other places, and the history of philosophy is rife with examples²¹.

But a more fundamental objection can be made as well; one that is systematic as opposed to historical. Describing the problem of dirty hands as a moral dilemma presupposes that it can and should be resolved by making the proper conceptual distinctions. As long as the cases are precise enough, we can mount an argument to the effect that either moral or political considerations should be given priority. But this very insistence on distinctions, I submit, leads us to neglect what is truly problematic about the problem of dirty hands: namely, the fact that the moral universe is not, on the last analysis, coherent.

²⁰ The contributions to Hampshire 1978 are a testament to this.

²¹ See for instance Pincoffs 1971, 553-556 for a discussion of ancient philosophy as a counterposition to quandary ethics, and Parrish 2007 for an overview of the various versions of dirty hands in the history of philosophy.

The theme of ‘overdistinction’ is not new to philosophy. Bruno Latour insisted that the neat and tidy separation between nature and society is not eternal but historically produced. That means that it can also be revised. Apart from being a mere possibility, such revisions are sometimes practically necessary. Such phenomena as global warming traverse the supposed boundary between nature and society²². The importance of this insight can be readily appreciated. In responding to global warming, we cannot act as if it is purely a natural phenomenon: societal changes are needed if its challenge is to be addressed. Insisting on either of the poles of the distinction does not do justice to the new situation, which the distinction cannot incorporate. In other words, the distinction between nature and society becomes polluted.

What if a similar possibility existed for the distinction between morality and politics? We have seen that the moral dilemma approach insists that morality and politics need to be pried apart, on some accounts by investigating particular cases only and drawing partial conclusions. But perhaps philosophy is beset by its own ‘ecological disaster’: an event that draws attention to the interconnection of supposedly separate elements. If we were to translate this into the terms of our present topic, this would allow us to see the problem of dirty hands in a new way. Perhaps the problem of dirty hands is so pernicious because it cannot be resolved in terms of either politics or morality, if these terms are understood in separation from one another. It then transforms from an outlandish set of cases into a pollution of the distinction between morality and politics.

The moral dilemma approach would then be part of the problem rather than part of the solution, because of its insistence on the importance of distinctions. This diagnosis of overdistinction is potentially of interest to philosophical methodology, both within and beyond contemporary moral philosophy. But let us start at the beginning. What does it mean to say that the problem of dirty hands is only deepened by the moral dilemmas approach? What is truly at stake was already represented by what is perhaps the most canonical formulation of the clash between morality and politics: Sophocles’ *Antigone*. Let us consider it as a model case. The plot features a fatal confrontation between the mythological characters Antigone and Creon, who are unable to reconcile because they will not compromise on their incompatible values.

The *Antigone* starts out when the protagonist tells her sister Ismene of Creon’s method of returning peace to a troubled town. Creon’s cousins Eteocles and Polyneices, who were also brothers to Antigone and Ismene, had killed one another during the civil war that was to decide the rightful ruler of Thebes, leaving the city without a champion. Creon stepped into this power vacuum and

²² Latour 1993, 50

took a resolute course. He ordered that Eteocles be buried as a hero of the city. However, Polyneices was to be considered a traitor and therefore not to be afforded a burial at all: Creon declared that Polyneices was not even to be mourned. Anyone who acted in violation of these orders faced the prospect of a death sentence. Creon hoped he could thus enforce political stability on Thebes after Eteocles and Polyneices had torn the city in two. Supporting the cause of one of his cousins and completely rejecting the other, then, was Creon's way of responding to a politically treacherous climate. Denying Polyneices a burial, which is an extreme measure (especially in the light of Ancient Greek religious beliefs) should be seen in that light.

Antigone, however, refuses to choose between her brothers and thus decides to disobey the orders of the man who was not only her ruler, but also her uncle and father-in-law to be. After failing to win support from her sister Ismene, who fears that burying Polyneices will only escalate the situation further, she proceeds to bury her brother. In fact, she covers his body a second time, after her first attempt had gone unnoticed by the guards posted at Polyneices' body by Creon. Having refused to deviate from the moral path, Antigone is faced with an equally uncompromising Creon, who sentences her to death. Antigone is imprisoned in a sepulchre and left to die. But the gods oppose Creon's politically rigorous ways. After Creon learns of this, he attempts to reverse his decision, but to no avail: Antigone is found dead, having committed suicide. After a series of further suicides, the tragedy ends in total dismay.

Many readers of Sophocles have seen in Creon the archetypal figure of the merciless ruler, who is determined to force his subjects to do his bidding and is prepared to make an example out of literally anyone, no matter what their reasons for counteracting his rule may be. Such dislike of Creon results from his absolute insistence on the political law against any other consideration, including even the divine laws of morality. Antigone, on the other hand, is generally seen as a remarkable pattern of virtue because she sticks by her principles even when faced with her own destruction. Yet, curiously, she is Creon's mirror image. Where Creon had declared the primacy of political law, Antigone insists, in equally absolutist fashion, on the moral law. In this sense, Antigone is a fundamentalist to the same extent that Creon is a tyrant²³. She even outdoes Creon in one respect: while Creon recants after the Gods have made their dissatisfaction felt, Antigone refuses to acknowledge the legitimacy of any political consideration when Creon challenges her.

²³ De Mul 2014, 51-52

G.W.F. Hegel, in his commentary on the *Antigone*, emphasizes this point, insisting that it is the “one-sidedness of a pathos” that led to the collision of Antigone with Creon and *vice versa*; and that this fact could only mean that both would perish, because they *are* their one-sidedness, each of them appearing “in their concrete existence as a totality”²⁴.

The *Antigone* makes clear that it is possible for two sets of values to be appropriate to a situation and yet in conflict with one another. This has been called “the tragic condition”²⁵. If we interpret the conflict between Antigone and Creon as a conflict between morality and politics, then a different approach to the problem of dirty hands suggests itself. For what makes the *Antigone* end in disaster is not our inability to decide whether Antigone or Creon is right about the burial of Polyneices. Rather, it is the inability on the part of both Antigone and Creon to compromise. If the moral crusader Antigone could have been more open to the legitimacy of political considerations, or if the pure politician Creon could have taken morality more seriously – if each had not appeared as an abstract totality – the tragedy would not have been a tragedy.

If this is the most convincing analysis of the problem of dirty hands more generally, then the idea of the moral universe as a coherent whole, on which the moral dilemmas approach rests, becomes untenable. The idea of the dilemma itself, as an isolated moral difficulty that can only be resolved by giving priority to one of its horns, only repeat the question: do we choose Creon or Antigone? If the tragic condition obtains, then it is precisely this representation of the situation, namely as a stark choice between mutually exclusive alternatives, that deepens the problem. I will consider the reasons for casting the problem of dirty hands in this new light, and the possibilities that are opened up by it, in the next chapter. But even if this alternative account is convincing, a nagging question remains: how can we insist on the distinction between morality and politics, even as we react to the problem of dirty hands?

1.4: Solving the problem by abolishing it

To insist on the distinction between morality and politics is to abolish the problem of dirty hands; to claim that it can, on the last analysis, be resolved. There are three possible routes of abolishment. The first is to give absolute pride of place to politics; the second is to give absolute pride of place to morality; the third and last route is to insist that politics and morality are unproblematically continuous, so that no genuine problem ever arises. Notice that both the moral dilemma approach and my own approach reject the last option. Walzer has argued convincingly against the position it represents – the existence of a

²⁴ Hegel 1986a, 549: “die streitenden Individuen [treten], ihrem konkreten Dasein nach, an sich selbst jedes als Totalität [auf].”

²⁵ De Mul 2014, xiii

genuine moral dilemma in the sphere of politics already precludes that ‘absolutist’ versions of morality could deliver the final answer²⁶. I am convinced by his argument and will not repeat it here.

That means that only the first two options will have to be discussed. What does it mean to give ‘pride of place’ to either politics or morality? In the way that I will use the expression, it means that a certain class of judgments can be seen as derivative with respect to another. The argument has been made in both directions. For Thomas Hobbes, morality is derivative because politics is invoked as an explanatory category that in fact includes morality itself. Immanuel Kant is, in this respect as in many others, his opposite.

1.4.1 Hobbes on the ubiquity of politics

Thomas Hobbes lived in a time of great political uncertainty. For much of his life, he was involved with the noble Cavendish family. This brought him into circles that were involved with, and sometimes in a position to exert influence over, the English royalty. Though Hobbes himself was no political force, he was acquainted with some that were, which meant that he was politically vulnerable. During the English Civil Wars, Hobbes lived in France, in part out of considerations of personal safety. Because of these biographical factors, it does not come as a surprise that Hobbes was influenced by his dangerous life circumstances, or indeed that his writings bear the mark of the situation in which he found himself. It may be concluded that Hobbes occupied such an authoritarian position that his intellectual life should be described as a flight from the political danger of anarchy into the opposite extreme. This is the position of those who emphasize the ‘Orwellian’ aspect of Hobbes’ political thought.

Critics of Hobbes often point out that he was overly impressed with the particular features of his time, and that this led him to make them absolute in the form of a bellicose anthropology. This draws our attention to the theoretical work that is done by the *separation* between Hobbes’ two central political concepts: the state of nature and the commonwealth. The only reason why a strong state is required, the criticism would state, is that Hobbes sees the nature of human beings, left to their own devices, as so pernicious that everything is to be preferred to a free society in which each man is his own sovereign. This is literally true in the state of nature: there is no higher law to bind the individual will and there are no standards of justice by which it can be judged²⁷. Combined

²⁶ Frissen (2013) advances a related attempt, intended to shape society in response to the tragic condition, so as to minimize its effects. For the purposes of this thesis, I will assume that the tragic condition continues to obtain. See the second chapter for a brief description of extrication as a part of everyday life.

²⁷ Hobbes 1994b, I:XIII [12], 78

with the fact that men compete for the same resources and the general fact of equality, this leaves the state of nature with the constant threat of warfare²⁸. In response to this threat, the inhabitants of the ‘state of nature’ engage in a transferral of rights in the form of a covenant.

Hobbes presents us with a choice between complete anarchy on the one hand, and the absolute rule of undivided sovereignty on the other. The fact that Hobbes formulates his political philosophy so as to avoid the former and establish the latter stresses what was already clear from his absolute distinction between the creation of natural things by God and the creation of artificial man by the covenant: the realm of the natural should not only be distinguished from the realm of the political, but the two realms are, in fact, opposed to one another.

A similar analysis is applied to morality. Of course, Hobbes does not deny that morality exists; but he does analyse it in a way that makes us doubt the profundity usually ascribed to moral judgments. In the state of nature, morality is as free as the denizens of the state of nature themselves: there is no law to bind either. Morality can be invoked for any purpose, because it does not mean anything in itself. It is merely a device for placing what we like in a good light, and displaying what we dislike in a negative way. The foundation of a political order hinges on a mutual agreement on the part of a multitude to transfer their natural rights onto another party – this includes giving up the right to establish their own morality. The entity that is created by the social contract is simultaneously the new bearer of those rights. In other words, with respect to morality in the commonwealth, the sovereign is the author of moral law. The only universal duty on the part of ‘natural persons’ that cannot be derived from the sovereign’s command is the result of the office of sovereignty itself. For when the sovereign was created, the transfer of rights itself acquired a moral significance. That is to say that each subject acquires a new and practically unlimited duty to obey the commands of the sovereign, even if they appear contrary to the reasons for which he was created in the first place.

But there is a complication. Hobbes requires of all laws that they can be enforced; otherwise they are “but words and breath”²⁹. Another crucial distinction within Hobbes’ political philosophy becomes important here. According to Hobbes, the law of nature as well as the law of the state can only apply *in foro externo*, and never *in foro interno*³⁰. Modern authors sometimes praise this as an element of ‘freedom of conscience’, even amidst conditions that would otherwise point to total oppression. Hobbes’ own motivations seem to be more pragmatic: a law that applies to the inner workings of the mind cannot be

²⁸ *ibid*, I:XIII [1], 74; I:XIII [8], 76

²⁹ Hobbes 1994b, II:XVIII [4], 112

³⁰ Hobbes 1994b, I:XV[36], 99

enforced. But processes of moral deliberation, though impossible to be checked by law, do play a role in our moral lives. Thus, if every inhabitant of the commonwealth enjoys freedom of conscience, how is the stability of the state guaranteed? Again, by following the orders of the sovereign: by recognising that individual political will is only important insofar as it is an element in the political will of the sovereign. But there is a possibility for conflict even here, it would seem. If the inhabitant of the commonwealth is politically obliged to act in a way that runs counter to his conscience, what is the proper response? How can the moral and political dimensions of political life be reconciled with one another?

Arguably, of Hobbes' many projects in the *Leviathan*, this is one of the most important³¹. In response to the puzzle of conscience, Hobbes suggests that we see the execution of a sovereign order not as the action of an individual, but as the action of the sovereign. The sovereign acts through his subjects, as it were; and the subjects perform the action of the sovereign. This is another aspect of the moral significance of the transfer of rights: we have authorized the sovereign's representation of ourselves, and in that way we become strongly morally responsible for the actions he performs. The problem thus goes beyond the chain-of-command dimension that Hobbes envisages when he ponders the problem "how obedience can safely be offered if an order is given to do something which CHRIST forbids": in actual fact, the conflict is not one between the individual's conscience and external commands, but between the former and any aspect of political representation³². Hobbes then sees it as his task to "take away this scruple of conscience" from the Christian subjects of the sovereign³³.

He does this mainly by drawing a distinction between private conscience and the "public Conscience"³⁴. Part of the reason for establishing the sovereign was so that individual rights could be ceded to him. The natural, 'original' kind of equality posed a deep problem that could only be resolved by creating a new, politically impotent kind of equality under the supreme potency of the one sovereign. If we realize that this captures the essence of a commonwealth, then judging according to our private perceptions and intuitions when sovereign orders run counter to them is not merely unproductive, but literally unreasonable. For the "laws of nature", which are comprised of the dictates of reason available to each individual, can be summarised in a single formula:

³¹ See Parrish 2007, 162.

³² Cited by Parrish 2007, 163-164. See also Archard 2013 on the complicating factor of authorisation in the context of dirty hands.

³³ Hobbes 1994a, XXV, 42

³⁴ Hobbes 1994b, I:XXIX [7], 212

ensure that there is peace³⁵. And only the sovereign can guarantee this peace, as Hobbes sees it, because of the supreme authority that was entrusted to him. It follows that any deviation from his command is an act of war.

Summarizing these features of Hobbes' political philosophy, I would argue that his political philosophy and his philosophical anthropology are even more interconnected than is commonly supposed. Not only is his negative take on human nature a sufficient condition for authoritative government; he shows how sustainable human self-interest itself implies a political structure. Even more strongly put, there is no desire, project or action that can be rationally put into action in the absence of politics. This explains why the transfer of rights, embodied in the social contract, is so morally significant, and shows us the folly of relying on individual conscience. Hobbes has no patience for Antigone.

Because of these features of Hobbes' political philosophy, it is impossible for the problem of dirty hands to arise within its theoretical framework. The problem and its solution are already incorporated into the political categories Hobbes invents: most notably, authorisation (by way of the social contract), itself made possible by the 'office' as a distinct person. These institutions and the powers backing them up automatically trump all moral complaints, because they are the only guarantee of peace.

1.4.2 Kant on the practical perspective: a confrontation

On the other side of the spectrum, Immanuel Kant offers his own interpretation of the supposed tension between morality and politics. The tension, he argues, is illusory: morality should guide political action as much as any other action. This does not imply that politicians have the obligation to be toothless: politicians are allowed to be "cunning as the snakes", only without "foul play, as with the pigeons"³⁶. This is elaborated in the context of his writings on perpetual peace, which Kant takes to be the ultimate political goal.

Kant considers the possibility of a conflict between morality and politics in the context of the philosophical design of this 'project of peace'. Several objections are to be expected: human beings will never be able to *will* in such a way so as to bring about perpetual peace; their governments, once they are in the possession of power and violent means of protecting their position, will never opt for peace; et cetera. These positions belong to the politician Kant disparagingly calls the 'practical man' or the 'political moralist'. Such politicians are only concerned with solving the *Staatsklugheitsproblem* [the problem of prudential statesmanship]. That is to say, they are involved with a "*Kunstproblem (problema technicum)*" [a technical problem], which requires

³⁵ *ibid*, I:XIV [4], 80

³⁶ Kant 2010, 36

mostly knowledge of causal mechanisms and the means of their manipulation³⁷. Every work in the Kantian *corpus* starts with a summary dismissal of such empirical factors, at least for the purposes of morality. The theoretical gaze of the scientist should not be confused with ‘the practical point of view’. Kant clearly states his position in the following passage, which in a way sums up his entire philosophical system:

If it were possible for us to have so deep an insight into a man’s character as shown both in inner and outer actions, that every, even the least, incentive to those actions and all external occasions which affect them were so known to us that his future conduct could be predicted with as great a certainty as the occurrence of a solar or a lunar eclipse, we would nevertheless still assert that the man is free (Kant 2012, 225)³⁸.

Let us briefly refer back to Hobbes’ political philosophy as seen through this Kantian overlay. Hobbes understood well that if one is committed to the thesis that morality is ‘just a theory’, it follows that the real political problem at hand is profoundly amoral. The Hobbesian state does not describe the content of morality, but the conditions of possibility for morality, whatever content will please the sovereign (for these conditions are political in nature). Hobbes describes the way in which man’s natural condition implodes onto itself, but this is not a moral statement: it can better be described as ‘logical’, in the sense that it points out the contradictory nature of desiring something without having secured the proper political conditions. While it is true that Hobbes calls the laws of nature “the true moral Philosophy”, he goes on to add:

These dictates of reason men use to call by the name of laws, but improperly; for they are but conclusions or theorems concerning what conduceth to the conservation and defence of themselves, whereas law, properly, is the word of him that by right hath command over others. But yet *if* we consider the same theorems, as delivered in the word of God, that by right commandeth all things, then they are properly called laws (Hobbes 1994b, I:XV [41], 100, emphasis added).

³⁷ *ibid*, 44

³⁸ “Man kann also einräumen, wenn es für uns möglich wäre, in eines Menschen Denkungsart, so wie sie sich durch innere sowohl als äußere Handlungen zeigt, so tiefe Einsicht zu haben, daß jede, auch die mindeste Triebfeder dazu uns bekannt würde, imgleichen alle auf diese wirkende äußere Veranlassungen, man eines Menschen Verhalten auf die Zukunft mit Gewißheit, sowie eine Mond- oder Sonnenfinsternis, ausrechnen könnte, und dennoch dabei behaupten, daß der Mensch frei sei.”

Hobbes seems to be undecided here: though he certainly calls the laws of nature by that name, thus describing them as laws in the sense outlined above, he simultaneously calls such a description ‘improper’. The final qualification is then a conditional, which is not altogether convincing in a work of political philosophy that seems to be very ambiguous at most towards the role of the divine in politics. I will lay this exegetical matter aside and focus on the political function of the laws: they function as a set of rules intended to bring about political conditions of security and peace. The task of securing exactly the relevant political conditions is the sovereign’s *raison d’être*: it is by his establishment that they are, in fact, secured. Hobbes shows us how exactly politics works, by first considering its raw materials (the conditions inherited from the state of nature and its denizens) and then showing how these can be altered so as to allow for peaceful coexistence: namely, as ever so many cogs in the political machine.

Kant would insist that Hobbesian political technology goes wrong at its first premise. The problem of prudential statesmanship sees itself as offering the answers to all politically relevant problems, but in so doing denies the validity of the practical point of view. The universal claim of *politische Klugheit* is unmasked as a merely theoretical way of perceiving the problem, and replaced by the practical aim of *Staatsweisheit*³⁹. For Kant, the theme of perpetual peace itself assumes the shape of a moral project: as a principle of right, the categorical imperative bears an unconditional necessity that is not dependent on any further goal⁴⁰. Kant therefore embraces *fiat iustitia, pereat mundus* [let there be justice, even if the world perishes] as a sentence that is true to the nature of our moral obligation⁴¹. For Kant, then, the problem of dirty hands does not arise either. In his case, it is because he has no respect for the statesmanship of Creon.

Hobbes and Kant hold opposing views, that much is clear by now. The reasons for this conflict are instructive. Hobbes’ entire approach is premised on the idea that the universal appeal of morality is an illusion. ‘The moral law within us’, as Kant puts it, is at best a supporting column of political power, when private conscience agrees with the ‘public Conscience’. But at worst, it is an obstacle that needs to be overcome. Morality can only be instrumentally important, a tool to be used when securing appropriate political conditions. In the meanwhile, Kant’s entire approach is premised on the idea that the universal appeal of political technology is an illusion. ‘Sovereignty’, in Hobbes’ sense, does not conclude the tale of politics. Politicians can be cunning as the snakes, but this cunningness is itself at best a stepping-stone on the way towards a truly

³⁹ *ibid*, 45

⁴⁰ *ibid*, 44-45

⁴¹ *ibid*, 46

moral politics. But as soon as political action violates morality, it cannot be justified, whatever the ends it seeks to further.

This is the Either/Or of morality and politics. Taken together, Hobbes and Kant capture the twin possibilities of allowing either morality or politics to ‘appear as a totality’. These are still the parameters within which we usually situate the problem of dirty hands. If we respond to it via the moral dilemma approach, we essentially set ourselves the task of deciding whether, for the particular case we are describing, Hobbes should be favoured over Kant or *vice versa*; or, more generally, the perspective of political sovereignty trumps that of the moral philosopher or *vice versa*. Yet this also shows the partial nature of these binary options. Insofar as we opt for Hobbes and his political outlook, we ‘unmask’ Kant as one who is under the spell of an illusion. Insofar as we opt for Kant and his moral outlook, we ‘unmask’ Hobbes as one who ignores the real problem. When discussing the Antigone, we saw why such dichotomies are potentially problematic in the context of the problem of dirty hands. Choosing between Antigone and Creon does not solve anything. In the second chapter, I examine this feature of the problem in more detail. I argue that we lose something else as a result of the Either/Or: the insight that politics can be relevant to morality and *vice versa*. They are not merely disjuncts; I want to investigate what they have to offer as conjuncts.

Chapter 2: Pollutions of the distinction

The way has been prepared for us to see whether there is an ‘ecological disaster’, threatening enough to pollute the distinction between politics and morality. This is not a feature of political practice as such, however. Walzer offers a definition of political action that prefigures the tension embodied by the problem of dirty hands, construed as a moral dilemma. According to Walzer, the politician is different to others in three ways⁴². Though Walzer does not draw the conclusion himself, the aspects of political life he mentions all concern the ‘double role’ of the politician as a private citizen and a public official. First, the politician functions in a way that is not only representative of himself, but also of others (because of the authorisation relation we discussed earlier). At the same time, while as a politician he is thought to embody not his private preferences but those of the electorate he represents, he can always come under the suspicion of reading the former into ‘the will of the people’. Second, while the politician is formally among the subjects of his own nation, he relates to the government’s rule in a different way: he actively takes shape in the rules and regulations. In the same manner, it can be questioned whether it is meaningful to see the politician ‘as his own subject’, because to some extent he will be able to bend the rules to suit his own interests. Third, violence or the threat of violence plays a role in politics. The prevention of wanton violence is, as Hobbes teaches us, one of the reasons why political stability is so important. But this monopolisation of violence also entails the risk of laying all weapons at the feet of political leaders. Once again, the politician has been entrusted with these means so that he can secure the greater good through the necessary evil of violence if such an occasion arises, but this equally invites abuse of these same means for his personal goals.

Because Walzer sets the political scene in this way, we are already moved to think about the problem of dirty hands in terms of a moral dilemma: privately held morality (the politician *qua* subject) versus public responsibility (the politician *qua* politician). This is in itself not a sufficient reason to reject this portrayal of politics as a preamble to the problem of dirty hands, but there is another complaint we may have. Why is it that politicians have to negotiate between their different ‘roles’ – setting aside for the moment the question whether or not these roles can be entirely separated? In other words, what is it about politics that makes Walzer’s somewhat speculative proposal generally plausible?

⁴² The three ‘special features’ of political life are discussed in Walzer (1973), 163-164 and 174. I refer to those pages in this paragraph and add my own interpretation in terms of the politician’s ‘double role’.

2.1: Extrication and the power of the antecedent

An answer to this question calls for an analysis of this particular problem facing the political in terms of ‘moral situations’. What are the fundamental conditions that have to be in place for a problem of dirty hands in the true sense to arise, so that it is right to do what is wrong? C.A.J. Coady has developed a gradual account comprising three such situations: compromise, extrication and moral isolation⁴³. In what follows, I want to approach the problem from the angle of extrication. That examination will have to show whether the moral dilemmas approach to dirty hands can suffice as a description, or whether the tragic condition, as outlined with the help of the *Antigone*, brings out what is truly at stake. There is a hint of irony to this approach. A set of cases, presented under the header of ‘extrication’, will have to show whether the interest of the problem of dirty hands is restricted to a small set of cases. I argue that this is not so. The application of what we have seen so far in terms of extrication brings out the problem’s potential as a challenge to the nature of morality and politics more generally. I aim to develop an account that shows that further distinctions are not the answer; that the problem of dirty hands is the ‘ecological disaster’ that pollutes the distinction between politics and morality.

What is extrication? The term refers to a movement by way of which one ‘extracts’ oneself out of some initial situation. Extrication as a ‘moral situation’ thus does not involve some state of affairs at rest, that can be manipulated in a variety of ways. Extrication is in motion; it is the morality of transition. A set of ‘dirty hands’ cases leap readily to mind. They start out by a situation of inheritance. It often happens that politicians enter the arena with a severely limited range of possible responses, where these limits are not due to faults of their own, but the result of the actions of others. It may then be necessary, in some sense of that word, to engage in immorality ‘for the time being’.

It may also happen that a politician has himself embarked on a certain course, but now repents and views it as immoral, or that he has identified in the past with those who initiated some evil⁴⁴. Whether or not the original evil was his doing does not change the parameters of the moral situation itself. What is essential is that the ‘dirty’ aspect of the scenario has accumulated in the past and is now transferred onto the politician, who views it as his moral obligation to change the situation for the better, but finds his ability to actually bring about said change to be severely limited as a result of an aspect of the situation itself.

This mode of analysis is more suitable for the problem of dirty hands than Walzer’s account, if only because it presupposes less. Extrication need not be a moral dilemma. What is really at stake is a situation which is in motion rather

⁴³ Coady 1990, 268

⁴⁴ Coady 1990, 271 also describes these two features of extrication.

than at rest: there are no black-and-white answers as a result of an antecedent moral wrong that makes itself felt in the present. In this manner, the politician's hands are 'objectively made dirty'. As a moral situation, extrication occurs outside of politics as well. The clash at its centre is a recurring feature of any domain of life that involves the necessity to distance oneself from prior conditions.

When seen in this light, it seems that the moral situation I have here called 'extrication' is only a particular form of something with a much wider scope. It reflects any situation that involves, generally speaking, both an element of growth and an element of rootedness. Roots will hinder the development of a tree, but also enable it to grow beyond them. In our case, the apt metaphor is not the metaphysical tree of Descartes, but the growth of human life itself. It is part of the *conditio humana* to grow and develop: and this presupposes both a starting-point and the subsequent 'going beyond'. Of course, it is impossible to outgrow one's roots entirely, as the process of growth itself is conditioned by the historical route one travels. If we go back in time far enough, we can see that every step along the path depends, in the final instance, on what was there before the first step.

Applied to human life, this is nothing other than the feature of finitude that has greatly impressed many philosophers. But it should be stressed once more that this finitude is not only a constraint, but also a condition of possibility for life itself. Martin Heidegger captured this double feature by means of the concept *geworfener Entwurf* [thrown projection]⁴⁵. On the one hand, man is 'thrown into' the world, which is to say that his way of being in the world is always partially inscrutable and predetermined. More simply put, not everything in life is a matter of choice. I was literally born into a particular family, and the social conventions that I adhere to were not my own creation. In a sense, they are arbitrary. But once the *décor* has been set, I can play my own part. Heidegger would urge us to see that the *décor* is still present in every subsequent play.

This, too, captures a feature of the tragic condition. Antigone and Creon could perhaps have acted otherwise, but their behaviour is only intelligible against a backdrop of antecedent conditions. Creon has inherited a city in ruin and needs to be a tough politician; Antigone was a sister to both Eteocles and Polyneices and thus cannot choose between them. In the tragic poets after Sophocles, we see the power of the antecedent take on a different shape: in Euripides' *Medea*, we witness the protagonist's struggle against her own *daimon*. Overtaken by the jealousy she feels towards her husband, who left her for another, she finally succumbs to her inner need to kill his – her own –

⁴⁵ Heidegger 2006, 285

children. In a way, she feels possessed by something that ‘acts through her’. By finally affirming this *daimon* as her own, she acknowledges responsibility for her act⁴⁶.

Medea, too, can only be understood if we know her back-story. But in her case, mere outward circumstances will not suffice to explain her ultimate course of action. The antecedent has made an inward turn by taking the shape of her jealousy, her *daimon*⁴⁷. This shows, as was already implicit in our discussion of Heidegger, that the power of the antecedent is not limited to what is ‘other’: even, and perhaps especially, our own being-in-the-world is partially inscrutable to us, an arbitrary givenness rather than a matter of choice.

This shows how fundamental the characteristics of extrication really are. As part of the *conditio humana*, its double nature offers us insight into what is ‘human, all too human’, with the inclusion of politics. The problem of dirty hands now appears as a configuration of this more fundamental feature of human life, that is perhaps especially interesting because it strikes so close to home. Extrication as a moral situation is familiar to all of us. It is no wonder, then, that it appears in politics as well. Arguably, the centrality of compromise in politics explains why the problem of dirty hands is at its most pernicious in politics⁴⁸. It may be said that compromise is central to all features of life. Either way, it has now been shown that extrication is not a freak accident of a particular form of political action, but instead a readily recognizable and urgent feature of human life in general, and certainly of politics. With this account in hand, we are ready to consider another model case.

2.2: Escaping from the bomb when the Wall still stood

Even as the Cold War drew to a close, the threat of mutually assured destruction was very much in the air. To an extent, this is true even today, given the fact that the ‘Nuclear Club’ still has members, some of which potentially pose a threat to any kind of lasting peace. Today the United States of America, Russia, the United Kingdom, France, China, India, Pakistan, North Korea and Israel are known to be in the possession of nuclear weapons. The important difference between 1989 and today is that the world was very much in the grip of explicitly and intensely antagonistic relations between the world’s superpowers – at the time, the USA and the USSR.

There was much discussion on both the level of the general public and in academia as to what the response to the perceived threat should be. To an extent, this varied with the way the threat itself was analysed. The idea that winning the

⁴⁶ Euripides 2008, [1264-1271], 52; see also De Mul 2014, 143-165.

⁴⁷ For a discussion of tragedy’s inward turn, see De Mul 2014, 45-46.

⁴⁸ Coady 1990, 271

arms race was the only feasible course of action was, and remains, deeply ingrained. I will follow Coady in his particular approach to the ensuing problem and then argue for his application of the morality of extrication in this context⁴⁹.

If our model case is to fall into the normative framework of dirty hands, it has to be true that a continued policy of nuclear deterrence constitutes an immorality. Coady does advance such an argument, to the effect that both the consequentialist justification for nuclear deterrence and the effects on agents and their character is morally pernicious. I will simply assume for the sake of the argument that nuclear deterrence is immoral. The interesting part of this case, after all, is what to do in a situation where nuclear deterrence is already practiced on a large scale, so that an unqualified withdrawal from that practice will surely appear as political suicide. We can here cite Paskins' example of an immoral affair between two people, one of whom has become "suicidally dependent" on it⁵⁰. It seems plausible to argue that immediate cessation is not the best response to that situation. But to simply persist in the affair would be to continue the immorality. What makes this case both morally salient and especially difficult is that the person faced with a decision is partially responsible for the immorality of the situation: we may say that he is essentially involved with it, so that whether he continues the affair or abandons his partner in adultery, he bears some responsibility for what follows. If halting the affair at once is not to be preferred, then he is still forced to act immorally. The caveat is that this immorality is at least in principle only temporal, since it is still aimed at resolving the situation by ending the affair.

Extrication (...) may involve some persistence in evil, but not only is this temporary, it is governed by the understanding of immorality and the orientation *away* from it. The agent's orientation to the evil he does is thus different from that of someone who chooses evil (reluctantly, perhaps) as an enduring means towards some good (Coady 1989, 206).

If we return to the case of nuclear deterrence, we can see all too readily how Paskins' case applies. In the Cold War, the USA and the USSR were both 'suicidally dependent' on continuing their strange affair: destroying all nuclear weapons was, in 1989, simply a morally irresponsible course of action for those in charge to embark on, because of the threat that 'the other side' would launch into mutually assured destruction: effectively, suicide. However, continuing the affair would constitute a serious immorality, according to the present argument. What to do?

⁴⁹ Coady 1989

⁵⁰ Paskins 1982, also cited by Coady 1989 and Coady 1990.

Before considering Coady's answer, I want to point out that the moral dilemma approach cannot hope to resolve this situation, precisely for the reasons mentioned earlier. It reduces any moral situation to a 'quandarist' decision of immediate import. But the question of nuclear deterrence is not one to be faced exclusively by either morality or politics. Electing the undiluted moral horn of the dilemma would be an irresponsible choice, because it exposes a party for whom one bears responsibility to great risk and is not a politically stable response (as Hobbes would point out); electing the undiluted political horn of the dilemma would entail persisting in a serious immorality and thereby neglecting an important part of the situation (as Kant would insist).

What arises in response to the mixture of morality and politics is a proposal that seems both oddly applicable and unbearably strange. As philosophers, we are not used to see compromise play an essential part of theory itself: it is usually only an external constraint upon the arguments we deduce. Yet here, both morality and politics seemingly have to settle for a compromise. Coady, not swayed by considerations of the usual goings-on of philosophy, advocates the use of what Harold A. Feiveson calls 'finite deterrence', "even though it still preserves the immoral threat against cities"⁵¹. The point is that the destructive capacity entailed by nuclear deterrence has to be retained at least in part, but that retaining it fully does not do justice to the moral gravity of the situation. The conclusion Feiveson himself draws is very much in accordance with the theme of extrication. Witness the following:

Eventually, we should want to move away from the balance of terror. In the meantime, however, as long as the United States and the Soviet Union remain determined to hold each other hostage, finite deterrence is the best concept for nuclear forces that can be obtained (Feiveson 1989, 289).

The idea is that much of the current nuclear force is justified on the basis of "counterforce targets" and "target coverage requirements"⁵². These concepts involve the position that in order for the national interest to be safe, the range of nuclear weapons needs to be able to attack every valuable enemy target. This includes both national interest in a thin sense (the USA itself, for example) and national interest in a wider sense, which would include the capability to retaliate in the name of strategic partners (NATO) with respect to a large variety of targets. Feiveson argues that finite deterrence would still make the superpowers each other's mutual hostages, in the sense that both would be sufficiently deterred if his proposed changes were to be implemented⁵³.

⁵¹ Coady 1989, 214

⁵² Feiveson 1989, 273

⁵³ *ibid*, 276-289

But what moral difference does it make whether this proposal replaces the actual situation of 1989, where both superpowers were able to destroy each other many times over? Referring back to Coady, we may say that de-escalation is a valuable first step towards further developments. But proposals of this kind are dangerous, especially if they are political in nature. Coady himself insists that “we must [not] continually be on the lookout for an opportunity to temporise with evil”, and that “[c]lean breaks are often the best thing to advise and the best decision to make⁵⁴”. As with the moral dilemmas we considered earlier, the specifics of the case will often decide whether or not extrication is a tactic of complicity or a means to genuine moral improvement. I will return to this question later, in the context of Soviet Marxism. For now, it seems at least plausible that extrication is sometimes the optimal strategy.

The aim of this discussion has been to show that for some concrete scenarios, the moral dilemmas approach fails. Given that the power of the antecedent is such a fundamental feature of human existence, and perhaps especially of politics, the moral situation of extrication is an important aspect of political action. In such situations, the problem of dirty hands makes itself felt: not as a necessary component of political life as such, but as a result of the tension embodied by extrication itself.

As we have seen, it seems foolish to respond to the nuclear deterrence case by holding fast to either politics or morality. But although we are now familiar with Coady’s solution to that particular case, it seems that we are not able to accommodate it conceptually. For, if the nuclear deterrence case shows us that politics and morality should not be construed as ‘separate totalities’, what is to be done? Ostensibly, it has to be shown how politics can contribute to morality and *vice versa*. That will be the goal of the next sections.

2.3: Morality’s bearing on politics

In the first sentences of her reply to Coady’s article on the conceptual reorientation of dirty hands, Onora O’Neill (1990) sounds a celebratory note. The period between the two articles had seen the fall of the Berlin Wall: the moment that has come to be identified as the end of the Cold War. Of particular interest is a statement she makes in an attempt to pry apart, following Coady, the all-too-neutral presuppositions that have accompanied most discussions of the problem.

I believe we now need to reconsider not just the presumed immutability but specifically the moral imperviousness of polarised configurations of state power and individual powerlessness (O’Neill 1990, 286).

⁵⁴ Coady 1989, 209

To O'Neill's mind, the end of the Cold War and the philosophers' inability to forge a stable connection between morality and politics can and should be brought into contact. The success of Eastern-European dissidents shows that morality can contribute to politics. The thought of Vaclav Havel, in particular his well-known 1978 essay 'The Power of the Powerless', is used as a bridge between Eastern-European political philosophy, which as a result of the extremity of local politics was better able to incorporate morality, and 'Western-European' political philosophy. It is hard to deny that there is something to her claim. During Havel's time as a dissident, Czechoslovakia was a bureaucratic kind of dictatorship that systematically worked to make any kind of political action impossible – and it was seemingly successful. Given that political change was indeed impossible, and that moral change would never change anything, the system would go on forever, self-perpetuating and undisturbed. Yet the unthinkable happened. Let us consult Havel himself in an attempt to uncover how this was possible.

We have to start by referring to the conditions of possibility for the 'new' dictatorial system that was found in Eastern Europe – something that Havel only considers at the very end of his essay. The world we live in and our very political thought, muses Havel, has been under the sway of metaphysics, science and technology⁵⁵. In an epochal analysis that explicitly recalls Heidegger, Havel indicates that the post-totalitarian system, as he calls it, is the ultimate fulfilment of this kind of politics. What, then, is distinctive of the post-totalitarian system, and what is the nature of Havel's solution?

As Havel shows, the central element of post-totalitarianism is its *Aufhebung* of the opposition between dictator and subjects. Power is concentrated: not in the hands of some single person, but in the structures that reinforce themselves, the networks of supervision that govern and the extremely flexible ideology that underlies it. Development from classical dictatorship to its post-totalitarian offspring is necessary once the need for an excuse becomes great enough, as a simultaneously indirect and all-embracing justification⁵⁶. Ideology, in this sense, is not only a bridge between the system and the individual, but also between the system and the individual as a component of the system.

That is, if ideology originally facilitated (by acting outwardly) the constitution of power by serving as a psychological excuse, then from the moment that excuse is accepted, it constitutes power inwardly, becoming an active component of that power (Havel 1985, 31).

⁵⁵ Havel 1985, 89

⁵⁶ *ibid*, 28-29

As a result, the line that once ran through the society as such, separating the segment of the powerful from the segment of the oppressed, now runs through each individual⁵⁷. Each functions both as a victim and as a pillar of the post-totalitarian system. In order for this to work, civil society as a whole has to be made identical to the life of the state. Havel posits that the ideological justification is necessarily a falsification of reality; that it is readily recognizable as ‘living within a lie’ and in denial of the ‘real aims of life’⁵⁸. This is why the ideological excuse is needed in the first place. Because of the combination of these factors, comparably little is needed to break the spell. Any refusal to accept the ideology’s representation of reality (the “veil behind which human beings can hide their own fallen state, their trivialisation, and their adaptation to the *status quo*”⁵⁹) is a form of resistance.

The classical dictatorship has displaced itself from its clearly delineated locus of power and the external forces it employed. Because it now wages war on other fronts, namely within each individual, that is where the response should be sought. But what can we really expect? Any political attempt at interference will run into the walls the system has erected within each individual, and which each individual has come to see as an important part of his existence. That is exactly why these walls first have to be broken down by way of the re-doubling of society. The introduction of parallel structures, movements and institutions in response to authentic needs offers an experience that cannot be obtained within the forced unity of the existing system: that of living within the truth.

There is a remarkable similarity between Havel and other theorists writing in the same period. *The Power of the Powerless* was written in 1978: in 1983, Michel Foucault and Peter Sloterdijk published their respective works on the ‘kynic’ moment in Ancient Greek philosophy, in both cases accompanied by the plea to reintroduce the kynic way of living in a world that they see to be beset by problematic relationships with regard to the truth. Like Sloterdijk, Havel speaks of the mediating effect of ideology in terms of ‘schizophrenia’⁶⁰. And like Foucault, Havel emphasizes the direct seizure of truth against the powerful as the method to go beyond this troubled *modus vivendi*⁶¹.

⁵⁷ *ibid*, 28

⁵⁸ See, for instance *ibid* 46-47.

⁵⁹ *ibid*, 29

⁶⁰ *ibid*, 80; see also Sloterdijk 1983.

⁶¹ Havel 1985, 47; see also Foucault 2001.

This ‘kynic’ dimension of living within the truth is emphasized by a mode of resistance that Havel does not yet refer to. In Slovenia, art collectives like *Neue Slovenische Kunst* engaged in what Slavoj Žižek calls “over-identification”⁶². An example is *Novi Kolektivizem*’s entry to the 1986-1987 ‘Youth Day’ contest in honour of Tito’s birthday. Their poster showed a Yugoslav boy, endowed with all the correct nationalist insignias, marching into a glorious future. It was duly declared the winner, after which it was revealed that the poster was an almost exact copy of a Nazi propaganda poster. The ensuing crisis contributed to Slovenia’s separation from the Yugoslav republic in 1991⁶³. This kind of ‘subversive affirmation’ gives a new dimension to the dissident’s arsenal.

Havel theorises that an independent life of society, a ‘parallel polis’, will develop out of living within the truth, and that this is necessarily a form of dissent, broadly understood⁶⁴. Out of this, actual dissent can grow, and finally, resistance. Havel’s final thesis is that political resistance grows out of the moral decision to live within the truth, because living within a lie simply requires too much deceit. This exposes a flaw within Hobbesian political philosophy that had already been noted by Carl Schmitt. Recall the distinction between commands that oblige *in foro externo* alone and those that also oblige *in foro interno*. According to Schmitt, the idea that “the state’s power [...] only determines the external cult” left an inroad for Jewish thought – which he sees epitomized in Spinoza – to take Hobbes out of context. It was Hobbes’ fatal flaw. Whereas Hobbes formulated his proviso with respect to freedom of conscience to remain in tune with the beliefs of his countrymen, Spinoza took it as a principle to be used for offensive purposes by reducing the state itself to an outward cult⁶⁵. This brings about a decisive reversal in the fate of the Leviathan, says Schmitt in a passage worth quoting:

But when public power only wants to be public, when state and confession drive inner belief into the private domain, then the soul of a people betakes itself on the ‘secret road’ that leads inward. Then grows the counterforce of silence and stillness (...) Public power and force may be ever so completely and emphatically recognized and ever so loyally respected, but only as a public and only an external power, it is hollow and already dead from within (Schmitt 1996, 61).

⁶² Žižek 1993, 49; in similar vein, Judith Butler discusses a “parodic inhabiting of conformity” that functions as a “repetition of the law into hyperbole” (Butler 2011, 82).

⁶³ De Mul 2003

⁶⁴ Havel 1985, 65

⁶⁵ Schmitt 1996, 57-58

The artificial man, that great Leviathan, cannot do without the lifeblood of the people⁶⁶. Their inner lives are not inert with respect to politics, but are fronts of mobilisation. If they grow strong enough, the yoke of even post-totalitarian politics can be shaken off.

2.4: Putting the dissident spectre back in the bottle

In a strange turn of events, Vaclav Havel has proven Schmitt right: Hobbesian political philosophy is overly one-sided. Hobbes refuses to take into account the inner life of individuals within society, which takes place precisely *in foro interno*. An old joke asks how many dissidents it takes to screw in a light bulb. The answer is: none, dissidents cannot change anything. We now know better.

But this is not a result that is sufficient to provoke elation, as O'Neill understandably thought in the direct aftermath of the fall of the Berlin Wall. The mechanism first uncovered by Schmitt and fleshed out by Havel is potentially very dangerous. As Schmitt says: "At precisely the moment when the distinction between inner and outer is recognized, the superiority of the inner over the outer and thereby that of the private over the public is resolved"⁶⁷. To put it differently, we seem to have tamed Creon only at the cost of releasing a now unfettered Antigone onto the world: a world where the stirrings of one's conscience now take priority over the rule of law. If we remind ourselves that Antigone shares much of the characteristics of a religious fundamentalist, it should be amply clear that this is not a development to be applauded. Havel likens the dissent of his time to a spectre that is haunting Europe⁶⁸. Suddenly, this seemingly courageous posture has acquired the *air* of a threat to uproot society itself.

The first threat is the utopian energy it releases. When we phrase the problem of post-totalitarianism in terms of the 'real aims of life', this seems to harbour the promise of an alternative political form that is justified in that same way. But Havel beats us to the punch here. It is important, he argues, that dissidence retains its *ad hoc* character: to theorize abstractly is to "return to the spirit and methods of traditional politics"⁶⁹. In other words, it is important that the spirit of criticism that characterizes the dissident movement as Havel sees it is not lost in the ensuing political change. This is a natural and philosophically coherent way of framing the solution. After all, few things are more threatening than the idea of a fully realized utopia. Declaring that the utopia has been reached is an extremely oppressive political gesture. Kolakowski once remarked: the problem is not that designing a utopia is hard, but rather that it is

⁶⁶ See also Kolakowski 2012, 72-73

⁶⁷ Schmitt, 61

⁶⁸ Havel 1985, 24

⁶⁹ Havel 1985, 88

too easy. And indeed, it is only too easy to confirm his remark. The vicissitudes of life will inevitably break through the system's theoretically justified rigour, but they will not be allowed to do so. They will be 'explained away'. Whatever problems arise will be declared not to exist: only jealous foreigners and the insane would claim that the system does not work in the way that it should. Alternatively, the problems are allowed their reality, but are explained to be the harvest of laziness or sabotage. Either the problems are the result of insufficient stricture in applying the system or they are the product of malevolent foreign intervention. The system itself is never at fault.

Yet even if we allow the dissident only his critical distance with respect to any form of politics, a potential problem lurks. Another aspect of Hegel's interpretation of the *Antigone* can help us to understand the situation more fully. The immediate context is remarkable here. The most complete articulation of freedom in the sphere of right, what Hegel calls ethical life [*Sittlichkeit*], is introduced when the morality of individual conscience becomes determined and concrete. The first form of ethical life is the family, which contains an opposition between the male and the female. According to Hegel, the *Antigone* symbolizes and engenders the opposition between "inwardness", the "law of substantiality subjective and on the plain of feeling" on the one hand, and "the public, the law of the state" on the other. He adds that this opposition is "the highest opposition in ethics and therefore in tragedy"⁷⁰. In the *Zusatz* to the same paragraph of the *Grundlinien der Philosophie des Rechts*, Hegel then claims that "if a woman is in a top governmental position [*an der Spitze der Regierung*], then the state is in trouble" – women respond only to particularities, whereas men are able to act in accordance with the demands of universality⁷¹. This certainly seems to apply to Antigone, who acts rashly as a result of her emotional connection to her brother. We need not discuss the way Hegel deals with gender here. But another question arises, more important to our present purposes: is this a good reading of the *Antigone*?

We may object that the divine laws Antigone swears by are more universal than Creon's 'human' laws. She does not seem to be interested in the particulars of the situation at all: when she confronts Creon, she speaks not for her love of her brother, but of the 'unfailingness' of the laws she obeys:

It was not Zeus who made that proclamation
To me; nor was it Justice, who resides
In the same house with the gods below the earth,
Who put in place for men such laws as yours.
Nor did I think your proclamation so strong

⁷⁰ Hegel 2009, 312-313 [§166]

⁷¹ *ibid*, 313 [§166]

That you, a mortal, could overrule the laws
 Of the gods, that are unwritten and unfailing.
 For these laws live not now or yesterday
 But always, and no one knows how long ago
 They appeared. And therefore I did not intend
 To pay the penalty among the gods
 For being frightened of the will of a man

(Sophocles 2003, [495-506], 73).

Creon, by contrast, appears small-minded, for instance when he shouts at Antigone that “while I am alive, a woman will not rule!”⁷² But these passages, though revealing in many ways, are not an objection to Hegel, who thinks of morality in itself as incomplete. In similar vein to Hobbes, he distinguishes between ‘merely individual’ conscience and “true conscience” [*das wahrhafte Gewissen*]⁷³. What is potentially ‘true’ with respect to conscience is its relation of correspondence to what is good *an und für sich*, which is to say that it requires a determinate content. But such content is in fact alien to morality in itself. It is only in the sphere of ethical life that morality attains the required measure of objectivity⁷⁴.

According to Hegel, then, morality in itself is a subjective category that seeks to determine for itself what is good. It is this exclusive focus on self-direction that lets it down. Antigone is a personalized symbol of this kind of morality that appears as a totality: as the representation of the purely ‘feminine’, she is bound to worship “the inner Gods of feeling, love and kinship, not the daylight gods of free self-conscious national and political life”⁷⁵. If considered as a totality, such categories as conscience and morality become “that which is without determination, but which *must* be determined” [*werden zum Bestimmungslosen, das bestimmt sein soll*]⁷⁶.

The most convincing characterisation of the dangers that come with this is the figure of the beautiful soul, which Hegel discusses in the *Phänomenologie des Geistes*. Pure inwardness, relying only on itself, projects itself outward onto the world and is not able to absorb anything external back into itself. It is only able to relate to its own abstractions and thus becomes completely transparent. The beautiful soul calls a world into existence, but this is merely “the utterance of its own voice”, “directly perceived, and only the echo of which returns to it”.

⁷² Sophocles 2003, [576], 73

⁷³ Hegel 2009, 255 [§137]

⁷⁴ *ibid*

⁷⁵ Hegel 1986b, 60: “[...] *die Inneren [Götter] der Empfindung, der Liebe, des Blutes, nicht die Tagesgötter des freien, selbstbewußten Volks- und Staatslebens,*”

⁷⁶ Hegel 2009, 283 [§141], emphasis in the original.

According to Hegel, this is consciousness “in its poorest form”, a ‘pure disappearance’, which out of fear of tainting itself is unable to relate to the world at all⁷⁷.

Thus, Hegel ‘resolves’ the tragic into society by insisting on Antigone’s essential incompleteness. Mere morality, on Hegel’s view, does not follow through in the direction it is essentially pointing itself towards; namely to its own realisation in the world (just as mere politics points itself in the direction of the good, but has not quite made the required self-reflexive turn yet)⁷⁸. It is only in ethical life that the one-sidedness of these extremes is sublimated. But of course Creon is equally incomplete. Why is it, then, that Creon’s male perspective is, in the final instance, preferred to Antigone’s female perspective; why are men better politicians than women? Given the fact that Hegel’s philosophy is always already geared towards universality, we must concede that his bias is understandable and that there are good philosophical reasons for it. But we should not forget that Hegel’s universality is always attained *through* particularity well understood, which is reflected by the fact that conscience is a pillar of ethical life. Hegel must be amended on this point: if the *Antigone* is truly about the opposition between male public life and female inwardness, then the only way to achieve objective reconciliation is to move beyond both.

In view of the tragic condition, however, which states that two (sets of) demands can be simultaneously contradictory and yet both fully appropriate, no such move is possible. The tension cannot be released. Moreover, choosing between morality and politics, as if it were a moral dilemma, is impossible. It is exactly that impossibility that generated the *Antigone* in the first place. Hegel’s solution, as we have seen, is to state that Antigone and Creon necessarily perish as a result of the one-sidedness they embody and represent. But the problem of dirty hands shows that politics and morality are not the complete unities that Hobbes and Kant, respectively, made them out to be. The central problem of the *Antigone* only arises if we view politics and morality as essentially separated.

My proposed alternative is to consider them as essentially complementary. Their interrelation is one of mutual encroachment. As has been made clear by the account of dissidence and the recognition of its limits, politics *needs* morality and *vice versa*. The problem of dirty hands illustrates this; the tension it calls forth does not represent a dilemma, but a fact of interdependence. This also means that the categories continue to be separate. In the same way that we still know there to be a difference between nature and society, even in this

⁷⁷ Hegel 1987, 461-464: “*diese erschaffne Welt is seine Rede, die es ebenso unmittelbar vernommen, und deren Echo nur zu ihm zurückkommt*” (463); [*Dass ist*] “*das Bewußtsein seine ärmste Gestalt*” (462).

⁷⁸ Hegel 2009, 285 [§141]

age of ecology, we are not obligated to say that politics and morality are one and the same. What have we gained, then? An awareness of the dangers of particular ways of doing philosophy, which focuses only on distinctions; an adequate way of interpreting the problem of dirty hands in relation to other concepts, domains and problems; a conceptual clarification on the nature of politics and ethics, particularly with respect to their interrelation.

But what Havel says about dissidents is true of philosophical freethinkers as well. If they merely negate in the abstract, then they essentially repeat the mistake they criticize in what they had found lacking. That is why what has been said up until this point is only part of the story. It will have to be made concrete by considering whether the normative framework of dirty hands fits particular historical situations and developments. Let us stop to notice that almost all the examples I have used so far stem from a single tradition. The establishment of totalitarian and then post-totalitarian regimes, the Cold War and its accompanying question about the morality of nuclear deterrence, the fall of the Berlin Wall, the general tension between (political) antecedents and ideals: all of these are features or products of Soviet Marxism. It is also the single tradition within which the morality of extrication has been felt most intensely, and both the interconnected nature of politics and morality and the resulting frictions have constituted its daily practice – and theory. That is what I will be turning to in the third and final chapter, in hopes of both offering a new perspective on the later development of Marxism and demonstrating the applicability of the normative framework that has been developed in the first two chapters.

Chapter 3: Soviet Marxism between theory and practice

The *corpus* of Marxism is almost impossible to summarize in terms of a single idea, a single movement, or even a single intent. It unifies two broad perspectives, which have both been aspects of most theoretical works to be classified as Marxism ever since the days of Karl Marx himself. These are the scientific and the political outlook, generally. It seems plausible to say that these aspects of Marxism inform each other, but it is also meaningful to separate them, if only analytically. However, one commonality between the two aspects is sufficiently specific to set Marxism, construed as a unified theory of society, apart from its predecessors and competitors. Both in its scientific and political aspect, Marxism discovers that reality has a double nature. Much like the ancient distinctions between substance and accidents, true being and appearance, Marxism relies on the recognition that there is a fundamental difference between reality as it offers itself in our interaction with it, and reality ‘in itself’. What is distinctive of Marxism is its analysis of that difference in historical and societal-economic terms. This is a feature of Marx’ original work that has been passed on to his followers, orthodox or otherwise.

The insight that the gap between appearance and reality itself is a product of particular forces in fact helps to connect them to one another. According to Marxist theory, the productive relationships that exist within society, which are at once economic relationships (who owns the means of production?), help to explain why we sometimes fail to penetrate into the fundamental, economical layer of existence. The history of developing societal structures is simultaneously the history of various modes of mystification. This latter aspect can in turn be explained in terms of economic forces: the dominant classes have a vested interest in denying that their privileged position and the impoverished state of others are intimately connected to one another. In a sense, then, the semblance of reality that is the true subject of non-Marxist theory is very real. It enters into the back-and-forth of trade and commerce as one of the forces that keep the economy going, thus further entrenching itself within the prevalent economic relations. This mutual independence develops itself dialectically, and this dialectic largely determines the internal workings of society and, increasingly, the international community.

There is considerable disagreement among various schools of Marxism with respect to the question how this immanent teleology should be analyzed. Some have maintained that the prevailing mode of production, capitalism, is doomed to succumb to its own contradictions in a purely objective and scientific sense. Others have seen history not as an external mechanism, but as a function of culture that has to be brought about actively. It seems noncontroversial that the latter reading of history would inspire more revolutionary zeal than the former. Consider the theoretical notion of class-consciousness. If it is

fundamental to the progress of history that the worst-off classes come to realize their place within the economic dynamics as silent protagonists, then they need to rediscover their political subjectivity. One may still distinguish between the objective necessity that the proletariat will come to be aware of its historical mission under particular circumstances and the idea that this awareness should be brought about through political means, of course. In other words, Marx' prediction of capitalism's ultimate demise may be dispassionately analysed as the 'science of capitalism'. Such an attitude, however, does not adequately describe Marxism's political career. The distinctions that are central to that aspect of Marxist theory have all been various incarnations of the distinction between distinction and reality: use value and exchange value, ideology and scientific theory, effects of interaction and essence, the workers' immediate interests and their true interests.

All of these concepts can be given an analytical definition; it is also possible to show how they have functioned within the work of various political theorists. What I want to do in the present chapter is something different. I want to show how, in the political development of Marxism, the power of the antecedent has made itself felt and thus severely limited both the ideological and the political options open to Marxist leaders. Marxism took a different turn because of the situation of 'coexistence' with a unified capitalist power bloc and the effective history of Marxist politics itself. The normative framework developed in the previous chapters lends itself particularly well for an analysis of political Marxism because of the complicated blend of theory and practice, of ideals and restrictions, which imposed themselves upon and became a constitutive part of twentieth-century politics. For the purposes of this thesis, I will confine myself to 'the tragedy of Soviet Marxism'. Our principal guides through its hazardous landscape will be Maurice Merleau-Ponty and Herbert Marcuse. The omission of Marx himself is deliberate: although there will be some occasion to consider his original work, I am mostly interested in its effective history. In order to understand the *praxis* of Marxism, however, we will first have to look into the hermeneutical attitude that informs it.

3.1: Hermeneutics of suspicion

The general attitude that informs Marxism's insistence on the distinction between appearance and reality is what Hans-Georg Gadamer, responding to Paul Ricoeur, has called a 'hermeneutics of suspicion'⁷⁹. Ricoeur had described a fundamental rupture within the history of philosophy, namely with respect to the scope of *doubt*. Modern philosophy starts with the idea of doubt: Descartes' First Meditation establishes the fundamentally doubtful relation between our perceptions and external reality. But throughout the exercise of methodical

⁷⁹ Gadamer 1984

doubt, solely the contents of consciousness are up for discussion. Consciousness itself emerges only as the solution. It is its own anchor: it knows what appears to it clearly and distinctly, and this suffices as a criterion of certainty⁸⁰.

Correspondingly, the search for meaning must always culminate in a consciousness of meaning: to interpret is to reconstruct. Once the self-evidence of consciousness has been cast into doubt, the notion of interpretation takes on a more active role. Those in the ‘school of suspicion’ are not only engaged in a criticism of earlier concepts and ideas, but also invent a new interpretative attitude. “Henceforth, to seek meaning is no longer to spell out the consciousness of meaning, but to decipher its expressions”: the emphasis is shifted from a subjective consciousness of meaning to a science of meaning⁸¹.

This makes ‘false consciousness’ into a hermeneutical concept. It functions as a *coupure épistemologique*⁸², separating those with a grasp on the reality of the situation from those who are themselves in the grasp of an illusion and thus unable to interpret adequately. But, of course, Marx is intent on going beyond interpreting the world; he wants to change it. Yet it is only the novel idea of meaning, itself made possible by the hermeneutical attitude of suspicion, that justifies the centrality of the concept of ideology in Marxist theory; a powerful political tool indeed. False consciousness ascribes an inability to a subject, which can be more sharply defined as an absence of freedom (caused by an ‘internal inhibition’). Someone who suffers from false consciousness, after all, does not have recourse to his ‘actual’ motivations; in his case, the prime mover comes from without. Can we still meaningfully speak of freedom, in the political sense of the term, in such circumstances?

The liberal response is to insist that no higher authority than the individual can be invoked to settle political questions. Similar to the way in which Cartesian methodical doubt affects only the way the external world appears to us, but never consciousness itself, classical liberals insist on the primacy of what Isaiah Berlin called ‘negative liberty’⁸³. What we need to know in order to answer the question whether an individual is free is the extent to which he is free from external blockades. If such ‘freedom-from’ exists, then he is unhindered and in that sense free to act according to his will. Critics of liberalism, including Marxists, detect a certain naivety in this liberal view on freedom. When we ask only whether someone is free to do as he wills, we neglect the politically central question whether it is really he, himself, that is the author of his will, the master of his own motives. That is why negative liberty is not enough: we need to include in our analysis potential constraints to freedom that arise ‘from the

⁸⁰ Descartes 1996, 45 [65]

⁸¹ Ricoeur 1970, 33-34

⁸² This formulation is due to Louis Althusser, cited by Celikates 2006, 27.

⁸³ Berlin 2002, 169-178

inside'. That is what Berlin calls the domain of 'positive liberty' or 'freedom-to'⁸⁴. Consider the practice of voting in a time of mass-media bombardments. Did a free election take place? According to the dichotomy just sketched, a liberal will want to know, for instance, whether the voting booth was accessible to all those entitled to vote. A theorist of positive liberty will want to know in addition whether the results reflect the people's own political preferences or were influenced by those of various lobbyist groups and ideological influences.

We should notice that classical liberals do not ignore such features out of straightforward political malice. The primacy of negative liberty is theoretically justified by the idea that political philosophy has no authority to inquire into the 'internal' aspects of individuals. As Ian Carter put it: "the blindness is deliberate, the lack of penetration a conscious theoretical stance"⁸⁵. In other words, even if analyses in terms of false consciousness are correct, we should not want to know about them for political purposes, because political subjectivity should not be problematized.

The political import of the hermeneutics of suspicion thus lies in the manner in which individuals are able to appear on the theoretical stage; how the political philosopher encounters the person. Marxism has a nuanced perspective on this matter. As we saw, both appearances and the distinction between appearance and reality itself are rooted in economic and historical reality to such an extent that the latter explains the former. 'Internal' constraints to positive liberty are thus made to refer to 'external' features of a given society. Ideological influence, for instance, is in some sense a psychological mechanism. But according to the Marxist, such subjective features are only meaningful in their objective context. For instance, consumerist ideology is not characteristic of individuals in general ('considered abstractly'), but is informed by a background of capitalism. This rootedness ends up working both ways, as the ideology itself becomes part of economic reality – thus not only being informed and made possible by underlying economic factors, but in turn supporting those very factors, by perpetuating existing dynamics and providing a nurturing soil for further developments. In classical Marxist terms, the layer of society occupied with justifying the prevalent mode of production is known as the superstructure. The double connotation of that term is explained by the mutual reinforcement of appearance and reality that we have been discussing: the superstructure is, in a sense, 'over and above' everyday production processes,

⁸⁴ *ibid*, 178-181. See in particular Berlin's summary statement: "The 'positive' sense of the word 'liberty' derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men's, acts of will" (*ibid*, 178).

⁸⁵ Carter 2012, 559

but precisely because it represents itself in such a way, it provides them with a justification that takes on a life of its own, much like a brute economic fact would. Thus, the superstructure inscribes itself into the economic reality of the situation, thus shaping it in its image and becoming part of it at the same time.

But if the subject thus becomes the hostage of the objective processes that society as a whole is subjected to, so that the subject itself reinforces and advances the existing objectivity, how is it possible to escape? If positive liberty grows out of a determinate set of negative liberties, which have carefully been obstructed by the very logic of capitalism, what is there left to do? How to overcome the power of the antecedent? As Marx noticed when attempting to criticize the false consciousness of his time, it is not typically the result of human weaknesses, but of abstract social mechanisms. Every participant in the system is unable to see himself as a victim of ideology, precisely because he has been mystified in accordance with his position within that very system. Ideologies thus become “the appropriate errors in the corresponding heads: the right false consciousness”⁸⁶. For emancipation to be possible, this condition of appropriateness has to be uprooted and reinvented: in classic Marxist theory, the proletariat is the ‘universal class’, having become sufficiently destitute and thus, paradoxically, independent of the existing system and its mystifications, to understand what is truly going on and thus to become the true subject of history.

This development, too, is conditioned by the objective contradictions engendered by capitalism: the increase in the material wealth of the few is offset by the crushing poverty of the masses; the very practice of wage labour, with all its seemingly liberating conditions, serves to suppress the working classes; the rights and freedoms afforded by liberalism come at the cost of colonized peoples and workers in low-wage countries. We should also think of the recent financial crisis, which ripped a hole in the optimism of the nineties. Being unable to control these explosive developments, which it has itself produced, the system eventually turns on itself and cannot be sustained.

This mode of analysis assumes the function of a sophisticated decoding device. An item in the supermarket may appear to be ‘just there’, as an object, but it is actually a bundle of human relations; we may feel that we are free to lead a humanly meaningful life, but in fact we are subject to the myth of the American Dream (“you have to be asleep to believe it”). At the same time, the historical preconditions that enable us to be aware of mystification, and thus to unleash a project of general demystification, have been met. Cast in the light of Marxist theory, the person appears both as a soulless object at the mercy of external forces and as the potentiality to face his true situation. This is another echo of the distinction between appearance and reality; consciousness has been

⁸⁶ Sloterdijk 1983, 62-63

made problematic, but there is a true consciousness, which is latent. This very latency has been made the guarantee of both the ‘unreal’ character of the mere appearances and the economic truth. It is this double aspect that comes back to haunt Marxism once it is put into practice. The suspicion that is constitutive of its methods equally constitutes a danger to Marxism itself.

3.2: Principles and *praxis*

It is only the prospect of a development that goes beyond present conditions that will realize Marxist doctrine. This emphasis on *praxis* as the concrete meaning of concepts and ideas was emphasized by Marx and Engels themselves and continues throughout the political tradition. It gives Marxist doctrine a certain fluidity in terms of its application. How it should be put into practice cannot be dictated by brute facts, but positively requires interpretation in order to provide for a mutual fit between general history and the communist project. In other words, it is its own being put into practice, its own historical unfolding, rather than a fixed set of meanings⁸⁷. But history, of course, contains an element of contingency and risk⁸⁸. In this sense, Soviet Marxism displays the successes and misfortunes of the Revolution while attempting to live with history.

There is no sense in compiling an external, ‘purely ethical’ criticism of a political project that envisages a project in terms of human relations. This is not only relevant because any Marxist would unmask such ethics as a continued mystification⁸⁹. The more important point is that the very fact of the interconnectivity and mutual dependence of those who help shape the socialist project takes on a reality of its own. This circle of ‘stakeholders’ is composed not only of the Party, the Soviet people and the bureaucratic apparatus, but also of the capitalist power bloc that united itself partially in response to the perceived communist threat. The true question is whether it is possible to continue to insist on the communist project under circumstances where it appears to have been subverted.

For it is in the pursuit of that project that Marxism shifts from being an engaged, but ultimately critical enterprise, into the higher gear of political power. In Marxist theory, historical developments pertaining to the prevailing mode of production take the form of a ‘determinate negation’, so that the novelty that comes about in and through the negation bears the mark of the previous phase. For instance, communism requires technological and industrial productivity capable of creating a humane life for all. Under capitalism, this would not be possible because of vested class interests, but the more the

⁸⁷ Compare the notion of ‘effective history’ [*Wirkungsgeschichte*] in Gadamer 2010, 305-312.

⁸⁸ Merleau-Ponty 1969, 90

⁸⁹ *ibid*, xv

productive potential increases quantitatively, the closer it comes to ‘exploding into’ the qualitatively different mode of production envisaged by Marx⁹⁰. In terms of a scientific approach to capitalism, this is an analysis of the social mechanisms that create tensions within the system. As a concrete political development, however, it has produced its own tensions, even with respect to its theoretical justification.

It is a well-known fact that the Revolution was most successful in an area where industrialisation was comparatively poorly developed relative to western countries. What was to become the USSR was largely a rural area. Because it was the birthplace of the Revolution, the theoretical notion of ‘phasing’ gained in emphasis. In his *Critique of the Gotha Program*, Marx had described the development from capitalism into socialism as a gradual matter⁹¹. In the first phase of socialism, the productivity of labour remains primary with respect to the ‘humanist’ goals of freedom and self-determination. In the historical context of Soviet Marxism, this primacy was reinforced by the failure of the proletariat to act as a revolutionary class, in part as a result of the consolidation that had appeared within capitalist society – in part as a self-immunizing response to communism itself⁹². The combination of these factors is expressed by Lenin’s notion of ‘class consciousness from without’⁹³. Political organisation has to ‘run ahead’ of proletarian consciousness, precisely in order to create the objective conditions that will enable correct subjective views to take shape. The creation of such conditions requires swift industrialisation on a large scale, not only in the sense that they are needed for the transition into further phases of socialism, but also due to the threat posed by capitalist countries. And this swift industrialisation requires a central agency that could force the collectivisation of the means of labour. In other words, in order to enable the state to ‘whither away’ under communism, the state has to take on a position in opposition to, and in any case distinct from, society as a whole. In the summary of Herbert Marcuse:

⁹⁰ Marcuse 1985, 19

⁹¹ Marx 2009, 10-11; Marcuse 1985, 20

⁹² Marcuse 1985, 18, 35; see also Merleau-Ponty 1969, xix.

⁹³ Lenin 1987, Marcuse 1985, 31; see also Merleau-Ponty 1969, 84-85 and Kolakowski 2012, 130.

Soviet Marxism justifies this ‘anomaly’ by the anomalous circumstances of socialism in a ‘capitalist environment’. These circumstances are supposed to require the continuation and even the growth of the state as a system of political institutions, and the exercise by the state of oppressive economic, military, police, and educational functions over and against society. The Soviet state thus takes shape exactly as that structure which Engels described as characteristic of class society: the ‘common societal functions’ become a ‘new branch of the division of labor’ and thereby constitute particular interests separate from those of the population. The state is again a reified, hypostatized power (Marcuse 1985, 105)⁹⁴.

The ‘anomalous development’ referred to by Marcuse is, to complicate matters further, not a neutral fact, but a consequence of what we may call the dialectic of coexistence. There is no such thing as building a new state ‘abstractly’. Possibilities for early Soviet society were severely constrained by the capitalist states. Its survival depended on the evasion of direct conflicts – Lenin spoke on this period of peace in terms of a prolonged “respite”⁹⁵. The expectation was that interimperialist conflict would bring down the curtains on the capitalist countries, and that they would eventually succumb to revolution.

In the meanwhile, however, the strength of the Soviet state depended on the measure of its industrialisation. The central planning of the economy that leadership saw as imperative to this end required forced collectivisation, which was carried out in the days of Stalin. A spiral of expropriation and violence ensued, which led to a serious attempt to overthrow Party leadership on the part of a former champion of the Revolution: Leon Trotsky. His dissidence was based on the insight that the economic structures of 1917 had to be maintained for the communist project to remain viable – that is to say, credible as a communist project. This rift represents the culmination point of a tension that has been building up for some time. Under Stalin, the distinction between appearance and reality had come to play a role within the categories of Soviet self-justification. According to Georg Lukacs, the worker’s “immediate interests” were to be distinguished sharply from his “real interests”⁹⁶. The Revolution, which was supposed to symbolize the masses’ breaking free of their false consciousness, was now forced to reunite them with their chains, in theory as well as in practice.

⁹⁴ See also Kolakowski 2012, 96-98.

⁹⁵ See Marcuse 1985, 48-49.

⁹⁶ Kolakowski 2005, 998-1001

As history unfolded, every ripple in ideology's sturdy ocean turned out to be *a priori* illegitimate: there is no room for ethical tensions within the political. This conclusion is explicitly drawn by Soviet ethics: internal man is to be wiped from the record insofar as he poses a threat to political stability. What is merely personal ignores and thereby conspires to negate the supreme public good. All too often, the kind of transgression is romanticized. In this spirit, the Soviet Marxists casts a suspicious eye on expressions of individuality in the Western literary tradition. Romeo and Juliet are thus unmasked as representing the 'Western' and romantic self-distancing from the laws of the commonwealth: their love – both its happiness and its unhappiness – is drawn from its antagonism to the public order. And "the more this love obeys its own laws, the more it threatens to violate the laws of the social community"⁹⁷. This dual morality, as Marcuse puts it, has invaded the whole of Western ethics.

Antigone is right against Creon as Creon is right against Antigone; the revolution is right against the *status quo* as the *status quo* is right against the revolution. By sustaining each of the conflicts in its own right, the dual morality has justified individual and group aspirations which transgress the restrictive social order (Marcuse 1985, 246).

Soviet ethics outlaws such 'transgression' as a matter of principle. But we have already considered the weakness of the resulting Leviathan strawman. It is, in Schmitt's words, 'hollow and already dead from within'. Havel, Marcuse and Merleau-Ponty all indicate the necessarily technological character of such a construction. Politics has once again become one-sided: Kant's *Staatsweisheit* has been assimilated into *Staatsklugheit*, which has to reckon with the purely objective (*an sich*) laws of history. It has distanced itself from the "logic of history described by Marx and expressed in the inseparability of objective necessity and *the spontaneous movement of the masses*: it is the summary logic of the technician who deals only with inert objects which he manipulates as he pleases"⁹⁸.

This final twist presents us with the central problem. Should we not join Trotsky and consider the Stalinist line a form of counterrevolution⁹⁹? If Marxism starts out with the hermeneutics of suspicion, a mode of interpretation that seeks to unmask rather than to restore, what happens when this critical apparatus is applied to particular realisations of Marxist ideas – what do we find behind the masks of Stalin and Trotsky? How do we determine who is a revolutionary, and who a counterrevolutionary?

⁹⁷ Marcuse 1985, 246

⁹⁸ Merleau-Ponty 1969, 15; see also Marcuse 1985, 113, 118, 254-257; Havel 1985, 89.

⁹⁹ Merleau-Ponty 1969, 92

3.3: Responsibility beyond control

From the Marxist point of view, the option of violence has to be kept open for the communist project to remain viable. If Trotsky had succeeded in his attempt to overthrow the regime, perhaps the Second World War would have ended very differently. If we accept that counterfactual clause, the Stalinist violence of forced collectivisation remains the only hope if the dream is to be kept alive. Thus, Stalinist violence is revolutionary violence, or rather; it has turned out that way. Its effective history constitutes its meaning. With respect to Marxist theory, this would entail that the principle of ‘phasing’ becomes even more emphasized than had been official doctrine under Lenin. That is to say, the rationalisation and hypostatisation of the state apparatus is the realisation of what Marx had outlined in *Critique of the Gotha Program*: we are now able to connect subsequent events to the relevant passages, because the former are the historical unfolding of the latter. By contrast, Trotsky’s plans of overthrowing Party leadership have been revealed as counterrevolutionary – again, after the fact. But is that even true? Perhaps other historical routes could have been travelled: we are not in a position to compare history to alternative history. This is the ultimate consequence of the identification of meaning with effective history and concrete political *praxis*.

It follows from the Marxist analysis of capitalist society that some form of violence is inevitable. What passes for pacifism is actually the sanctioning and reinforcement of established violence, or productive relations that do not offer war and suffering as temporary phases, but as a layer of existence both permanent and permanently hidden from view¹⁰⁰. The only relevant question from within the Marxist framework is thus which violence is ‘correct’. This is not simply a case of waiting for history to pass us by. Merleau-Ponty remarks that history does not pose problems, but enigmas¹⁰¹. This is meant in a double sense: there is no definite solution *and* the practice of looking for a solution is tied to a particular practice. Doing battle with the enigma is a matter of supreme practical importance. From the spectator’s point of view, everything is relative: but we are no spectators. Marxism surely succeeds in showing us how seemingly separate lives are tied together. Having a perspective on and within history means precisely the committal to causes that are by no means certain, but carried by a certain segment of humanity and in that sense absolute. The concrete realisation of that perspective is out of one’s hands, because the future remains open and the end of history is not imaginable to us; but it is still *ours*¹⁰².

¹⁰⁰ Merleau-Ponty 1969, xviii

¹⁰¹ *ibid*, 94

¹⁰² *ibid*, 92.

Let us follow Merleau-Ponty for a few more steps. The inevitable contingency and ambiguity of history make for the tragic feature of human existence, such that it has no happy solution.

Does not every action involve us in a game which we cannot entirely control? Is there not a sort of evil in collective life? (...) The whole of Greek tragedy assumes this idea of an essential contingency through which we are all guilty and we do not know what we are doing. (...) In a world of struggle, no one can flatter himself that he has clean hands (Merleau-Ponty 1969, xxxvii-iii; xxxix; 60).

If the meaning of an action is not entirely ‘up to us’, our actions acquire a trajectory of their own. But that is not to say that we are innocent of them insofar as we are not in complete control. Like Medea faced with her *daimon*, we should and often do recognise our complicity and hence our responsibility – the *daimon* is still *our daimon*. It is somewhat facile to reach back across history and insist, as some authors have done, that responsibility can only meaningfully apply to a state of the world of which the authorship lies fully with us. Bernard Williams’ example of the lorry driver who unwittingly and blamelessly kills a child can shed some light on this issue¹⁰³. Tragedy does not present us with archaic casuistry, but with a meta-ethical statement to the effect that regret cannot always be “held at a distance”, even if there is a gap between the realm of deliberation and the realm of result: that is to say, if we could exercise no more than a very limited measure of control over the outcome¹⁰⁴. Even though the lorry driver is not strictly blameworthy, his role is not the same as that of a pedestrian who witnessed the accident; and the moral attitudes of both should reflect that fact. In an extension of Williams’ work, Stephen de Wijze has argued that dirty hands scenarios require a special variety of regret, which he calls ‘tragic-remorse’¹⁰⁵. In dirty hands scenarios, it is not just our causal influence that takes centre stage, as in the lorry driver case, but our willing endorsement of a particular course of action. In the context of the communist project, revolutionary violence and acquiescence are both the result of a deliberate choice, but it seems clear that whatever course we prefer in that case, it will be right to do what is wrong.

Realizing communism presents us with a ‘moral residue’ whichever course we choose to take. If we abstain from revolutionary violence, we sanction the violence of the *status quo*; if we want to build a better future, we must follow up on our perspective and try to realize what is, at most, probable. The

¹⁰³ Williams 1981, 28

¹⁰⁴ Williams 1993, 69

¹⁰⁵ De Wijze 2004

history of Soviet Marxism teaches us just how violent the latter option can be. But the choice is not one between simple moral alternatives. Like the more general normative account I developed earlier, that history was not involved in a dilemma that excludes either politics or morality. Our responsibility is not limited to what we ourselves have done, both because of the power of the antecedent, which partially defines us and our actions even though we did not choose it, and as the result of future adventures of our actions. This means that there is no boundary between good and evil, in the sense that discrete, situational evaluations of actions cannot be sufficient if we are to grasp the meaning of an action¹⁰⁶.

3.4: Immoral apologetics?

We have come a long way since Michael Walzer's formulation of the problem of dirty hands in terms of a paradigmatic moral dilemma. I have criticized this approach to the problem at large, as well as the conception of political life Walzer sees at its source. I have elaborated the problem of dirty hands as a paradox ('it is right to do what is wrong') resulting from overdetermination: it is an 'ecological disaster' that pollutes the distinction between politics and morality. In this third chapter, I have considered Soviet Marxism as a case study and selected the themes that are most relevant to my purposes. *Humanism and Terror* has been an important source. This was surely true of Walzer's seminal article as well. For instance, it can clearly be seen that Merleau-Ponty prefigured Walzer's rejection of the 'clear conscience'. Be that as it may, Walzer seems mostly interested in developing an alternative, 'footnoting' Merleau-Ponty while denying the moral relevance of his book and casting him as an apologist for "the commission of the most terrible crimes". Because of the significant role history plays in Merleau-Ponty's eyes, Walzer styles his predecessor's position "a kind of delayed utilitarianism", according to which a decision under uncertain conditions (accompanied by "the anxiety of the gambler") is justified by the subsequent course of history¹⁰⁷. Remarkably, in the very version of *Humanism and Terror* that Walzer references, Merleau-Ponty emphasizes that he is not in the business of abstractly justifying anything¹⁰⁸. I am interested in this error not

¹⁰⁶ See Merleau-Ponty 1969, 59-60. Another implication is a rehabilitation of "impure agency", along the lines proposed by Margaret Urban Walker (1991), in the context of the debate on moral luck. Luck and other circumstances that do not fall under the 'principle of control' really do partially determine the moral worth of an agent.

¹⁰⁷ Walzer (1973), 172n

¹⁰⁸ Merleau-Ponty 1969, xxxiv-xxxv: "We have never said that any policy which succeeds is good. We said that in order to be good a policy must succeed. We have never said that success justifies everything. We said that failure is a fault and in politics one does not have the right to make errors and that only success can turn what was at first audacity and faith into solid reason. The curse of politics is precisely that it must translate values into the order of facts. At the level of action, every desire is as good as foresight and,

for its own sake, but because of the instructive use it can be put to. Considering why Walzer is wrong will help to clarify my own position, and to show the applicability of the normative framework of dirty hands as I have considered it.

The first thing to note is that imputing a utilitarian position to Merleau-Ponty turns the problem of dirty hands into an attempted justification of a particular course of action, in accordance with a determinate set of moral guidelines. Walzer thinks that Merleau-Ponty is wrong to be an apologist for Soviet Marxism; it would be right for him to oppose it. As we have already seen, Merleau-Ponty rejects this talk of pure rights and wrongs, insisting that a clear conscience is simply not to be had in politics¹⁰⁹. But this does not mean that morality is erased from his account. It draws the very boundaries of the problem, which relies on the moral situation of extrication. The evil inherited from a world that has traversed through history to arrive at the stage of late capitalism has to be confronted. We have to manoeuvre from the limits that situation imposes and, at least according to Merleau-Ponty (we need not agree with him), the communist project is our only beacon of hope. It is impossible to simply abolish capitalism: that is what the history of Soviet Marxism shows. By enforcing class consciousness from without, by hypostatizing the state and finally by defining the real interests of workers in terms that did not make contact with their present situation, Marxism realized itself in ways that would perhaps have seemed like dangerous compromises with evil to its original author. It is possible to argue that the communist project was doomed from the start, having been tainted by the very situation that fostered the Revolution. But it is only through compromise and gradual extrication that it could have been realized, a prospect that is itself motivated by moral concerns.

In addition, the language of justification forced on Merleau-Ponty suggests that he is not able to incorporate the idea of a 'moral residue', while in actuality, this is his central insight and the second way in which morality reappears on the stage. In the face of the tragic condition, when two sets of values are fully appropriate to a situation and yet in conflict with one another, it is impossible to claim that our hands remain clean. That is the *crux* of the problem of dirty hands: even as we make well-informed and well-intentioned decisions, it is not always possible to resist evil, because not everything is in our hands. This is doubly true: both of the past, which makes itself felt through the power of the antecedent, and of the future, which determines the moral quality of our actions after the fact. To resist being tainted is simply not to act, as the Hegelian image of the beautiful soul shows. However, equally, our conscience

reciprocally, every prognostic is a kind of complicity. A policy therefore cannot be grounded in principle, it must also comprehend the facts of the situation."

¹⁰⁹ Merleau-Ponty 1969, 175

and the particular practice of justification with which we are engaged have an active historical role to play. The fact that our access to world history is perspectival in nature does not mean that everything collapses into an impracticable relativism: rather than a ‘mere perspective’ among others, it is *our* perspective by which we live our lives, as we attempt to shape the future in the image of our particular perspective, thus realizing it.

The communist project thus showcases the relation of mutual encroachment that connects the usually neatly separated realms of politics and morality. In trying to combat the evil inherent in public life, our hands are often ‘objectively’ made dirty by those that precede and surround us: such is the nature of politics. In reverse, while practicing politics we come up against the fact of inevitable responsibility and guilt, which is guilt all the same. In this sense, the communist project crosses the boundaries between morality and politics, thus showing the need they have of one another.

Epilogue

Does the importance of the problem of dirty hands lie in a discussion of isolated cases, or does it affect politics and morality as such? It functions as an ‘ecological disaster’ that shows us the interconnection between realms that were previously thought to be neatly separated. The distinction is polluted by the relevance of morality for politics and *vice versa*. We are thus no longer confined to the closed situation of the moral dilemma, which bars off inquiries into the supposedly ‘given’ nature of a moral mess (ignoring both the past and the future) and presupposes the coherence of our moral universe. Instead, in responding to the problem of dirty hands, we respond to a paradox: it is right to do what is wrong. Much like the tension that defines the tragic condition, this paradox cannot be resolved. That means that the way in which the problem of dirty hands has been approached in the literature has done it a disservice. By framing it as a moral dilemma, it has been incorporated as a paradigmatic example of what it, on further inspection, reveals as insufficient.

In this thesis, the moral situation of extrication was my point of departure. Extrication forecloses simplistic moral evaluations by excluding the possibility of a clean conscience: our possibilities for actions are severely limited by the situation we inherit from others, even as we try to ‘live a good life’. Thus, we find politics and morality in a relation of mutual encroachment. We saw how this tension was realized in the development of Soviet Marxism. While that case study confirms the applicability of the normative framework, the argument of this thesis also points beyond itself.

The general philosophical methodology that informed earlier responses to the problem of dirty hands (which I summarized under the heading of ‘the moral dilemma approach’) has implicitly been attacked. On these pages, its proposed method of drawing increasingly precise distinctions has turned out to be part of the problem rather than the solution. While it is, of course, important to use precise concepts, an exclusive focus on that criterion serves to obscure the occasionally messy character of morality and politics themselves. My own contribution has been confined to developing the normative framework of dirty hands and applying it to the case of Soviet Marxism. Philosophy remains, to some extent, a matter of casuistry: in a superficial sense, we have retained a defining characteristic of the methodology that informs the moral dilemma approach. However, the free conceptual play exemplified by the latter is at odds with the idea of overdetermination. In the same way that the central concepts of Marxism are fulfilled by their concrete historical realisation, the central idea of overdetermination will only be as convincing as what it tells us about the cases it can be used to discuss.

This opens up four directions for further research. First, other cases of extrication remain to be investigated. O'Neill, responding to Havel and Coady in 1990, already suggests that the situation of "many in the West, who are torn between ideals of success and consumption and those of morality" could be the object of a new kind of analysis, which would give an account of a transition from the primacy of 'performance culture' to a future in which other ideals are possible¹¹⁰. Second, dirty hands scenarios are not limited to cases of extrication. Coady mentions and develops two of its cousins, namely compromise and moral isolation¹¹¹. Cases can be designed to fit those categories and make them concrete; in addition, perhaps entirely new categories could be defined. There is definitely no *air* of definitiveness to the catalogue of moral situations. Third, a more complete and 'historically proven' normative framework of dirty hands could be used to reconsider the relation between politics and morality has in the history of philosophy. It may be said that each political philosophy, the domain of the universal other, produces its own paradoxes where it comes into contact with the inward life of the individual, the domain of the concrete other. A historical reinvestigation of this relation and the pollutions it engenders would not only open a new pathway in the sense of historical understanding, but would also show the problem of dirty hands in its various historical configurations and thus shed light on our understanding of its central ideas, as we see its historical constitution in a clear light. Fourth, we could let go of the problem of dirty hands altogether. After all, politics and morality are not the only domains whose neat-and-tidy separation at least requires some more reflection. Overdistinction, applied to the theme of polluting distinctions, is a critical tool that is relevant to many philosophical discussions, and potentially throws into doubt the way in which their resolution has been attempted.

In this indirect way, the problem of dirty hands readdresses the question of philosophical methodology, not as a separate discipline of philosophy, but as part of 'first-degree philosophy' itself, by showing how methodology is co-extensive with the actual practice of philosophy. Perhaps the relation between philosophy and methodology, too, is one of mutual encroachment, so that another distinction becomes polluted. Whether or not the idea of overdistinction can live up to that eventuality has yet to be shown; the same is true of its general role with respect to philosophical methodology. It has been demonstrated to be a capable welder of domains, however: the absolute distinction between morality and politics does not survive the problem of dirty hands. Creon and Antigone are reunited in the next life.

¹¹⁰ O'Neill 1990, 291

¹¹¹ Coady 1990, 268-270, 274-279

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