

## Chapter 3

# Complicity as Political Rhetoric

## *Some Ethical and Political Reflections*

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In this chapter I show the value of complicity as a rhetorical tool.<sup>1</sup> Much of the discussion of complicity either engages with it philosophically as a concept that has particular meaning and power in its deployment, or deploys it in concrete cases of alleged complicity. The underlying logic to such approaches is that complicity as a concept provides a particular and useful explanatory value in its deployment. The task of the critic therefore, is an analytical one – to establish the precise meaning of the concept in order to use it effectively. Complicity is used as a concept to describe a relationship or association that may not involve direct responsibility for particular events or developments but is nevertheless of significance. Think, for instance, of the complicity of the British government and intelligence agencies in the US rendition and torture of “terrorist” suspects during the Afghan and Iraq wars (see Finn in this book), or the complicity of a wide range of property and financial speculators and governmental regulatory agencies in bringing forth the financial crash of 2007–2008. The power in claims of complicity, I argue, is in its everyday usage, evoking participation in and degrees of responsibility for an act even if direct and criminal culpability is difficult to attribute. To be complicit, to use vernacular language, is to be “tarred with the brush” of blame.

Recognizing this power of complicity in use, I want to argue that complicity is of limited value in terms of terminological exactitude. Philosophers who seek to clarify its use as a means to clarify its attribution and assess the validity of complicity claims have somewhat limited results. Nevertheless, complicity still has value. Its value is in *political rhetoric*. The power of complicity lies in the construction of a political narrative able to highlight the blurred lines of culpability, liability and responsibility in dealing with often-complex events and social practices. This chapter traces several dimensions of complicity in order to demonstrate both the problem of conceptual

exactitude in claims of complicity, and the power of complicity as a rhetorical tool. In so doing, it also suggests that the concept of complicity is of critical importance in constructing political narratives that focus attention not only on “who is, and who is not to blame” (important as that can be), but also on structural conditions within capitalist hetero-patriarchal imperialist and prejudiced societies that produce and reproduce conditions in which people are, and sometimes can’t help but be, complicit in the continued presence of racism, ethnic “othering” and Islamophobia, class divisions, economic inequalities and poverty.<sup>2</sup>

### DECODING COMPLICITY

When considering how to understand complicity, we should bear in mind Wittgenstein’s exhortation concerning family resemblances (or likenesses) in the use of language.<sup>3</sup> Wittgenstein, in speaking of ‘language games’, observes that the sense of language is inseparable from the cultural conventions and practices that govern accepted linguistic practices in historical contexts and conjunctures – the rules of the game.<sup>4</sup> A word’s meaning does not stem from a singular and definitive definition that can be analytically extracted from the game within which it is deployed. Moreover, the meaning of a term in its deployment will always be contextually contingent. Hence rather than a direct association with a phenomena or object, concepts are only given meaning in a language game, where the referents are often other, equally slippery, concepts. As such, concepts can never be easily and specifically applied, and often the boundaries between one concept and another – complicity or collusion, for instance – in the making of explanations of phenomena are contingent and contestable rather than rigorously singular against a universal meaning. This understanding of the use of concepts encourages moves away from understanding language as precise and universal. Instead, it encourages both genealogical tracings of a concept’s meaning in particular contexts and attempts to understand a concept’s *discursive power*. On this account, the meaning of the concept of complicity will always be subject to the language games within which it is used. How complicity is used to attribute fault to a person, group or people will depend on the concepts used in particular linguistic practices. Moreover, the meaning of concepts can only be clarified by the use of other, often synonymous, concepts. With this in mind, to be complicit might also be to be liable for, responsible for, or to have colluded in or supported certain practices.

This approach to language leads to a more circumspect understanding of what happens when a concept is used. We all know what complicity means when we are asked. We can all illustrate it with particular examples. We can

even try to define it. *Oxford Dictionaries Online* offers a typical definition: ‘the fact or condition of being involved with others in an activity that is unlawful or morally wrong’.<sup>5</sup> But what does this definition tell us? As soon as we begin to instantiate it and explore it through examples, the concept becomes contested and elusive. As soon as we make a claim of complicity, we encounter disagreement about what complicity means and about whether it is legitimately applied. In trying to characterize complicity, we draw from the family of concepts it sits within – collusion, culpability, compliance, connivance, abetment, involvement, implication and responsibility, among others. Yet each term describes the character of a relationship slightly different to complicity. Language has a metaphorical and rhetorical character and complicity or one of its family of concepts is often used if it appears to evoke powerful responses, rather than from a sense of precision. This makes it even more difficult to conceive of complicity as having a distinct meaning that we can deploy.<sup>6</sup>

If we look for attempts to describe complicity, in the United Kingdom the Law Commission has provided an extensive outline of what might be regarded as complicit behaviour in reviewing secondary liability and joint enterprise in the committing of a crime. Its conclusion is that ‘at the core of the doctrine of secondary liability is the notion that D can and should be convicted of the offence that P commits even though D has only “aided, abetted, counselled or procured” P to commit the offence’.<sup>7</sup> Yet it also recognizes that complicity is rooted in flexible and ill-defined common law and so concentrates on developing more specific definitions of joint enterprise and secondary liability rather than refining complicity. Similarly, US law approaches complicity from the point of view of identifying an accomplice not only by their aiding and abetting, but also by their counselling, commanding, encouraging, inducing, procuring or assisting others in the commission of a crime.<sup>8</sup>

The purpose of law is to establish legal accountability and liability so that particular parties can resolve legal disputes – such as criminal conviction or recognition of liability through criminal or civil (and financial) redress. The use of complicity outside of the legal “language game” is rarely as narrow or specific. Yet if a term is to be useful, it must have some specificity. If we look to how philosophers have explored the concept of complicity, it has been to describe the problem of “marginal contributions” to a particular action. Here, a largely analytical approach has sought to make a distinction, based upon measurements of shared intention, between who cannot be regarded as complicit and therefore liable on the one hand, and who cannot be held liable on the basis that their association is less direct. This analytical approach is underpinned by a methodological individualism, and claims that complicity is based on an active “doing” or an active omission on the one hand, and an individual’s self-interest in the immediate action and end consequences on

the other.<sup>9</sup> Much is made of shared intention, where intentionality can be directed at intermediate goals and a final event or goal – something Kutz refers to as ‘inclusive authorship’ of an eventual act.<sup>10</sup> For example, people who receive stolen goods take no part in the crime of theft, but are regarded as having a shared intention by virtue of their deriving benefit from receiving the goods while knowing or suspecting that they were stolen. These conceptual pictures are of importance in determining nominal forms of accountability and responsibility, whether legally, morally or politically.

In the above legal and philosophical examples, the concept of complicity is used in order to characterize, from an analytic point of view, a relationship or association that enables the attribution of blame, identifies measures of redress and establishes precedents for future attributions of blame and measures of redress. This chapter focuses on a different use of the concept of complicity. It does so for three reasons. First, useful as they are for the purposes of pragmatism in justifying action, these uses operate within an analytical paradigm where the core concepts, such as intentionality, are clearly delineated for the purpose of developing rigorous chains of reasoning. I have already challenged such a paradigm using the notion of language games, and in what follows, I suggest that the “problem” with complicity is that it remains conceptually slippery. Second, they attribute to complicity an analytical precision and clarity, when the argument I will pursue will be that we should properly see complicity, in contrast, as a tool of *rhetoric*. Third, I am concerned in particular with the use of complicity in political contexts and in political critique. In what follows, I will use different examples to draw out some of the nuances and virtues of rhetorical uses of the concept of complicity.

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Political uses of complicity seek to characterize and condemn particular relationships, associations, events and phenomena. Goldhagen, for example, claims a widespread complicity of the German people in the persecution of Jews by Hitler’s Nazi government in the 1930s and 1940s.<sup>11</sup> The measure of this complicity in the Holocaust is contested. Members of the Schutzstaffel (SS) and senior Nazi figures would be commonly understood to have had direct responsibility. But were the police or the soldiers of the Wehrmacht complicit by virtue of the way in which they enforced Nazi politics and policies? Were concentration camp guards or those who worked in the camps administratively complicit in genocide? Were support workers within the bureaucracy supporting the German war machine and the Nazi killing machine complicit? Were Germans who were aware of the persecution of Jews and their dispossession and disappearance complicit, whether they actively gained from it or not? Were Germans who had some cognizance of Nazi politics and the persecution of the Jews but simply did not want to know

or think about it complicit? The purpose of these questions is not to settle whether one should argue, with Goldhagen, for a widespread complicity, or argue against it as Finkelstein does. Instead, it is to suggest that the degree to which particular people were complicit is a matter of *political contestation*, not analytical precision or historical interpretation.<sup>12</sup>

So far, this chapter has suggested that the virtue of the concept of complicity is its political and rhetorical use, rather than its analytical precision. What can be said about complicity in its meaningful and convincing rhetorical use? We can note that complicity is almost always used to characterize a *negative* association (for a contrasting use, see Laidman's chapter in this book). That is to say, it is often used as one of a number of attributions that evoke involvement with a negative act. It is rarely ascribed to a positive act, where words like involvement, collaboration and support seem more suitable. To be held to be complicit in some action is normally seen as an indictment, and to attribute complicity is also to attribute blame.

Complicity can be found in actions (or arguably situations in which we fail to act when we should have), and/or in a relationship that we are in (voluntarily or otherwise). Two examples will suffice. We might see complicity in joining in with or showing approval for the bullying of someone on the basis of their sexuality, disability, gender, ethnicity or class in the workplace or classroom, even if there is no direct communication between those who are primarily orchestrating the bullying and those who then join in or repeat the behaviour. Complicity might be extended to characterize participation in making a particular environment one in which bullying is normalized. In addition, it might also be claimed that standing aside when observing the bullying, not intervening appropriately, either directly or indirectly (depending on, for example, imminent threats of violence if direct intervention takes place) also renders one complicit. Moreover, not acting to support the person being bullied might signify complicity in the bullying. Clearly those who start from a position of requiring clear intentions and volition might argue that this is stretching the term too far, but then they are challenged by arguments highlighting the numerous cases where people have had it in their agency to halt a state of affairs, and in not doing so have to accept an element of responsibility. There might be an argument about degrees of complicity between the different relationships to bullying that are sketched, but our concern here is that complicity can be used, however contentiously, to describe *all* of those relationships. It is therefore the persuasiveness of the particular narrative through which we make claims of someone's complicity, and not the forensic line drawn between complicity and non-complicity, that is important.

A second example is political. In a representative democracy, if I vote for a Conservative government in the United Kingdom in order to benefit from low taxes, am I complicit in the impoverishment of the poor and the vulnerable

that follows from limited budgets or cuts in public spending? When choosing to vote, voters receive or can access information on the likely effects of particular tax regimes on both themselves and others. Whether their motives are personal financial gain or broader, ideological convictions concerning the perceived public good or just nature of a “small” state, the consequence of their vote is to enable political measures that impoverish the poor and the vulnerable. In response to criticism, voters might claim that they voted for lower taxes but could not anticipate or did not know what the consequences would be. But how far should that claim of knowledge be permitted to stand as a justifiable explanation? In an age in which political debate saturates the media, especially during election times, is it legitimate to claim we are not complicit due to lack of information or knowledge? Of course, the information available is often articulated with bias and is incomplete, but there is often sufficient knowledge to reasonably make some forms of critical judgement. One of the biggest difficulties here is whether wilful or culpable ignorance and reckless indifference constitute complicity. If they do, this observation would cause considerable difficulty to analytical accounts of complicity that focus on shared intentions, actions or volitions. Culpable ignorance as complicity is an excellent example of an accusation of complicity that would be difficult to account for within a fixed, analytic definition, but can be potently woven into a political narrative.

This second example is less straightforward than the first. Liberal Democrat voters in the UK general election of 2010 voted for a manifesto that rejected university tuition fees. They could claim that then party leader Nick Clegg misled them insofar as he decided prior to the election that he would not stick to his anti-austerity promises, including promises not to raise university tuition fees, in the event of involvement in a coalition government. In this case, arguments about complicity are complicated by broader questions of political representation, and the relationship between mandated or independent representation in politics.<sup>13</sup>

Both examples point to the contested and malleable use of complicity and the question (pursued below) of agency and structure in the attribution of complicity. It might further be claimed that the second example problematizes the relationship between knowledge and action. It might also be argued that even where deceit has taken place, there is the question of what *should* be known and what *is* known. In a democratic polity where promises are frequently broken or truths stretched, to what extent does complicity arise from our failure to learn from these broken promises and to continue to take claims at face value because it is more convenient for us to do so? In the case of the Liberal Democrats, the ardent claims that policy concerning tuition fees was inviolate would suggest that voters were not complicit but deceived. Yet it could equally be claimed that by entertaining coalition as a possibility,

and then not leaving the party or directly opposing the policy change and the people who enacted it, many party members were complicit. Culpability becomes a movable feast, largely based on judgements concerning what might reasonably be assumed to be being knowledgeable about elections, party promises and subsequent political action.

These examples demonstrate, on the one hand, that complicity is too slippery for analytical use. On the other, they show that complicity is powerful as a rhetorical device. Invoking complicity enables one to make meaningful connections between particular people or groups and their involvement in events, actions and processes that are being criticized. It has currency in the political language games that we play. Interesting questions, then, surround the limits to the persuasive use of complicity, and not in its precise analytical definition. These questions can only be addressed through focusing on complicity through particular examples. They cannot be solved through a focus on its abstract conceptual form. Indeed, even one of the seemingly fundamental features of complicity – its negative connotations – stems from its rhetorical value, and not from its analytical precision. It is because it has use in placing blame at the hands of those named complicit that it is used to connote something negative.

While complicity can only be understood in terms of its persuasive use within language games, there are nonetheless dimensions that shape the kind of claims about complicity that can convincingly be made. This chapter now turns to these dimensions, focusing first on agency and structure, then on imminence and distance, before finally turning to normal states and states of exception.

## AGENCY AND STRUCTURE

The associations and relationships in which one might be complicit can be measured in terms of different degrees of agency and structure. Agency and structure are important when accusations of complicity start by ascribing complicity to an individual, and begin with structural critique.

Complicity can be easily ascribed to particular individuals or groups where direct agency has been exercised, or when an individual or group benefit from something when they know or ought to know that a morally unacceptable cost has been paid elsewhere. Buying stolen goods provides an example here. If I buy stolen goods because I am in dire poverty, I may be deemed less complicit for two reasons. First, I may be buying the goods to meet basic subsistence and need, and hence may have less meaningful choice as to whether or not to steal. Second, in poor communities, buying stolen goods might be a common or necessary practice that most people engage in, making



it harder to attribute responsibility to the individual. If I buy stolen goods as an individual in an affluent community, by contrast, I have a clear choice to do otherwise, and I am more likely to be violating social norms. As a result, I would be deemed complicit to a greater degree. This example suggests that complicity is often attributed based on degrees of choice, and claims of complicity become less persuasive in situations where individuals are, to a greater extent, structurally determined in their actions.

Alternatively, judgements of complicity can begin with structural analyses of the topography of social associations. From this angle, complicity can result from an agent being part of a complex social formation in which some systematically benefit at the cost of others. Here, claims of complicity work in two ways. First, they can enable a wider social critique by highlighting the nature of wider structural forces that encourage or force the individual to be complicit. Second, they can provide a room for the attribution of individual agency within structural forms of domination. An individual can be complicit in structural forms of domination, even if he or she is not singularly responsible for it or singularly able to overturn it. As a result, there are forms of action short of social revolution that can enable individuals to become less complicit or anti-complicit.

The use of complicity as a lens for wider social critique is particularly important given the complexity of contemporary societies. It may be difficult to establish clear lines of causality between an individual's action and the reproduction or legitimation of exploitative social relations. Moreover, the complexity of these associations may mean that individuals are not aware of their role in reproducing or legitimizing relations of domination. This complexity may also mean that their ignorance is not culpable.<sup>14</sup> The hegemonic and ideological power and coercive apparatus of the state and powerful interests (or class factions) might justify not holding people to account even if they experience a sum benefit and others experience a sum cost. If complicity could not be used as a lens for structural social critique, it would risk becoming less useful as a rhetorical device in complex societies. Instead, by starting with stories of how individuals have little choice but to participate within problematic social relations, one can use complicity as a lens through which to critique structural forms of domination.

*This use of complicity can be illustrated through the example of consumption in affluent societies. Those "conspicuous consumers" who consume for the pleasure and status of ownership and consumption could be accused of being complicit in reproducing a capitalist economy that enables them to benefit from the low cost of goods that is made possible by the exploitation of labour.<sup>15</sup> This accusation becomes problematic, though, in light of a structural analysis suggesting that consumers are "seduced" by forms of media and advertising that reinforce the values and practices of a consumer*

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*society.*<sup>16</sup> Such an analysis would suggest that such consumers are not solely responsible for their consumption, and the responsibility is shared with structural forms of determination.

This is a central issue for Marxist and other radical critiques of contemporary capitalist societies. To what extent should people be responsible for the social relations they occupy and perform, and to what extent do those social relations mould them to the point that their agency is negated? Within Marxist theory, the classical Althusserian reading of social relations suggests that social structures are strong to the point that they negate class agency.<sup>17</sup> Against this, class theory and humanist Marxists argue that class agency matters, and identify a degree of blame in those class forces and agents who act for and benefit from the interests of capital.<sup>18</sup> Even on this reading, though, the power of ideology, the power of the state apparatus and the production of alienation are strong to the point that individual agents may not be complicit in the vagaries of capitalist societies – a point reinforced by the power of the current context in which austerity is reinforced by strategies for popular endorsement or pathological estrangement. This kind of analysis is not exclusive to Marxists. One might think, for instance, of Foucauldian analyses of the forms of governmentality that normalize, internalize and ultimately reproduce certain behaviours, practices and discourses.<sup>19</sup>

These reflections demonstrate further the problems in analytical attributions of complicity as something that meets clearly defined criteria of responsibility for actions and knowledge of the effects of actions. At the same time, they also highlight a second use of complicity as a rhetorical device in structural critique, namely, in attributing individual agency within structural forms of domination. Structural analyses can sometimes work to encourage actors to retreat in the face of the overbearing constraints to the possibility of change. On this basis, advocates of such forms of analysis often deny any responsibility for the existing order. This can even encourage some self-professed Marxists to acquire property, extract rents and consume conspicuously on the basis that only social revolution will bring about change. By making rhetorical accusations of their complicity with orders that they alone cannot change, it is possible to make important political arguments. Specifically, such accusations could be used to show that the complicit individuals should still explore ways in which they can become less or indeed anti-complicit, even while acknowledging that this alone will not lead to radical systemic change. Accruing property and extracting rents, while having some awareness of the role this plays in wider structural forms of domination, can render one particularly complicit in the reproduction of capitalist orders, and an individual could become less complicit by refraining from such practices. In this sense, complicity offers an important lens that can operate between binaries of structure and agency, showing that individuals can be complicit in

structural forms of domination, even while they cannot alone change or even fully understand those relations of domination.

Viewing complicity as a lens through which to develop structural critique also raises questions about whether individual acts that attempt to exit from involvement in problematic structures or redress the wrongs of the world suffice to avoid complicity. If we know enough about famine and starvation, yet we only give to charity and do not demand global change that would redistribute wealth and transform the cost of goods, are we complicit in the reproduction of suffering? Is the act of charitable giving an act of complicity when it is clear it addresses symptoms and not causes?<sup>20</sup> Recognizing social structures when talking about complicity can lead to the conclusion that actions considered morally generous that do not challenge structural determinants, or even levels of opposition that do not challenge structural determinants, can be regarded as complicit.

This discussion of agency and structure leaves us with a sense that complicity, while it might first be used to articulate associations that map onto unethical or hostile political acts, quickly becomes a means of extending rhetorical accusations beyond those direct, joint enterprise or joint benefit associations that might be identified as engendering liability and responsibility. Those who participate grudgingly in offering limited opposition to problematic practices, or who act in a way that might be seen as individually generous but nonetheless reinforces or even fails to challenge the status quo, can also be regarded as complicit. Thinking of complicity in terms of agency and structure thus recognizes, on the one hand, that a strictly agentic approach narrows the political utility of the concept. As a result, it widens the net for the construction of political narratives that ascribe complicity. On the other hand, it also shows the rhetorical power of complicity in asking us to consider the role agents play in reproducing, and hence becoming complicit in, structural wrongdoings.

## DISTANCE OR IMMANENCE

A second dimension shaping the effectiveness of rhetorical attributions of complicity is that of temporal, spatial and relational distance or imminence. Imminence, here, can reflect closeness in time, closeness in space or closeness in relationships and associations. Relationships and associations might be spatially or temporally distant, but nonetheless have a feeling of imminence. Diasporic identifications might involve a set of relationships that is distant in temporal terms, but nonetheless feels very close. One might have very close affiliations with particular ancestral or historical ideas of cultural conventions, even if these close relations are felt with something that is in the distant past.

Claims of complicity are often made when what we are complicit in is close to us or close to how we self-identify. This suggests that while claims of complicity can be made in relation to our links to actions performed at a distance or through complex and indirect structural causes and effects, accusation of complicity is more likely to be recognized as meaningful and have a powerful rhetorical effect when there is a sense of proximity between the complicit actor (or ommitter) and the action in which he or she are complicit. It is for this reason that Althusser remained pessimistic with regard to the question of political resistance based on class. The overdetermination of structures of practice and the repressive and ideological structures that reinforce them can mean that what is closest to us is nevertheless heavily penetrated by structure, and hence feels so distant that it obliterates chances of an identification of a person as a class agent.

This importance of proximity reflects a broader and more fundamental ethical problem in considering the dissemination of public and collective ethics. This problem is exemplified in Eagleton's *Trouble with Strangers*, which addresses the spatio-temporal problems of extending ethics beyond immediate relationships.<sup>21</sup> From Adam Smith's "spectator" through Mill's consequentialism to MacIntyre's pessimism, any attempt to move ethical practice from the community or the interpersonal transaction to wider contexts diminishes the sense in which ethical values are sustained.<sup>22</sup> It is difficult to be tolerant of child starvation when it is in your eye line. When it occurs on a global scale, however, it is recognized but nonetheless regarded as insoluble except by gradual forms of change that disallow its continuation. Measuring consequences and attributing causes to those consequences becomes progressively more complex, making it difficult to weigh up both moral outcomes and our complicity with moral wrongs. While we might not want to act unethically or have shared intentions that are unethical, it is difficult to know how to scale a demarcation between having individual or collective responsibility and having no responsibility for these forms of suffering. In a global world, the actions of states (including democracies, however limited), firms and publics clearly have impacts that it is difficult for us not to admit complicity with. The habits of relatively well-off consumers shape the failures of indigenous farming and the power of multinationals across the Southern Hemisphere.<sup>23</sup> Global tourism changes the composition of local industries to service and dependency. Are we, as a part of publics who consume and travel for recreation, complicit? At what point does the scale of a claim for complicity, through myriad chains of association, become so complex as to lose meaning? Again, there is a real sense that the extent to which someone is complicit is not a matter of analytical precision, but one of persuasive rhetorical claims. Moreover, depending on the audience in question and the aims in making the claim, attributing different degrees of complicity may be

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strategically advisable. It may be that complicity works well as a rhetorical device in pricking middle-class consciousness in an attempt to get them to change their consumption practices, but works less well when attempting to mobilize mass protests against the powerful.

This issue of scale is temporal as well as spatial. Consider the example of claims of slavery reparations, as put forth by Brennan and Packer and Beckles.<sup>24</sup> The crux of these claims is that contemporary wealthy, formerly slave-owning and slave-using societies have a debt to pay on the basis that their societies were built upon imperialist, colonial and slave economies. In these accounts, slavery and other forms of domination were central to the emergence of modern and relatively wealthy societies, and also played a crucial role in the historical development of contemporary global inequality and poverty. Does that make us complicit in the acts of those who preceded us historically? Western societies certainly benefit from continuing global inequalities, corporate power and impoverishment, and these inequalities, power relations and forms of suffering were built on the back of slavery. Does it make sense, though, to claim that people with no direct association to historical events are complicit? How far back is that taken? Should Swedes and Norwegians be sued for Viking raids? These questions demonstrate the problem of time in ascribing complicity. The argument about complicity in slavery still has political capital because of slavery's historical imminence; it can be, and often is, meaningfully evoked in attempts to use our complicity as a device through which to justify redress by way of offering international aid to poor countries that were subjected to the slave trade, as well as through positive steps taken to address racial discrimination and prejudice. When we go back further to the Viking raids, though, it becomes far harder to put together a convincing rhetorical argument for people's complicity.

### NORMAL AND EXCEPTIONAL

A final dimension through which we can understand complicity concerns the dichotomous contrast of what is regarded as "normal" and what is "exceptional". Here, we might take cognizance of Foucault's analysis of normalization and internalization to make sense of common perceptions of complicity. Accusations of complicity often relate to what is perceived to be exceptional activity, where the act or development in which one has shared intentions and a shared volition is alien to conventional values and orthodoxies. Complicity is an exceptional activity. It can lead to a focus on particular bad agents – such as politicians – rather than damaging structures – corrupt political systems (see also Thomas, this book). This specificity of agency is underlined by its exceptionality. People step out of their "normal" behaviour and into an enterprise

where they are complicit in its goals, impact and effects, directly or indirectly. Their complicity marks them as engaging in something that is not “normal”. Their agency, or their acquiescence, indifference or inaction, underlines their involvement and renders an attribution of powerful complicity. If they do not step out of the seemingly “normal” scope of everyday behaviour and everyday engagement in the social system, the rhetorical accusation of complicity is considered weaker. To illustrate, the “fly tipper”, the waste dumper and the litterer are all complicit to degrees in environmental degradation on the basis that their behaviour is out of line with “normal”, everyday practices. Conversely, those who follow social conventions concerning waste disposal that, despite being normal, continue to have negative effects on the environment, are less likely to be considered complicit, making it harder to make rhetorical claims regarding their complicity in environmental decline.

The notion of exception is itself value loaded. It is determined by those in power. In addition, what is exceptional often becomes persistent. Initially exceptional anti-terrorist legislation and intrusive security measures have persisted since the events of September 11, 2001, establishing what is now becoming a new “normal”. The dividing line between normal and exceptional is therefore blurred and problematic. Thinking about the more structural notion of complicity discussed above in contexts of exceptional practices, processes and activities can direct us towards a consideration of how what appear to be everyday routines and processes produce and reflect complicity in social ills. This might draw into play Arendt’s ethical entreaty of the banal character of evil. For Arendt, we are normalized into accepting or engaging in practices because we are brought to see them as normal.<sup>25</sup>

The recent prosecutions of celebrities like Jimmy Saville for child abuse stress the exceptional nature of the behaviour of abusers. They also reveal a web of those who, for reasons of benefit or acquiescence, did not act upon their knowledge of the abuse and might thus be regarded as complicit in it.<sup>26</sup> It follows that complicity can be attributed to actors when they uphold what is, despite its seeming exceptionality, a normal state of affairs. Claims of complicity may go further still. It might be argued that the broadly accepted, society wide, sexualization of girls – the fetishization of youthful sexual bodies, the sexualized fashion of young girls and the use of photographic technologies to accentuate youthful bodies in the media – constitutes and normalizes “corporate paedophilia”.<sup>27</sup>

## CONCLUSIONS

This chapter has argued that complicity is best understood as a rhetorical device. It has suggested that the power of complicity emerges from its

successful deployment within language games, and not from its precise, analytical use. While complicity is a potent tool of political rhetoric, however, it cannot be completely divorced from analytical work that uses more critical and abstract language to attribute and describe responsibilities and accountabilities. The task of exposing and characterizing the complicit relationships that constitute power in capitalist, hetero-patriarchal, racial, imperialist and ableist societies is one of the important functions of radical intellectual work. It is this work that enables claims concerning someone's complicity in these often-structural forms of domination to have meaning and a powerful rhetorical effect. Provided this work is done, complicity can be used as a rhetorical tool to highlight the forms through which such dominatory orders are reproduced. These forms of complicity range from active, knowing acquiescence through knowing omission, to omission combined with culpable forms of ignorance. Moreover, complicity can allow us to express a sense in which there might be broader, if different, responsibilities for events or states of affairs beyond formal and direct attributions such as collusion and conspiracy. When understood in this broad sense, and not as a narrow analytical concept, complicity can also be turned reflexively upon ourselves and upon constituencies wider than that of those in power and those directly aiding and abetting power. One of the problems of the philosophical accounts of what complicity is lies in their emphasis on intentionality and volition. They become far more contentious when we begin to explore complicity as doing nothing (not acting, not showing volition) or not having intention. This is not a case launching the most tenuous accusations of complicity against the widest population, as that would act as an apologia for the exercise of power and order in society. Nonetheless, it encourages us to focus on the role we play as individuals in reproducing dominatory structures, even as it maintains a structural form of critique. Indeed, focusing on the way in which our agency is limited and on how we are forced to, or given little choice but to, be complicit in structural forms of domination might be a way of encouraging us to think about building collective associations that are oppositional.

The concept of complicity is a salient rhetorical tool and a means of reflecting ethically and politically on the constitution of ills in our society. It raises questions of liability, responsibility and culpability for these. Yet upon close examination, it is less satisfactory than many of the concepts it shares familiarity with. It ultimately takes us no further than the ideological representations that juxtapose agency and structure with different degrees of power in contemporary societies. Nor does it help to stretch consciousness from imminent to distant or exceptional to normal because generally such attributions of complicity are considered to lack credibility. However, because of its potency as a term of use in our political vocabulary, it should not be disregarded, but rather used rhetorically and reflectively to start

and sustain interrogations of the ethical and political choices we have in twenty-first-century societies. The political task is to shift the rhetorical power of narratives that evoke complicity towards incorporating complicity in structural as well as agential wrongdoing; in distant events, activities and relations as well as close ones; and in forms of wrongdoing that are ordinary as well as ones that are exceptional.

## NOTES

1. The piece emerged organically from a more circumspect offering at the Complicity conference. Thanks are due to those who heard and commented on the talk, and to the editors of this book for their subsequent feedback and editorial work.

2. See, for example, Nathan Lean, *The Islamophobia Industry: How the Right Manufactures Fear of Muslims* (London: Pluto, 2012); Deepa Kumar, *Islamophobia* (New York: Haymarket 2012); Herbert Gans, *The War against the Poor: The Underclass and Antipoverty Policy* (New York: Basic Books, 1996); and Paul Bagguley and Kirk Mann, "Idle Thieving Bastards? Scholarly Representations of the 'Underclass' Work," *Employment Society* 6 (1992): 113–26.

3. Ludwig Wittgenstein, *Philosophical Investigations* (Oxford: Basil Blackwell, 1978), 67.

4. *Ibid.*, 200–40.

5. *Oxford English Dictionaries Online*, accessed June 22, 2016, <http://www.oxforddictionaries.com/definition/english/complicity>.

6. Chiara Lepora and Robert E. Goodin, *On Complicity and Compromise* (Oxford: Oxford University Press, 2013), ch. 3. The authors acknowledge the contingent nature of complicity even while attempting to establish "working" analytical meanings.

7. Law Commission, *Participating in Crime*, May 2007, accessed June 30, 2006, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/243300/7084.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/243300/7084.pdf).

8. WagMob, *US Criminal Law*, 2013.

9. The classical philosophical texts for this discussion are Michael Bratman, "Two Faces of Intention," *The Philosophical Review* 93 (1984): 375–405; Michael Bratman, "Shared Intention," *Ethics* 104 (1993): 97–113; Michael Bratman, *Faces of Intention* (Cambridge: Cambridge University Press, 1999); Christopher Kutz, *Complicity: Ethics and Law for a Collective Age* (Cambridge: Cambridge University Press, 2007); John Gardner, "Complicity and Causality," *Criminal Law and Philosophy* 1 (2007): 127–41; Seumas Miller, "Collective Responsibility," *Public Affairs Quarterly* 15 (2001): 65–82; and Brian Lawson, "Individual Complicity in Collective Wrongdoing," *Ethical Theory and Moral Practice* 16 (2013): 227–43.

10. Kutz, *Complicity*, 229.

11. Daniel Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (London: Abacus, 1997).

12. Norman Finkelstein, *The Holocaust Industry* (London: Verso, 2015).



13. Hannah Pitkin, *The Concept of Representation* (Oakland: University of California Press, 1992).

14. Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge: Cambridge University Press 1977); Pierre Bourdieu, *The Logic of Practice* (Stanford: Stanford University Press 1990); and Pierre Bourdieu and Louis Wacquant, *An Invitation to Reflexive Sociology* (Cambridge: Polity, 1992).

15. Thorstein Veblen, *The Theory of the Leisure Class: An Economic Study of Institutions* (New York: MacMillan, 1953).

16. Zygmunt Bauman, *Freedom* (Buckingham: Open University Press, 1988).

17. Louis Althusser, *Reading Capital* (London: New Left Books, 1970); Louis Althusser, *For Marx* (London: New Left Books, 1977); and Louis Althusser, *On the Reproduction of Capital: Ideology and Ideological State Apparatus* (London: Verso, 2014).

18. Erich Fromm, ed., *Socialist Humanism: An International Symposium* (New York: Anchor Books, 1966); and Ralph Miliband, *The State in Capitalist Society* (London: Quartet Books, 1973).

19. These themes are central to all of Foucault's work but for their conceptual articulation see Michael Foucault, *The History of Sexuality Volume 1: An Introduction* (London: Penguin, 1981); Michel Foucault, *The Archaeology of Knowledge* (London: Routledge, 2002); Michel Foucault, *The Order of Things* (London: Routledge, 2002); Michel Foucault, *Abnormal: Lectures at the College de France 1974-1975* (London: Picador, 2003); and Michael Foucault, *The Birth of the Clinic* (London: Routledge 2003).

20. See Paul Reynolds, "Sticking Plaster or Energiser?" *The Chartist* 271 (2014), 22, accessed June 30, 2016, <http://www.chartist.org.uk/wp-content/uploads/2014/12/Chartist-271-Nov-Dec-2014.pdf>.

21. Terry Eagleton, *Trouble with Strangers* (Oxford: Wiley-Blackwell, 2009).

22. Adam Smith, *The Theory of Moral Sentiments* (London: Penguin, 2010); and John Stuart Mill, *Utilitarianism* (London: Fontana, 1962).

23. See, for instance, Robin Dunford, *The Politics of Transnational Peasant Struggle: Resistance, Rights, Democracy* (London: Rowman & Littlefield International, 2016).

24. Fernne Brennan and John Packer, eds., *Colonialism, Reparations and Trade: Remediating the "Past"* (London: Routledge 2013); and Hilary M. Beckles, *Britain's Black Debt: Reparations for Caribbean Slavery and Native Genocide* (Kingston: University of West Indies Press, 2012).

25. Arendt Hannah, *Eichmann in Jerusalem* (New York: Viking Press, 1963).

26. See David Gray and Peter Watt, *Giving Victims a Voice: Joint Report into Sexual Allegations made against Jimmy Savile* (London: NSPCC, 2013).

27. See, indicatively, R. Danielle Egan and Gail Hawkes, "Endangered Girls and Incendiary Objects: Unpacking the Discourse on Sexualization," *Sexuality & Culture* 12 (2008), 291–311; Mary Jane Kehily, "Contextualising the Sexualisation of Girls Debate: Innocence, Experience and Young Female Sexuality," *Gender and Education* 24 (2012), 255–68; Emma Rush and Andrea La Nauze, "Corporate Paedophilia: Sexualisation of Children in Australia, Canberra," *Australia Institute*, Discussion

Paper Number 90, 2006, accessed June 30, 2016, [http://www.tai.org.au/documents/dp\\_fulltext/DP90.pdf](http://www.tai.org.au/documents/dp_fulltext/DP90.pdf).

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