

anne norton

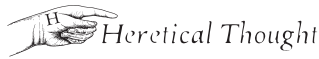
wild

democracy



anarchy, courage,  
and ruling the law

# Wild Democracy



## HERETICAL THOUGHT

Series editor: Ruth O'Brien,  
The Graduate Center, City University of New York

*Call Your "Mutha'": A Deliberately Dirty-Minded  
Manifesto for the Earth Mother in the Anthropocene*

Jane Caputi

*Assembly*

Michael Hardt and Antonio Negri

*The Rise of Neoliberal Feminism*

Catherine Rottenberg

*Interior Frontiers: Essays on the Entrails of Inequality*

Ann Laura Stoler

*Insurgent Universality: An Alternative Legacy of  
Modernity*

Massimiliano Tomba

# Wild Democracy

*Anarchy, Courage, and Ruling the Law*

ANNE NORTON

OXFORD  
UNIVERSITY PRESS

OXFORD  
UNIVERSITY PRESS

Oxford University Press is a department of the University of Oxford. It furthers the University's objective of excellence in research, scholarship, and education by publishing worldwide. Oxford is a registered trade mark of Oxford University Press in the UK and certain other countries.

Published in the United States of America by Oxford University Press  
198 Madison Avenue, New York, NY 10016, United States of America.

© Oxford University Press 2023

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Oxford University Press, or as expressly permitted by law, by license, or under terms agreed with the appropriate reproduction rights organization. Inquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Oxford University Press, at the address above.

You must not circulate this work in any other form  
and you must impose this same condition on any acquirer.

Library of Congress Control Number: 2022919036

ISBN 978-0-19-764434-8

DOI: 10.1093/oso/9780197644348.001.0001

1 3 5 7 9 8 6 4 2

Printed by Sheridan Books, Inc., United States of America

# Contents

*Forward* ix

## THESES FOR DEMOCRATS

I. Anarchy, courage, democracy	3
1. Anarchy is the shadow and salvation of democracy. Authoritarianism is democracy's enemy.	3
2. For anarchy we need the anarchic.	9
3. Democracy is shabby.	14
4. Fear is the enemy of the free.	15
5. If people are to rule themselves, they must have courage.	19
6. Democrats take risks.	26
II. Free people keep something wild in them	28
7. Rebellion is not only a right, it is a duty.	28
8. Empire is the enemy of the democratic.	29
9. The democratic citizen is both sovereign and subject.	35
10. Free people keep something wild in them.	38
III. Rights are born in the body	43
11. Rights are grounded in the body.	43
12. People have the right to life, to liberty, and to the pursuit of happiness.	46
13. People have the right to assemble.	47
14. People have the right to speak and to be silent.	50
15. Assembly nurtures the democratic. Assembly preserves the anarchic.	53
16. People have the right to a place in the world. People have the right to stay or to leave, to come or to go.	54
17. Rights are born in us. They are above, beyond, and before the law.	57
18. Rights are inalienable.	58

19. Rights are held in common.	59
20. Rights are above, below, and beyond the law. Rights undergird the law. Rights elevate the law.	61
IV. Free people rule the law	63
21. Rule law. Do not simply be ruled by it.	63
22. Justice, like democracy, goes beyond the law.	70
23. People should judge. Democracy depends upon judgment. Democracy hones judgment.	72
24. The people are wise.	76
25. Democracies depend on truth.	78
26. Truth prospers when the people rule.	79
V. Democrats live with open hands	82
27. Democracies are places of wild diversity.	82
28. The democratic disposition is cosmopolitan.	86
29. How free people love their countries.	88
30. Democracy is generative. Democracy is excessive. Democrats live with open hands.	90
31. Democrats can tolerate the undemocratic.	92
32. All you need for democracy is humanity.	93
33. The strength of the poor is the strength of democracy.	94
VI. Taxes	100
34. Taxes are how people pay for the work they do together.	100
VII. The problem with liberalism	105
35. Undemocratic governments are unjust, but not all democracies are just. Democracy is a necessary but not sufficient condition for justice.	105
36. Liberalism is a problem.	107
37. Populism is a democratic force.	112
38. Institutions alone cannot ensure that the people rule.	115
39. How free people might choose their leaders.	117
40. The people, steering.	119
41. Without free and courageous people, there are no democratic governments.	120
42. Decentralization protects the ability of people to rule themselves.	121

43. People can always recall their representatives, servants, and officials.	125
44. Executive energy belongs to the many as well as the one.	126
VIII. Force is the enemy of the free	130
45. Military power is a danger to democracy.	130
46. Free people go to war together or not at all.	131
47. Private weapons are offensive to free people.	134
48. Punishment demeans the free.	136
49. Free people are not policed.	137
IX. Unfinished revolutions	138
50. We are not democrats yet. We do not yet rule ourselves.	138
51. Self-rule is a discipline.	139
52. We are not yet finished with revolution.	141
53. Democracy is not an idyllic state; democracy is a struggle.	145
54. Democracy is fugitive.	149
X. Canon fodder	150
55. Forget Athens. Forget democratic genealogies.	150
56. The canon of Western political philosophy was forged against the people.	154
XI. Democratic times	159
57. Democracy is episodic.	159
58. The time of democracy is a time of celebration.	159
59. The time of democracy is a time of danger.	162
60. The time of democracy is a time of creation.	163
61. Democratic time is sacred time.	164
62. Democratic time is before, after, and now.	164
XII. The direction of the democratic	166
63. Democrats are conservative, progressive, and radical.	166
64. Democracy moves upward.	170
65. Democracy moves downward.	171
XIII. Democratic spaces	173
66. People preserve the anarchic and nurture the democratic when they assemble.	173

67. Democracy lives in the city.	174
68. Democracy lives in the countryside.	175
69. Free people carry the democratic with them. They carry it into the factory, the shop, the school.	176
70. Democracy cannot be fenced out of the economic realm or separated from the social.	178
71. The rule of the people lives and is endangered in each person's body.	181
XIV. Friends and enemies	183
72. Equality is proper to democracy.	183
73. Inequality corrupts democracy.	184
74. Friendship teaches people to live as democrats.	185
75. Who are the enemies of democracy? What is to be done with them?	186
XV. Democratic divinity	190
76. In ruling themselves, people become divine.	190
77. The voice of the people is the voice of God.	191
78. The people sing.	195
79. The earth belongs to the living.	196
<i>Appendix of imperatives</i>	199
<i>Acknowledgments</i>	201
<i>Notes</i>	203
<i>Index</i>	217

# Forward

There are times when a book has to be written with a precision that can be achieved only in a technical or scholarly language. This is not that time. This is not that book. I make no distinction between the writings of scholars or the writings of rebels, the writings of statesmen or the writings of dissidents. I go through terrain that is not enclosed, that remains a commons open to all. This is the democratic wild: unfenced, unconfined, untamed.

If we are to rule ourselves, this must be our terrain. We need to seek anarchy. We need to find courage. We need to rule the law.

Anarchy is the nursery and the refuge of the democratic. In anarchy, one is neither ruler nor ruled. Here people learn to rule themselves. Here there is, if only for a moment, in a small space, no one to order or to serve. Here people learn to provide for themselves. They learn to work together. Anarchy is not the rejection of politics, solidarity, or cooperation; it is the rejection of any ruler but oneself. Where no one orders and no one serves, people grow strong. They learn the courage to face what they must. They win the daring to do what they can.

Courage is the virtue of the democratic. People begin to rule when they find the courage to think things could be otherwise. They find the courage to speak freely. Courage fires their uprisings and revolutions. These fires can fail, but they can be made to burn again. Courage maintains the work of revolutions. Courage enables people to rule themselves in great things and in small ones. People who rule themselves are steadfast. They face constant uncertainty with equanimity. They learn when to change and when to endure. They learn to walk among their enemies unafraid.

Law is ours to judge, to break, to make, to uphold, and to bring down. If we are citizens, we are ruled by law, but we rule law as law's sovereign. If we are democrats, we are law's rulers. If we are courageous,

anarchic, and free, we rule ourselves. People ruling themselves are people unleashed.

Democracy grows wild, sprouting in the cracks of a parking lot, stretching across the marshes to the sea. The democratic shows itself in expansive ambitions and small practices, under the constraints of law and order and in those anarchic spaces where people are neither rulers nor ruled. In this wild, anarchic to the root, rights too come out of the ground. They are born in our flesh, carried in our bodies from birth to death, grounded in the word and flesh of a human life.

There were dark times when I began this book. They grew darker. Now, as my writing draws to a close, I see the lights in the darkness. Perhaps they will blaze like a prairie fire. Perhaps we will need to stir the ashes once again.

# THESES FOR DEMOCRATS



# I

## Anarchy, courage, democracy

### **1. Anarchy is the shadow and salvation of democracy. Authoritarianism is democracy's enemy.**

People defend repression by declaring that to oppose it would lead to anarchy, a chaos so profound that a decent life cannot be lived within it. The fear of anarchy fills politics and philosophy. Yet for something that is so often threatened, anarchy is remarkably hard to find. Politicians and media commentators point to “anarchy,” but the places they point to are not anarchic at all. Those supposedly anarchic situations have warlords and bosses. They are riven by feuds among the ambitious. They are chaotic, but this is not anarchy; there is not an absence of rule, there is too much.

If anarchy is hard to find, authoritarianism is difficult to escape. Long ago a prophet told a people who asked for a king:

This will be the practice of the king who will rule over you. He will take your sons and appoint them as his charioteers and horsemen, and they will serve as outrunners for his chariots. He will appoint them as his chiefs of thousands, and of fifties; or they will have to plow his fields, reap his harvest, and make his weapons and the equipment for his chariots. He will take your daughters as perfumers, cooks, and bakers. He will seize your choice fields, vineyards, and olive groves, and give them to his courtiers. He will take a tenth part of your grain and vintage and give it to his eunuchs and courtiers. He will take your male and female slaves, and your choice young men, and your asses, and put them to work for him. He will take a tenth part of your flocks and you shall become his slaves. The day will come when you cry out because of the king whom you yourselves have chosen; and the Lord will not answer you on that day. (Nevi'im I Samuel 9:11)

We are still fools enough to tell children stories of good kings. Authoritarianism still holds an allure for the fearful.

Every historical epoch gives us its autocrats as evidence. There are the autocrats most often marked as evil: Caligula and Hitler, Ivan the Terrible and Vlad the Impaler, Stalin and Hitler, Idi Amin and Pol Pot. There are the autocrats foolish people praise: Alexander (“the Great”), Alfred (“the Great”), Richard (“the Lion-hearted”), Cæsar and Justinian, Peter (“the Great”), Catherine (“the Great”), and Napoléon. There are those who divide people: Luther, Cromwell, Mao, Nasser, and Perón. There are, moreover, always those ambitious for authority—unconstrained authority—in the present. Abraham Lincoln, who knew he carried such ambitions himself, thought that the more firmly established, the more accepted, democratic institutions were, the more ambitious men would be tempted to overcome them.

Many great and good men sufficiently qualified for any task they should undertake, may ever be found, whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a presidential chair; but such belong not to the family of the lion, or the tribe of the eagle. What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon?—Never! . . . Distinction will be his paramount object, and although he would as willingly, perhaps more so, acquire it by doing good as harm; yet, that opportunity being past, and nothing left to be done in the way of building up, he would set boldly to the task of pulling down.

It falls to the people to restrain those ambitious to be autocrats. They must “be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his designs.”<sup>1</sup> They must have souls great enough to see that the “family of the lion, or the tribe of the eagle” looks more like the family of the jackal and the tribe of the vulture (though those animals at least have the virtue of cleaning up after predators.) In order to do this work, the people must have the courage to oppose those they know are evil. They must have the pride, the dignity, and the sense of duty to stand against those who are called “great” and “lion-hearted.”

Authoritarianism is not, however, confined to great men. We have learned, to our cost, that those most hungry for authority, most avid for power, can be very small indeed. The harm these do is twofold, for they do harm out of their ambition and harm from their stupidity.

Indeed, authoritarianism is not confined to men, great or small. The most astute critiques of modernity have recognized that the desire for an energetic and unhindered authority comes not only from those who want to rule but from those who want to be ruled. Conservative critics of liberalism note how readily people submit to systems or regimes that claim expertise or promise equality, prosperity, or protection. Weber famously saw the “iron cage” of bureaucracy imprisoning modern lives. People are hedged about by rules and regulations. We are expected to follow laws we don’t know and might not understand if we did. We are embedded in systems that assess our wealth, tax obligations, debt, creditworthiness, health, probable longevity, political preferences, and a host of other things, by mystical numerology and without appeal. Critics on both the left and the right have long observed the tyranny of the “rule of experts.”<sup>2</sup> Now we are faced with the faceless rule of algorithms.

Effective critiques of these impersonal, bureaucratic forms of totalitarianism have come from conservatives as well as democrats, socialists, and anarchists. Edmund Burke distrusted abstract principles and categories, trusting instead in tradition and custom, knowledge collected from many people over many generations. He saw that seemingly irrational customs often shelter wisdom and reason within them. He believed that conventions soften change and tame principle enough to fit it more easily into human lives. The Southern Agrarians, Wendell Berry, and others like them mourn the loss of a world closer to nature. They treasure the ties that come when generation after generation calls a place home. They have faith in the constraints that custom places on conduct.

These critics recognize popular wisdom. They have respect for the practices of ordinary people in the course of their lives. They are suspicious of those who rely on reason alone, knowing that human reason is limited by time and circumstance and distorted by interest, ambition, perspective, and desire. They recognize the coercive power of many schemes for the betterment of mankind.

Radical critics recognize that the drive of governments and governance, of states and the powers of the economic realm is toward centralization and the consolidation of power. Wendy Brown joins Sheldon Wolin in this: “[T]here is no such thing as a democratic state, since states abduct, institutionalize, and wield ‘surplus power’ generated by the people; democracy always lives elsewhere from the state, even in democracies.”<sup>3</sup> If we are to be democrats, we must learn, we must practice, anarchy.

“Anarchy,” Tocqueville wrote, “is not the greatest of the ills to be feared in democratic times, but the least.”<sup>4</sup> Authoritarianism, not anarchy, is the danger that people should fear. The revolutionaries who hope to escape imperial rule, depose dictatorships, bring down monarchs and establish governments in which people rule themselves, find themselves confronting the ambitions of those who want to rule the newly or the not yet free. They will face defeat at the hands of the most ambitious among them. The revolution ends and the generals (or the colonels) take over. The revolution ends, and the leader called “the father of his country” comes to believe that it cannot continue without him. Few can refuse this temptation.

Authoritarianism is rooted in fear. Those who call for a strong hand, a firm authority, fear that things will change, that the present partial calm will not endure, that nothing is stable. They fear. Fear, as thinkers from Xenophon to Arendt have recognized, is at the heart of tyranny. The tyrant, Xenophon wrote in his dialogue “On Tyranny,” is always afraid. The tyrant’s fear grows, spreading until each person seems a threat: “The tyrants, all of them, proceed everywhere as through hostile territory. They themselves think it necessary to go armed and always to be surrounded by an armed bodyguard.” They are never safe, Xenophon’s tyrant argues, and least safe when they are at home, for “tyrants know that when they reach their own city they are then in the midst of the largest number of their enemies.”<sup>5</sup> Every enemy the tyrant kills, every punishment the tyrant enacts creates more enemies, more reason for the tyrant to fear.

This is not, as Hannah Arendt saw, simply a pathology of dictatorship. Totalitarian regimes do the same. They see dissent in every act; they fear enemies everywhere. Everyone they kill, every punishment they exact creates more enemies, more reasons for fear. Their fear spurs

them to find these enemies and prevent dissent. They resort to censorship, surveillance, and networks of informants who can, perhaps, prevent the attacks they fear, yet every piece of information they gather feeds that fear. Fear spreads, as Arendt describes, until each person fears everyone else. The apparatus of surveillance and punishment becomes total, enveloping every person within reach. Surveillance and informing become part of “a method of dealing with his neighbor which everyone, willingly or unwillingly, is forced to follow.” No one is free; all are fearful. This is “a system of ubiquitous spying, where everybody may be a police agent and each individual feels himself under constant surveillance.” In the end, because everyone is an enemy to everyone else, and the state has earned the enmity of all, victims are “chosen completely at random.” Arendt argued that the “consistent arbitrariness” of totalitarianism “negates human freedom more efficiently than any tyranny ever could,” for willingly or unwillingly, the subjects become the eyes and ears and hands of a tyrannical state.<sup>6</sup>

The tyrant’s fear is a contagion. Fear is the enemy of democracy.

We have every reason to fear authoritarianism, whether it comes to us in the guise of a man or a state. We have little reason to fear anarchy, yet the fear of anarchy shadows democracy. Where the people rule, each person is understood to have standing and freedom. Each has the right to leave if they choose, rebel if they choose. Each person may participate, perhaps each person should, but no one can be compelled. Anarchy is not only a possibility; it is a necessity. Anyone can leave, and so it is possible that everyone might leave. Anyone can refuse, and so it is possible that everyone might refuse. That refusal, the right to say no to rule, is the guarantor of our freedom.

Anarchy is the shadow of democracy in a double sense. Fear of anarchy shadows democracy. Anarchy is not to be feared; it offers shade, a place to rest, a place to hide. The shade anarchy offers protects us. The people who are most free are often not those who govern, but those who refuse to be governed, not those who join in rule, but those who refuse to be ruled at all. In America, Patrick Henry argued, the common man did not want power, still less did he want national glory; he simply wanted to be let alone: “He enjoys the fruits of his labor, under his own fig tree, with his wife and children about him, in peace and security.”<sup>7</sup> Jefferson famously wrote that the best government was

“no government, as among our Indians,” and if he misunderstood the governance of the indigenous he nevertheless saw in their lives his own desire to be governed lightly, or not at all. We should be, Whitman wrote, “men and women who think lightly of the laws.”<sup>8</sup>

This is not an American desire. This is a human desire. James Scott’s work on “how not to be governed” echoes a long tradition of people seeking an escape from power. Behind Scott one can see Eric Hobsbawm’s brilliant writings on bandits and primitive rebels, and the work of that cadre of Marxist historians who brought forward the long history of rebellion and resistance in England and Scotland. Scott found the desire for an ungoverned life among Burmese peasants and mountain bandits. Hobsbawm found it in fifteenth-century England, nineteenth-century Mexico, and twentieth-century India. Christopher Hill found it in seventeenth-century England and wondered if it had fled to the Caribbean. Paul Gilroy, researching a diasporic modernity, found it crossing the Atlantic. Machiavelli wrote that while the privileged “want only to oppress, the people want only not to be oppressed.” One can find the desire not to be governed in any people, at any time. The desire not to be ruled is a simple human desire. It is the first and last defense against domination.<sup>9</sup>

Most people, in most of their lives, want power to leave them alone. They believe that they should make their own decisions about how they live their lives, that they are the best judges of what is good for them. They know too that there are many decisions they are not able to make. The best of them—no, most of them—know what they do not know. They will have the wisdom to withdraw from decisions they are not competent to make.

If they have the wisdom to withdraw from decisions they cannot make wisely, they also have the wisdom to know the decisions only they can make. They know that they have skills and circumstances that are theirs alone. To live their lives as they think best, they need to have the freedom to cultivate their abilities, learn what they need, and act as they decide. Artists and writers are often firm in claiming that freedom. They know that strong, original, and creative work comes not only when one learns from others or is guided by others, but also when one refuses to learn, refuses to be guided. The wisdom of the community is great, but all communities need, especially in times of crisis, those who

reject established knowledge and old wisdom. Politics, as much as art or learning, depends on people with independence of mind.

Any people who want to rule themselves must leave space for anarchy. People capable of ruling themselves will want the freedom to live their lives as they choose. They may choose to be ruled, lightly, and never without interruption. Anarchy is democracy's shadow in this sense as well. It gives people a space away both from ruling and from being ruled. For people living in freedom, anarchy is a familiar place. For free people facing the loss of that freedom, anarchy, not authoritarianism, should be the last ditch.

## 2. For anarchy we need the anarchic.

Poets, philosophers, and the people have long recognized that bandits, pirates, outlaws, and rogues are close to democracy. There are many reasons for this. For some, this is simply another way of casting the rule of the people as the madness of the crowd, the rule of the Great Unwashed, the rise of starved beasts who will fatten on the wealthy. For those who regard the rule of autocrats or elites as the natural order of things, democracy is simply a theft of power, and people who rule themselves are no more than criminals.

The popular imagination of bandit democrats sees it otherwise. Pirates and bandits are admired for what they refuse and what they choose, for the wrongs they flee and the wrongs they attempt to right. Those who steal from the rich and give to the poor are honored and admired. Those who rob the poor or con the elderly, who extort protection money or amass great wealth through dishonest means are scorned. Stories of honest bandits are shadowed by stories of the rich and disreputable. Wealth, these stories remind us, is not a sign of honor or merit. There are inequalities to be remedied. In honoring outlaws, people put the justice of the present order in question.

The bandit, the pirate, the outlaw, and the rogue are all outside law and custom. All defy order for its own sake. Some, like Robin Hood, are placed outside the law by unjust rulers. They are law's exiles. Their outlawry is a rebuke to the ruler's claim to justice. Some bandits are driven out by poverty. They are a rebuke to a country that cannot provide for

its own. Other bandits, pirates, and looters defy the laws that govern property and possessions. Where law produces radical inequality, they refuse it. All refuse order for order's sake.

When pirates, bandits, and outlaws band together, like the Zapatistas, Phoolan Devi's band, or Robin Hood's Merry Men, they choose to rule themselves. They consent to rule and to be ruled. These remembered or imagined outlaws are, as Hobsbawm and Scott have argued, primitive rebels who are learning—if they have not yet mastered—"the art of not being governed."<sup>10</sup> They also point to a central question for all people: What is one's own? Bandits who "steal from the rich and give to the poor" demonstrate a democratic sensibility. In their rough redistribution of ill-gotten gains, they remove one of the most serious obstacles to people ruling themselves. Woody Guthrie put it this way in his ballad of the outlaw Pretty Boy Floyd:

Many a starvin' farmer  
The same old story told  
How the outlaw paid their mortgage  
And saved their little homes

. . . as through your life you travel,  
Yes, as through your life you roam,  
You won't never see an outlaw  
Drive a family from their home.<sup>11</sup>

Pirates too are on the way to the democratic. Pirates elected their captains for one voyage, agreed to serve under them, and retained the right to depose them when they chose. Pirates voted on missions and on the division of plunder. They also instituted social welfare programs, providing for those who were hurt or maimed or the families of those killed in battle. They included people of all races, all sexualities, "villains of all nations." Like Hobsbawm's bandits, the pirates often served, directly and indirectly, in rebellions against oppressive rule. They sailed into the unknown. They had the courage of people who consented to ruling and to being ruled, the longing not to rule at all.<sup>12</sup>

Outlaws deserve their name and the ambivalence attached to it. They are outside the law. Frontier outlaws are beyond law's reach; often they are political exiles or refugees whose rebellion precedes their outlawry. All outlaws, of necessity, live and work outside and often in defiance of the law. Their actions can show the limits, the fragility, or the injustice of the law. Bands of outlaws, like those of Pancho Villa, raise the possibility of other political orders, outside or against the state. Where the state is unjust, they can move easily into revolution. All outlaws put the commanding power of the law in question. They show the limits of the law's power. They show the distance between law and justice.

For Jacques Rancière, democracy belongs to the part that has no part, to the excluded. In *A Renegade History of the United States*, Thaddeus Russell “tells the story of “bad” Americans—drunkards, prostitutes, “shiftless” slaves and white slackers, criminals, juvenile delinquents, brazen homosexuals, and others who operated beneath American society—and shows how they shaped our world, created new pleasures, and expanded our freedoms.”<sup>13</sup> This is, as Russell recognizes, an American (though not only an American) tradition. These people, the mad, the bad, the irrepressibly transgressive, mark the boundaries of sane, moral, and lawful a conduct, putting those boundaries in question. They expand dangers as well as possibilities: opening paths and setting traps. This might be, Russell declares, “history from the gutter up,” but any look at American culture, at any moment, in any place, shows people ready to embrace these freedom-loving transgressors. The antiheroes of every genre—videos, novels, comic books, history—testify to the importance of the rebel to the drive for freedom.

Russell departs from Rancière (or does he?) in seeing the excluded as alien to democracy. The democratic revolutions turned, he argued, from external to internal governance. People were called to discipline themselves. Russell has a keen eye for those forms of coercion that live in the mind and heart, governing conduct when government is silent—as well as those formal attempts, even (perhaps especially) by the partisans of political liberty—to regulate moral conduct. He provides a detailed account of the “renegades” and their contributions—witting and unwitting to freedom while recognizing that any world they would make “would be a living hell.”<sup>14</sup> If we are to become democrats, we need to rule ourselves, but we do well to recognize the cost of the discipline

democracy demands of the people, and the ways in which it may deform us. We need to keep a space for anarchy not only in the world, but in ourselves. Acts and practices that may seem, at first blush, to be distant from the political can be salutary political forces.

The rebels, the shiftless, and the transgressive who are suspicious of power fuel the drive to freedom and the drive to greater justice. They combat the excesses of those who want to govern too much. They mock those who have the arrogance to tell others how to pray, how to dress, what to eat, how to live. They open the possibility of other lives. Drag queens and voguers changed how people saw and then how they thought about sexuality, about race, about beauty, about who should be welcomed when they appeared in the world. Once they were shocking and outrageous. No more. Now they are ours.

These disobedient ones have served in other ways. Because they distrust power, they may protect others among the powerless. Because they have the courage of their own judgments, they can stand fast when rights and the just are under attack.

There is an old poem, written by a man who was a rebel himself, about those who keep honor safe. Vachel Lindsay's willfully democratic and political poetry is out of step with my time but speaks to it with a directness that pierces the heart:

We slept thro' wars where Honor could not sleep  
 We were faint-hearted, Honor was full-valiant  
 We kept a silence Honor could not keep.

Yet this late day we make a song to praise her.  
 We codeless will yet vindicate her code.  
 . . . A battered, rascal guard will rally round her  
 To keep her safe until the better years.<sup>15</sup>

The bandit, the outlaw, the rogue, the rascal, the battered, and the shunned live at the very boundary of the country, in the nation but outside the state, of the people but outside the law.

When people believe the law has failed them, they may (they should) turn to the people as a whole. They will have to ask, "Who are my people?" They will look for guidance to the living and those yet to

be born, questioning the sins (and perhaps the achievements) of the past, reconsidering their hopes for the future. When the law fails them, they look to those the law has failed. They will look to those among the present people who live abandoned by the law, in defiance of the law, and to those the law could not reach. When the people falter, they may find their hopes sheltered in unexpected places. Honor finds a refuge where reputation is lost.

There is another appeal made here. The bandit, the outlaw, the renegade, and the antihero argue for the possibility of redemption. Flawed people, people who have done wrong, committed sins against god and man, done acts of cruelty and failed, over and over again, to be good, can still find their place. The antihero speaks to those who believe they have done wrong—that is to say, most of us, for there are few among us who have no regrets. These stories show a path. People see that they can overcome their past, their errors, their shortcomings. They can learn to rule themselves.

The outcast and the exile, the shunned and the rejected have a place among the people. In this respect, as in many others, the rule of the people seems to be well understood among the religious (though they too rarely defend it). People of faith have learned to look among outcasts and exiles for prophets and saints, for the presence of the divine. For Christians, it is the child born in a barn and killed as a criminal who becomes the Redeemer of Mankind. Jews remember that those who worked as slaves in Egypt were raised above Pharaoh and brought to the Promised Land. Islam has such figures at its center: the outcast Hagar and her child Ishmael, the Prophet forced out of Mecca. Hinduism shows us Krishna among the Gopis, Rama and Sita sent into exile. In every time, in every culture, there is the recognition that greatness, even divinity, is to be found among refugees and exiles, the abandoned and the rebellious.

The recognition that the rule of the people belongs to the bandit and the outlaw, the pirate and the rogue, is as strong in conservatives as liberals, in philosophers as in poets. Those who distrust the people are found more often on the right than on the left, but are present in both. They anchor their distrust of the democratic in suspicions of the rebellious and the transgressive. Jacques Derrida is understood—and, I believe, understood himself—as a man of the left. That did not mean that he

was or wished to be a man of the people. For Derrida, democracy was so fragile that the people could not be trusted with it. That is a common—the most common—view of democracy among philosophers. Derrida, however, distinguished himself by concluding that democracy belonged to the future (*avenir*), but a future that was always out of reach. Democracy was *à venir*, a future that, although it is to come, never arrives.

Derrida recognized, nevertheless, that there are people who are close to democracy. Those were the rogue and the *shebab*, young Muslims in the street. Where the rogue is, he wrote, democracy is never far away.<sup>16</sup> For the people of the streets, for the people, democracy can never come soon enough. Democracy is *shaabi* in the Arabic that frightened Derrida; it belongs to the people, the masses, the crowd, the *shaab hurri*: to free people.

### 3. Democracy is shabby.

The Arabic word *shaabi* means “of the people,” but democracy is also “shabby” in the English sense. Democracy is the regime of worn-out shoes and old clothes, of frayed collars and thrift shops. For Plato, and many after him, democracy was government of the poor. Democracy accepts and belongs to those for whom shabbiness is, in Pierre Bourdieu’s apt phrase, “the choice of necessity.” No one has to dress up for democracy. Democracy belongs not to special occasions but to the everyday. Democracy begins not in the halls of government but in the streets, in bars, and at kitchen tables. You come as you are to democratic debates. Politicians who want to signal (as they must) that they belong to the people take off their suit jackets and roll up their sleeves. During his 1952 run for the American presidency, Adlai Stevenson was mocked for having a hole in his shoe. He made it the symbol of his campaign. The worn-out shoe testified to his hard work and frugality; it marked his efforts to speak to as many people as he could. The shoe bore witness to his labor. His indifference to the worn shoe showed an indifference to the marks of wealth and status. That is at the heart of democratic practice. Every politician who eats a corn dog at a county fair or sits down at a diner in jeans testifies to the importance of appearing (at least for the moment) as an equal.