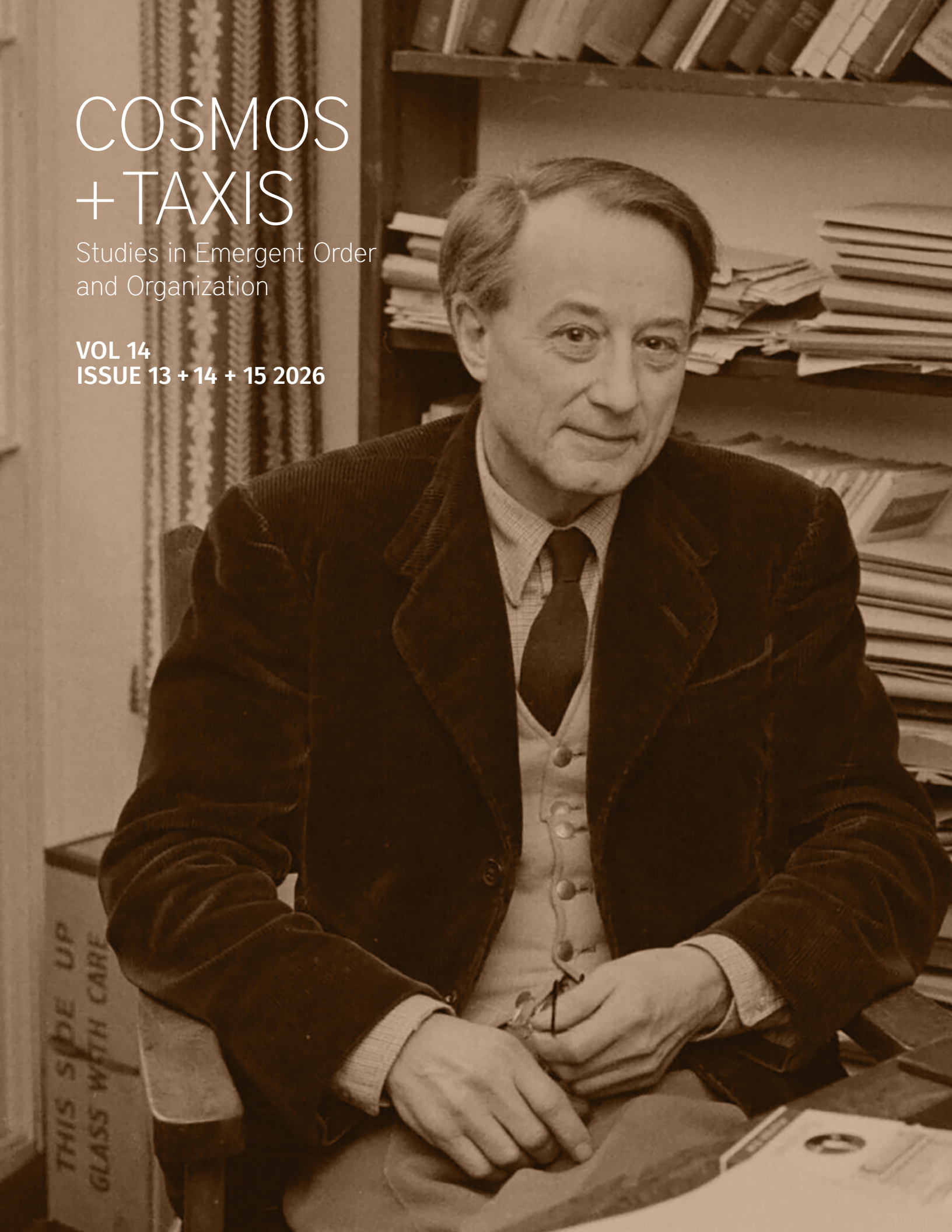
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1961. Evening Standard/Hulton Archive/Getty Images.

On Human Conduct at 50: Editorial Introduction

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It has been fifty years since the publication of Michael Oakeshott's *On Human Conduct*, and *Cosmos + Taxis* is pleased to offer this special issue of the journal devoted to a reconsideration of Oakeshott's now classic work of practical, moral, and political philosophy. When it first appeared, it didn't actually fall stillborn from the press, to steal a Humean locution, but it certainly did not receive the attention and adulation that greeted Rawls' *A Theory of Justice*, or even the vitriolic anger that Nozick's *Anarchy, State, and Utopia* managed to garner. However, the publication did manage to attract a modicum of special attention from *Political Theory*, though not exactly by a friendly set of readers, with the exception of Josiah Auspitz (1976). If Rawls' work was considered as a major statement of welfare liberalism and Nozick's a defense of classical liberalism or libertarianism, Oakeshott's didn't seem to be a statement or a defense of any kind. Instead, *On Human Conduct* offered, first, a different sort of political philosophy which was temperate, non-normative, and traditionalist; second, a conception of the modern state and its ambiguities; and, finally, an historical account of the emergence of the modern state. Oakeshott's *magnum opus* presented a deflationary sort of political philosophy compared to Rawls' attempt to create a decision procedure meant to dissolve/resolve one of the central conditions of human existence, which is conflict between various conceptions of a good human life. Instead, in the Hegelian tradition, the work presented a rational account of what actually exists informed by an Aristotelian account of the unalterable alterability of practical life.

In Oakeshott's preface to *On Human Conduct*, he noted that the "most appropriate expression [of philosophical reflection] is an essay…, an intellectual adventure which has a course to follow but no destination" (p. vii). The essays that follow reflect Oakeshott's sentiment well, in that they have no single telos but share both a common subject matter and an inclination toward theoretical reflection. Oakeshott also wrote that "a philosophical essay leaves much to the reader,…it does not stay to cross all the ts of the argument" (Ibid.). The contributors to the present issue of *Cosmos + Taxis* offer a modest attempt to cross a few of those ts, but each has his or her own 'course to follow'. The editors have arranged the essays according to Oakeshott's own division of the three essays in *On Human Conduct*, but this arrangement should not be understood as a heuristic device, but as the result of an impish sort of reflective equilibrium.

In the first section, "On the Theoretical Understanding of Human Conduct," the first essay, which is written by Quinton V. Peralta-Greenough, is titled "Reconsidering Michael Oakeshott's Development: Practices and the Unified Plurality of Human Conduct." Peralta-Greenough's essay seeks to clarify the coherence of Oakeshott's work on modality and practice, and to contribute to ongoing debates about development, continuity, and normativity in his thought. This is followed by William Church's essay "On the Theoretical Understanding of Human Conduct: Understanding, Conduct and Agency." Church's essay explores Oakeshott's understanding of theorizing and its connection to his conception of human conduct. Kenneth B. McIntyre's essay "The Philosopher as Proteus: The Varieties of Oakeshott's Epistemological

Pluralism" examines the character of epistemological pluralism and, more specifically, Oakeshott's brand of epistemological pluralism. Eric Kos' essay "Adventures in Human Conduct" concludes the first section. Kos' essay focuses on Oakeshott's distinction between practices and processes, and the connection between that distinction and Oakeshott's nuanced picture of freedom.

The second section, titled "On the Civil Condition," begins with Elizabeth Corey's essay "Oakeshott's Moral Vision." In it, Corey examines Oakeshott's vision of a satisfactory and flourishing moral life. This is followed by Samanta Stecko's "A Common Practice and a Collective Dream" in which Stecko offers an explanation of Oakeshott's understanding of civil association as an ideal type. The section closes with Michael Adamo's "The Development of Michael Oakeshott's Poetics," which, as the title suggests, traces the development of Michael Oakeshott's conception of aesthetics from his earliest writings through the publication of *On Human Conduct*.

The final section, "On the Character of the Modern European State," opens with Thomas Cheeseman's essay "The Genesis of the Modern World: Oakeshott, Machiavelli and the Roots of Individualism." Cheeseman questions Oakeshott's account of the relationship between the individual and anti-individual, as well as Oakeshott's placement of Machiavelli in the former camp. This is followed by "Oakeshott on Corporations' by Steven Gerencser. Gerencser's essay focuses on Oakeshott's understanding of human associations, specifically corporate associations, and the implications and limits of Oakeshott's contention that corporations are best understood as enterprise associations. The final essay, by Attila K. Molnar, is titled "The Non-skeptical Oakeshott on the Ideal Regime," and examines Oakeshott's conceptions of individuality, the rule of law, and civil association.

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Reconsidering Michael Oakeshott's Development: Practices and the Unified Plurality of Human Conduct

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I

Michael Oakeshott remarked that his writings disclose not a settled doctrine but a "consistent style or disposition of thought" (RP xi). This self-characterization has encouraged readers either to flatten the development of his work into an unchanging philosophical temperament or, conversely, to posit sharp ruptures between an early idealist metaphysics and a later pluralistic and anti-foundational outlook. Oakeshott scholarship remains divided over whether his later political and moral philosophy represents a rupture from, or a repudiation of, his early idealist modal philosophy. Both readings, I argue, obscure a more instructive line of continuity in Oakeshott's corpus: a sustained attempt to understand the conditions of intelligible human conduct, and, in particular, the role of what he variously calls "practice."

This essay argues that Oakeshott's lifelong concern with practice is not merely thematic but structurally decisive. From *Experience and Its Modes* (EM) through the collection of *Rationalism in politics and other essays* (RP) to *On Human Conduct* (OHC), Oakeshott repeatedly revisits the practical character of human life while struggling to reconcile it with his commitment to modal plurality. In his early work, this reconciliation remains incomplete. EM offers a powerful account of distinct modes of experience, yet it provides no adequate explanation of how a human agent moves between them in lived experience. This difficulty is inseparable from the thin and individualistic conception of "practice" as experience *sub specie voluntatis* articulated therein. The problem is not that Oakeshott denies the primacy of practical life—he explicitly affirms it—but that he lacks the conceptual resources to explain how that primacy can accommodate forms of experience that are not themselves practical.

I contend that Oakeshott's later theory of human conduct, culminating in OHC, should be read as a response to this unresolved tension rather than as a departure from his earlier philosophy. The key to this response is a reconceptualization of practice. Whereas "practice" initially names a mode of experience opposed to history, science, and philosophy, it is gradually transformed into a postulate of conduct: a socially mediated, procedural way of acting and attending that enables access to a plurality of forms of understanding. This shift allows Oakeshott to preserve the autonomy of the modes—or, later, the "voices"—while explaining how they can be encountered, sustained, and balanced within a single human life.

To make this case, I proceed in four stages. First, I examine the modal theory of EM and show why it fails to account for modal interaction within lived experience. Second, I analyze Oakeshott's early conception of practice and its limitations, alongside its partial revision in selected essays from RP collection. Third, I argue that the often-neglected essay "The Activity of Being an Historian" marks a transition in which Oakeshott begins treating practices as habituated forms of attention. Finally, I show how OHC resolves these difficulties by redescribing practices as adverbial conditions of conduct and morality as the *ars artium*, the practice of balancing among practices.

Read in this light, Oakeshott's mature theory of conduct does more than refine his political thought; it provides the conceptual framework that renders his epistemic pluralism intelligible as a feature of human life rather than a merely philosophical taxonomy. Moreover, this reinterpretation casts new light on Oakeshott's image of "conversation," suggesting that it functions not primarily as an epistemological metaphor but as a moral orientation toward plurality. By situating OHC within the trajectory of Oakeshott's earlier reflections on practice, this essay aims to clarify the coherence of his corpus and to contribute to ongoing debates about development, continuity, and normativity in his thought.

II

Oakeshott's broader philosophical project and theoretical method must be understood in order to grasp the importance of the later developments of his theory of human conduct. The two predominant aspects of his project and method are: i) the interrogating of postulates and ii) modal differentiation of different kinds of experience. Oakeshott's mature theory offered in *OHC* maintains this method and also offers solutions to the two main unresolved tensions of his early view articulated in EM.[1] The second of these tensions concerns Oakeshott's early rendering of what is presupposed in "practical" life—what Oakeshott later calls "human conduct"—which is the concern of sections three and four below. The purpose of this section is to articulate the other main tension of his early philosophical view: if there are logically distinct "modes" of experience, Oakeshott offers no clear understanding of how these alternative understandings of experience can interact within human experience.

Oakeshott's early philosophical view is rooted in Idealist traditions, both German and British; G. W. F. Hegel and F. H. Bradley are both explicitly referenced in the "Introduction" to EM (5). For Oakeshott and his chosen predecessors, all experience is understood as "thought," which is the integrative activity that holds together discrete ideas into a self-contained "world" (EM 21-22). On Oakeshott's view, true thinking overcomes all division or modification of "experience" in order to understand it as a concrete whole; this is done by questioning any assumption that leads to irreconcilable divisions or contradictions within the whole of experience (EM 8). Though every act of thinking is not an experience of the concrete whole, all experience is composed of thought and the manner of making this thought coherent unto itself—which we might call 'self-justifying' due to its lack of assumptions—is the pursuit of truth. There can, however, be defective or incomplete forms of thought within the whole of experience, but "wherever in experience the concrete purpose is pursued without hindrance or distraction I [Oakeshott] shall call it philosophical experience" (EM 63).

Philosophy understood in this manner thus takes on a twofold character: it seeks a perfectly self-contained form of experience but also describes other lesser "modes" of experience that errantly claim to be true in the philosophical sense. Oakeshott argues in *EM* that there are three dominant modes that are recognizable in the modern era: history, science, and practice (though there is no theoretical limit to how many modes there could be, and Oakeshott himself adds "poetry" (RP 488-541)[2] over two decades later) (EM 65). He therefore provides what we might call 'theories' of these alternative forms of experience in order to criticize them. What makes these other modes lesser than philosophy is that they each begin with assumptions that cannot be criticized without collapsing those lesser forms of thinking themselves; stated otherwise, the forms of experience cannot justify themselves as forms of thinking.

If the philosophical enterprise is lost when an assumption is axiomatically accepted, the modes are precisely the opposite: modal thought persists only where there is a grounding assumption upon which a given mode of thought rests. History is experience *sub specie praeteritorum* (EM 85),[3] science is *sub specie quantitatis* (EM 152)[4] and practice is *sub specie voluntatis* (EM 198).[5] History necessarily treats the past *as present to thought* without resolving the tension between pastness and presentness; science describes reality as quantities abstracted from concrete circumstances; and practice always posits a volitional self who is distinct from a world that he is trying to remake as he sees fit. For history to doubt the presentness of its past, for science to question its quantitative methods, or for practice to doubt the volitional self is to

question the axiomatic presuppositions of these modes of experience and to step outside them into a philosophic space. This is why EM proceeds to interrogate the modes and demonstrate their provisional nature; it is only from the standpoint of the ever-questioning procedure of philosophy that the assumptions made by the modes could be revealed and demonstrate that they do not have a proper claim on 'truth' as such, which is proper to philosophy alone.

A necessary conclusion from this modal theory is that there is no direct way in which any manner of thinking, be that one of the modes or philosophy, can correct the specific determinations that are particular to another (EM 254). This must be understood carefully. As is implicit in Oakeshott's view that philosophy can ascertain the assumptions made by the modes due to its critical nature, it is true that philosophy is a superior form of thinking to any of the others, such as history. What is not possible, however, is for philosophy to improve or criticize conclusions that are modal as such, like the historical claim that Julius Caesar was killed by a group of Roman Senators. To dispute this claim, one must think in a historical manner and offer evidence that suggests it was solely Marcus Brutus who did the deed or that it was some mob of angry slaves that rose up against their new despot; such a disputation, however, requires adherence to experience *sub specie praeteritorum*—thus philosophy is absent, perhaps only watching from the sideline to remind everyone that this whole debate is not ultimately satisfactory despite never disputing the historical details. This is no less true for other modes to criticize one another; neither practice nor science can respond to these claims about Caesar's death taken in the historical sense.

The modal framework that Oakeshott develops certainly has an 'epistemic' impetus that he names explicitly: he is concerned about the modern, intellectual weakness of committing *ignoratio elenchi* (EM 4). This is a common logical fallacy wherein a response (often one that is an attempted refutation) misunderstands the initial claim's meaning; in Oakeshott's view, this misunderstanding of intended meaning is often a matter of confusing different modalities of thought. The philosophy of EM therefore has a genuine speculative impetus: what are the different kinds of truth and how do we distinguish them? Oakeshott's concern is, however, also practical insofar as people are committing the fallacy of *ignoratio elenchi* in daily discourse: people do not know how to balance between the different modes or when they ought to invoke one and not the others. On Oakeshott's own grounds, however, this is not a philosophical claim. To make the claim that we should do *this* and not *that* is fundamentally a *practical* notion, something that has to do with human conduct.

EM must, therefore, deliberately withhold any resolution of this tension, since this would cause him to step too far into the practical mode of thinking. In ensuring that "practice" be understood as a mere "mode," Oakeshott focuses on maintaining that it does not meddle in what is proper to philosophy and the other modes. This leaves us at an impasse: how do the modes interact? What does it mean to move from practice to history and then to philosophy? My contention is that Oakeshott's continuous reconsideration of the meaning of "practice" eventually leads to a reformulation in OHC that allows for an insightful way out of this conundrum. If this difficulty is to be addressed without abandoning modal plurality, it must be addressed from within the conditions of lived agency rather than from the standpoint of any one mode. A different level of analysis and a further development of Oakeshott's thinking were demanded.

III

As noted above, Oakeshott's early EM contained two main unresolved tensions. The prior section established the first as the difficulty of understanding how a given human agent can move between the different modes of experience. The second is simply a critique of Oakeshott's early articulation of the mode he calls "practice" but eventually denotes as "human conduct"—a revision in name that also came with substantial revisions of content. I already noted that "practice" is initially understood as experience *sub specie voluntatis* or 'under the species of will,' but the detail of Oakeshott's account is initially sparse and had to be built upon as he continued writing. This section thus clarifies three aspects of Oakeshott's development: i) the limited articulation of Oakeshott's early understanding of practice, ii) how he continued tinkering with the

theory throughout his middle years of the *Rationalism* essays, and iii) how he began revising his use of the term "practice" to overcome earlier limitations.

Beyond understanding that "practice"[6] is a form of experience grounded in the presupposition of agents who have volition, there are two key claims Oakeshott makes about this mode in EM: first, volition is comprised of three integral concepts; and, second, that "practical experience" has an existential (though not logical) primacy for human beings. To begin with the former, Oakeshott's early articulation of practice is almost exclusively focused upon the three concepts that make volition possible: an agent, an understanding of the world as it is, and a vision of how the world could be (EM 198). None of those three concepts can be collapsed or neglected without necessarily damaging the others: discrete worlds of 'is' and 'ought' require an agent to impose the movement between them; an agent without a world that 'is' has nothing out of which to make his 'ought'; and an agent without an 'ought' has no real need to even engage with the 'is' for it would become either eternal or meaningless (EM 222). Practice, then, becomes the making coherent of an agent's experience of the world as it is and ought to be so that his sense of identity remains as continuous as possible throughout his life (EM 207).[7]

Logically embedded in this understanding of practice as malleable and contingent is that human agents both come to be and pass away; the practical mode, then, is the mode in which human beings attempt to live out their existence meaningfully: an agent must necessarily have some understanding of himself and a semblance of whom he wishes to become. Oakeshott himself readily expresses this throughout the fifth chapter of EM: "For the practical world is the most familiar of all our worlds of experience, the practical attitude our most constant mood. Unless we make some conscious effort to step outside it, it is within this world that we pass our lives" (EM 191).[8] With this concession also comes a key claim about the world of practice beyond that it is the world of volition characterized by an agent and the concept of 'is' and 'ought': "Mortality…is the central fact of practical existence; death is the central fact of life" (EM 210). The coherence the practical self seeks to find with the change inherent in life must always recognize this unavoidable calamity of death. Reconciliation with the fact that practical life will inevitably cease is the ultimate coherence achievable for practice.

This theory of practice is all that EM provides—there are some extended philosophical confusions that Oakeshott abates, but they are not pertinent to the present inquiry if his notion of all experience being a coherent world of ideas is accepted. In terms of what Oakeshott substantively provides regarding his notion of 'practice,' there is much wanting: he has no interest in theorizing the interaction of different selves; there is no discussion of collective self-understanding; and there is no sustained consideration for how different modes of thought could occur to the practical man, which is ostensibly the 'starting' position of all people.

While intriguing and provocative, Oakeshott's theory remains underdeveloped. He was, however, aware of this, as he continued to theorize about practice in the ensuing decades. Moreover, Oakeshott would go on to critique his English forebearer, Thomas Hobbes, for having an undeveloped notion of volition in his works, which suggests Oakeshott knew that a theory of volition needed more comprehensive description to understand what he had called 'practice' (Oakeshott 2000, p. 157). This does not, however, mean that every step of pursuing this end was flawlessly executed.

Whereas EM first came out in 1933, the bulk of the *Rationalism* essays were written sometime in the two decades following World War II. During the interim years, Oakeshott shifted his focus to politics in a way that suggests a sustained interest in further specifying the nature of 'practice,' at least in some of its details (EM 242).[9] Two essays stand out here as exemplars of Oakeshott attempting to better understand the practical realm: "Rational conduct" and "On being conservative." In these two essays, Oakeshott explicitly thinks through the manner in which people solve practical problems: the former essay with its somewhat jocular invocation of the development of "bloomers" within the traditions of English fashion (RP 101-103, 115-116), and the latter with its focus on the maintenance of an identity (RP 408-12; also see Peralta-Greenough 2022:52-64) which (as stated above) is the central, animating thrust of practice as outlined in EM.

Despite the essays of the *Rationalism* collection providing excellent arguments and claims worth reviewing, they tend to have a negative thrust in combatting errors as opposed to providing substantive theories. This is true of "Rational conduct" and the titular "Rationalism in politics"; moreover, the political overtones of these essays sometimes restrict us from taking them as representative statements about the nature of "practice" as articulated in EM. This is where "The voice of poetry" and "The activity of being an historian" stand apart from the rest of the essays in the *Rationalism* collection. In both cases, Oakeshott provides clear, theoretical accounts that articulate aspects of "practice" which are obvious updates to his earlier arguments. What emerges from the Rationalism period is not a replacement of Oakeshott's early account of practice but a series of experiments in clarifying what that account did not yet explain.

Firstly, "The voice of poetry" is unique within the *Rationalism* collection insofar as it returns so obviously to the themes and ideas of EM. Once again, Oakeshott is making categorical distinctions between philosophy, practice, and science, but now he is adding poetry—of course, the "modes" in this essay become "voices," though this change in diction has little import for my discussion here. For now, I focus only on Oakeshott's modest update in this essay to his theory of practice. As recognized by Andrew Sullivan (2007, pp. 57-58), "The voice of poetry" improves upon Oakeshott's prior theory of volition by moving beyond experience merely *sub specie voluntatis*. Oakeshott retains this language but evidently thinks it is too simplistic and individualistic in focusing on various actions being "pleasurable" or "painful." He subsumes such concerns, now, within a broader world of interpersonal exchange that includes "approval" and "disapproval" which he refers to as experience *sub specie moris* (RP 501). Neither of these considerations overrides the other (some actions may be approved but painful or pleasurable but disapproved) and there is still a prudential judgement of how to balance them, but the agent aims to produce both pleasurable and approved results (RP 502). There is, however, no development in the essay regarding what it means for practical concerns to be 'dissolved' so that other voices, like science or poetry, can be recognized; it is simply asserted that this can occur (RP 528-29).

This lacuna is, however, partially addressed by the argument of Oakeshott's far less cited "The activity of being an historian." Therein, he begins to use the term "practice" in an ambiguous manner that he goes on to clarify in OHC. This recognition of ambiguity around the term, in my view, indicates that Oakeshott was already beginning to alter his understanding of what he had, until this point, referred to as practice. Recognizing this ambiguity in the *Rationalism* essays allows us to better grasp the evolving framework of Oakeshott's late work that aimed to resolve the deficiencies of his earlier work.

"The activity of being an historian" was originally published in 1958, one year before "The voice of poetry," which suggests that Oakeshott was wrestling with the nature of "practices" and his theory of practical experience throughout the late 1950s. In this earlier essay, Oakeshott invokes a metaphor that is pregnant with conceptual significance: he refers to various "practices" as plotted on "the map of human activity" (RP 152). Though Oakeshott goes on to then consider different ways of thinking in a similar fashion to both EM and "The voice of poetry," "The activity of being an historian" is preoccupied with the conduct of human beings engaged in a number of "practices." If EM spoke of various "modes," and "The voice of poetry" is concerned with different "voices," "The activity of being an historian" is a distinct consideration that we might understand as 'practices of thinking'—which is the manner in which Oakeshott describes historical work throughout this essay:

> For, a direction of attention, as it is pursued, may hollow out a character for itself and become specified in a 'practice'; and a participant in the activity comes to be recognized not by the results he achieves but by his disposition to observe the manners of the 'practice' (RP 151).[10]

On its face, then, Oakeshott's rendering appears unstable here in considering that 'history' is a 'practice.' From the standpoint of his earlier modal framework, this language risks appearing as a form of *ignoratio elenchi*. The practical world of ideas is foreign to the historical, and to not recognize this is to allow one's speech to slip into irrelevance.

Oakeshott's language throughout this essay does not quite clarify the conceptual status of what he is trying to understand; he retains that there are other discrete ways of thinking such as the passive "*contemplation*"[11] and the active "*practical* and…*scientific* response[s]" which we are to presume have their own distinct 'practices' (RP 158).[12] This obviously follows the modal distinctions that Oakeshott had already established in EM and anticipates "The voice of poetry," but the fact that he is willing to move back and forth between 'practice' as a world of ideas and 'practices' as specific forms of conducting oneself to maintain distinguishable dispositions of thought comes off as conceptually unstable. Moreover, this suggests that there is a 'practice of the practical'—a phrase that threatens collapsing into triviality.

We may, however, also read this as Oakeshott recognizing the difficulties in how he articulated the relationship between the modes in his early work, at least insofar as he articulated his theory of "practice." What we see here in "The activity of being an historian" is the possibility of a path to modal intercourse. Unlike in "The voice of poetry," Oakeshott is here not merely asserting that there can be a movement from one voice to another but he is working out *how* this is able to happen.

In a characteristically poetic passage from "The activity of being an historian," Oakeshott outlines how a specific instance might allow for a variety of responses from an agent observing the scene:

> Every happening that we see taking place before our eyes, if we attend to it at all, arouses a response. And every happening is capable of arousing a variety of responses. For example, I may observe the demolition of an old building, and my response may be merely a movement of self-preservation—to get out of the way of debris. It may, however, be a more complicated response. I may recognize what is happening as an act of vandalism, and suffer anger or depression; or I may understand it as evidence of progress, and be elated on that account; or indeed, the whole scene may be contemplated without *arrière pensée*, as a picture, an image whose design is a delight to the eyes. In short, to attend to what is happening before us is always to make something of it for ourselves. Seeing is recognizing what we see as *this* or *that* (RP 157).[13]

The language of this excerpt belies a character that one might call existential or even phenomenological. The manner in which a given person understands the world is, in some way, up to him; he can work to see the world not only as a set of things to be done but as images to delight in or perhaps a series of equations to scientifically measure movements. Nevertheless, each manner of seeing is, in Oakeshott's view, "an achievement," something executed through deliberate effort (RP 174). When looking at different forms of thinking as "practices," they become habits of mind that generate discrete ways of recognizing the world—history, for example, being "an interest in past events for their own sake" as opposed to how a lawyer may use past court decisions to inform his present argument to win his client's case (RP 170-71).

Oakeshott describes this ability to achieve such habits of mind as themselves earned through a deliberate *practice* to think in a certain manner; they come about through thinking with specific considerations in mind—which presupposes that other considerations are being excluded. In "The activity of being an historian," he argues that the enemy of thinking historically is, fundamentally, the practical mode (RP 180-81). An historian must overcome his inclination to think about the past for the sake of present action; a Member of Parliament who researches the history of the Common's voting behaviour to understand how to get his new bill through the House risks distorting history proper to achieve his ends because he is motivated by a practical interest. Almost humorously, Oakeshott's suggestion is that the way of overcoming this ever-present inclination to answer to the demands of *practical experience* is achievable through a sustained *practice* that inculcates a distinct way of looking at and understanding the world around us. In this sense, we see that practice for Oakeshott has taken on a double-meaning: on the one hand, a practice is akin to a habit, meaning that a poet, scientist, or historian has a practice that allows him to get into the proper mindset to do his work *qua* his given intent; practice is also, however, still here a mode of thought that is focused upon how to live in the world, to make changes, and to know the difference between vice and virtue (RP 159).

There is, therefore, a tension between these two uses of 'practice' which makes us question why the singular term is being used to denote these two notions that hardly align. Oakeshott wrestles with the need to understand how the various modes of thinking are possible within human experience even if they are utterly discrete from the 'mode' of practical or moral thought. To describe them as habituated ways of understanding the world goes some way toward an answer, but the manner in which this relates to the moral world is still left ambiguous. What does it mean to no longer be concerned with the 'practical world' and to instead think historically or scientifically? Do we ignore the moral world in this procedure, or do people somehow become amoral when engaged in certain practices? The *Rationalism* essays, particularly "The voice of poetry" and "The activity of being an historian," are Oakeshott 'playing' with various notions to try to arrive at a way of synthesizing these various conundrums in understanding the world of practice more fully than he did in EM.

IV

Thus far I have explicated two key tensions of Oakeshott's early philosophical views: how the modes relate within his modal philosophy is not clarified, and the meaning of "practice" is rendered unsatisfactorily in EM before becoming complicated by experimentation in the *Rationalism* essays. I contend, however, that Oakeshott's OHC resolves these inadequacies via a fundamental restructuring of his use of "practice." In Section V, I explain how Oakeshott develops a theory of modal interplay (following-up Section II); the present section, on the other hand, describes how Oakeshott reforms his use of the term "practice" and his newly adopted term "human conduct" (following-up Section III). Oakeshott replaces the notion of "practice," as used in EM, with that of "human conduct"—though the former term is then integrated into the latter. Practices, on this view, become the connective tissue that sustain the modes within human conduct: practices are socially mediated ways of acting in and understanding the world as an agent, and their aims can be ordered toward a myriad of ends beyond only that of conducting one's life from birth to death. To do so, I begin by unpacking how OHC restates but also builds upon Oakeshott's claims made throughout his early and middle career.

In OHC, Oakeshott begins by stating that he intends to theorize "human conduct," an ideal character of which we may have intimations but nonetheless requires critical elucidation (OHC 31). He provides a brief, preliminary definition before describing the "postulates" that it requires: conduct is "a human being responding to his contingent situation by doing or saying *this* rather than *that* in relation to an imagined and wished-for outcome and in relation, also, to some understood conditions" (OHC 32). The first postulate here is that—because this is a world of "*pragmata*," or conditions understood as calls to responsive action—conduct itself requires an *intelligent agent* in order to do this understanding. Moreover, Oakeshott suggests that the agent must be recognized not only as "intelligent" but "free," though these two descriptors are closely bound. Oakeshott's use of the term "free" expresses that the agent reacts to his situations as he understands them; his activity must always, therefore, be viewed as a product of his thinking (correctly or incorrectly) about his circumstances (OHC 36). This can be juxtaposed with what we might call an "organic" determinacy; the circulation of my blood is not, in this sense, "free," because it is not something I must think through and perform (though I can, nonetheless know about it, and my free actions—such as using a knife while preparing dinner—may take such considerations into account). A man "is 'free' not because his situation is alterable by an act of unconstrained 'will' but because it is an understood situation and because doing is an intelligent engagement" (OHC 37).

At this point, we can recognize here a revised notion of the character of the individual embedded in the world of 'practice' that Oakeshott had described decades earlier in EM. In the earlier text, Oakeshott articulated that a 'volitional self' inhabits a world comprised of two further concepts denoted as the 'is' and 'ought.' This terminology is softly echoed; Oakeshott now explains that "an agent imagines, wishes for, and seeks to achieve a satisfaction; that is, a condition in which the specific unacceptability of his current situation is remedied or abated" (OHC 39). This sounds like 'is' and 'ought,' though this later articulation

places much more emphasis on the 'is' and suggests that the 'ought' must emerge *out of* the 'is,' as opposed to viewing this pairing as equal partners.

Oakeshott further builds upon EM by identifying a second postulate of human conduct: "contingency," or the recognition that a given situation "is, but it could have been other than it is and it is alterable" (OHC 41). In such circumstances, a free agent requires "deliberation" wherein a variety of options that are understood to be possible may be aimed for or avoided (OHC 43-44). This is, however, always a risky affair: an agent must contend with other agents, he may fail to achieve his outcomes, and there will always be new circumstances to address—contingency cannot overcome itself (OHC 45). This description begins to bridge the gap between *EM* and "The voice of poetry," as this understanding of contingent responsivity takes into account other agents.

For this reason, Oakeshott posits two other postulates: the first is deliberation, the act of weighing different courses of action and choosing between them. This, then, frequently results in the fourth postulate of conduct: persuasion, which is the act of trying to convince another agent to pursue an action that one has already deliberated about and deemed desirable (OHC 46-47). Persuasion and deliberation are intimately interlocked for any free agent, and they are frequently experienced nearly simultaneously or oscillated between.

We have, at this point, a preliminary description within OHC that incorporates the various elements of EM and "The voice of poetry." Oakeshott, however, goes beyond this to establish how such intelligent, free, and contingent affairs among many agents require another postulate to be made coherent: "practices." The need for this additional postulate is revealed by the fact that "*ad hoc* terminable encounters postulate more durable relationships between agents which are not themselves transactions but are the conditional contexts of all such transactions" (OHC 54).

A "practice" or "practices" have, now, taken on a distinct meaning for Oakeshott that was already developing in "The activity of being an historian." As noted above, the earlier essay described how being an historian and gaining access to what we might call 'historical experience' is made possible by sustaining a form of attention that has an exclusive "interest in past events for their own sake" instead of some present consideration (RP 170-71). There would be a variety of conditions that one imposes upon oneself in order to sustain this form of thinking. Oakeshott becomes more theoretical in OHC: he explains that a practice is "a prudential or an authoritative adverbial qualification of choices and performances, more or less complicated, in which conduct is understood in terms of a procedure" (OHC 55). We can therefore imagine quite a diverse list of possibilities that could be considered under this rubric, and Oakeshott himself provides just this: "words such as punctually, considerately, civilly, scientifically, legally, candidly, judicially, poetically, morally, etc." denote the *manner* in which a given action is undertaken without commanding "specific performances" (OHC 55-56).

This list itself should catch the eye of anyone who has been paying attention to Oakeshott's development from his early writings: he includes "scientifically" and "poetically" in his list of possible 'practices' to which someone may subscribe; moreover, he goes on to say that many practices have become recognizable as distinct forms of utterance: "*poetice, geometrice, historice, oratorice, philosophice,* etc." (OHC 56).[14] In each case, a specifiable practice has been developed by free agents to think in a specific manner; indeed, Oakeshott recognizes that most practices are, in fact, "prudential" in that they govern activity for the sake of arriving at a specific kind of objective or outcome (OHC 60). He is therefore distancing this new understanding of *a practice* from what he earlier described as "practical" experience. Now, "the so-called 'practical' is not a certain kind of performance; it is conduct in respect of its acknowledgement of a practice" (OHC 57). He further specifies that "knowing how to participate in a 'practice'…is not exclusive to conduct. It is present also, for example, in both 'historical' and 'scientific' inquiry, both of which are engagements in theoretical understanding released from the considerations of conduct" (Ibid.).

Oakeshott's phrasing here is still, admittedly, not perfect. What it means for an engagement to be "released from…conduct" is unclear, especially considering that every performance a human being

undertakes must be within human conduct. Nevertheless, Oakeshott does not leave his reader without an explanation for this tension. He does so by clarifying that all activity must have an aspect that is connected to human conduct—nothing done by a human could be considered outside of that domain. Yet, simultaneously, there are aspects of human conduct that are not themselves integral to the act of living, which is the task of understanding how to move from birth to death and discovering what it means to be a human being. To make this point, Oakeshott distinguishes between what he calls "doing" and "theorizing."

Anything and everything a human being acts out in the world contains some element of "doing." What Oakeshott means by "doing," in a strict sense, is an action that aims to modify the world in which we live for whatever reasons we may have. Thus, the butcher, the architect, the teacher, the dentist, the doctor, or the garbage man can all be called 'doers' in this Oakeshottian sense. They all aim to change the world in some manner (some in lesser ways, some in greater), and the purpose of their activity is—while not being devoid of a kind of understanding—ordered toward the achievement of a task, a 'doing,' and not toward that of a more profound source of understanding.

There are, however, specific forms of activity in which that "doing" is not the central purpose of the agent's performance—he is instead "theorizing," seeking an understanding of the world in some alternative manner. This does not mean that someone who is theorizing is without a "doing." Oakeshott relays that "the anchorite withdrawn in contemplation, Descartes cogitating in his stove-warmed room in Breda, and the theorist of conduct, no less than the carpenter at his bench…are responding to their situations in actions or in utterances which are the equivalent of actions" (OHC 33-34). This has sometimes been said to suggest that all activities should be "understood in the terms of doing" (OHC 34). Oakeshott, however, resists this perspective by noting that there is a difference between subscribing to conditions themselves and trying to theorize those conditions—the former being the desire to change the world and the latter to understand it. A scholar theorizing the meaning of the 'comical' is not telling a joke, and a comedian would likely do well to avoid theorizing about what he is doing in attempting to elicit a laugh from his audience (OHC 34).[15] Nevertheless, one can still recognize that this distinction does not release the engagement of theorizing from itself being a part of conduct. "Doing is an understanding, and undeniably in all understanding there is a doing" (OHC 34). The scholar of humour is also affecting the world in some manner, such as using up paper and ink in the writing of his theorems, but the purpose driving that activity is hardly to do so nor to change anything in the world—he only wishes for us to perceive the comedic from a new perspective.

The theorist's distinction, then, is that he generates a "theorem" that is incidental to his "performance," whereas conduct itself is concerned with his performance as the crucial instance being generated—but both retain an aspect of doing, a *practice*, no less (OHC 34-35). To once more turn to our scholar and comic, the latter fails insofar as he cannot elicit a laugh (or at least a grimace) from his audience while the former fails insofar as his theory inadequately grasps the meaning of the comedic; both, however, are undertaking actions in a manner requiring a sense of practice that informs how they go about their differing endeavours. What distinguishes them is that the understanding and the objective of someone strictly "doing" are one and the same. For the theorist, on the other hand, his "doing" is merely connected with but not explanatory of his activity—the theorem is not understandable by describing his actions. "The theorist of conduct is not, as such, a 'doer', and the theoretical understanding of conduct cannot itself be theorized in terms of doing" (OHC 35). The painter, the bricklayer, and the philosopher all subscribe to certain practices, even if the objects of their activities fundamentally diverge from one another. Each has a form of "doing" necessary for their tasks—whether contemplative, active, or theoretical—and this is what Oakeshott refers to as the practices that govern them.

"Practices," then, are rendered in OHC as the conduct-relative counterpart to what Oakeshott had earlier characterized as the "modes" or "voices." Human conduct, then, becomes the meeting place of the modes insofar as it is a human being conducting himself in a specific practice which gives him the capacity to *do* different things in the world or to *theorize* about it in a myriad of ways, be they scientific, philosophical, or anything else. Each practice involves a series of socially mediated procedures, ways of doing, that

aim at particular goals (be they theoretical or not), and only those considerations can internally deal with those questions: the practice of being a doctor has nothing to say to the practice of being an engineer, a chemist, or a theorist of conduct. They are simply oriented to different ends—just like the modes. In this strict sense, they have nothing to say to one another, but Oakeshott has overcome his earlier quandaries about how one could shift from one mode to another: one must redirect his self-conscious attention in an alternative direction, each of which is sustained by a practice that orders and helps to make intelligible such activities to their participants. What is left, then, is to understand how these different practices (and their modal differentiation) can be mediated intelligibly if they supposedly have nothing to say to one another as I have suggested here.

V

Oakeshott's mature notion of practices, then, explains how specific human practices provide procedures that, if subscribed to, allow different kinds of attention that can access other forms of experience. By learning to subscribe to these procedural conditions, a man can become an historian or a poet; granted, there is always an element of human conduct involved, and a man is never without concern for his actions, but those actions can become mere background considerations when engaged in other forms of thought and experience. What is not clarified by this initial description of practices, however, is what it means to move from one such practice to another. What governs these changes in attention? Does this not imply that the reasons supplied to make such decisions will make those various practices subservient to an overriding logic? To these questions, Oakeshott provides the governing calibration of human conduct: morality.

On Oakeshott's account, morality is understood as a final postulate in addition to that of practices understood in the more generic sense (as described in Section IV). Morality is itself a practice, but it possesses a special role within human conduct: it is the *ars artium*, the practice of practices, meaning that it is a learned manner of engaging in and balancing between various specifiable practices (OHC 60). This character of morality, however, makes it distinctive from the other practices we have been describing: it is not prudential in the same way as the other practices already considered. In the cases of bricklaying, carpentry, poetry, or philosophy, their various procedural conditions are ends-oriented and only intelligible and desirable based on what they aim to achieve. This is not so with morality: "a moral practice is not a prudential art concerned with the success of the enterprises of agents; it is not instrumental to the achievement of any substantive purpose or to the satisfaction of any substantive want" (Ibid.). Unlike the prudentially oriented practices that seek to achieve some specific satisfaction, Oakeshott argues that morality is without an "extrinsic purpose; it is concerned with good and bad conduct, and not with performances in respect of their outcomes […]; it is a relationship solely in respect of conditions to be subscribed to in seeking the satisfaction of any want" (OHC 62).

Morality, then, is not a game, and its character is therefore misunderstood under that analogy and requires another. In chess, for example, the rules are provided to explain how one can achieve a legitimate victory, and the rules themselves are meaningless without a sense of the objective of winning the match. This is not so with morality, which Oakeshott instead likens to a language in that it clarifies and structures all our experiences without specifying any given performance or utterance; our performances or utterances are supplied by the various ends-governed practices acknowledged above (OHC 60-61). In this way, morality is not competing with prudential practices; to believe that it does is akin to suggesting that the English language itself is somehow in competition with Bertrand Russell's argument that rejects the Christian God: this simply makes no sense and misunderstands the relationship between a language and the arguments it may be used to make. Morality is no different: it only supplies a sense of 'grammar' and 'syntax' to our conduct that allows us to balance between our many chosen endeavours. Indeed, morality needs to be this otherwise it cannot mitigate the conflict inherent to the human condition: "moral conduct is not solving problems; it is agents continuously and colloquially related to one another in the idiom of a familiar language of moral converse" (OHC 64).

Given this distinction between the practice of morality and other prudential practices, we can see how the latter—including those of a theoretical bent—are not in themselves threatened by moral reasoning. Our moralities, which are simply understandings of conduct as a whole, allow us to recognize various rules and duties that create a harmonious relationship between the many prudential practices that we and others constantly engage. Such rules and duties are not a morality itself but abstractions derived from it—they are gleaned from a moral reality and help us to maintain that greater whole but should not be confused for the moral reality as such (OHC 66-67).

Oakeshott explicitly states that this means that "no performance is 'just' or 'unjust' in respect of being a wish to achieve an imagined satisfaction or in respect of its actual outcome, but only in respect of its relationship to a moral practice understood as a composition of rules" (OHC 69). Thus, it is not only the various 'explanatory' practices (like science or history) that are not internally regulated by moral considerations as such; this would also be the case with the practice of being a father, a teacher, a butcher, a janitor, or a politician insofar as you can isolate any such practice in an ideal manner. What matters is the ways in which this plethora of practices that everyone inhabits (though we all inhabit different though overlapping ones from one another) is internally balanced and maintained so as to make the whole of life as cohesive as possible given the postulates of conduct.[16] This is then structured within the same parameters that Oakeshott has maintained throughout EM and the *Rationalism* essays: they persist within a conjectured understanding of human beings moving from birth to death and trying to find a sense of themselves within that human circumstance (OHC 80-81).

The brilliance of this recognition is that it allows any given practice to remain internally autonomous from moral concerns; thus, a scientific, poetical, or historical practice is not subject to "moral" demands in terms of what those endeavours may generate per their unique ideational characters. Oakeshott persists in arguing that this deliberation is made within the confines of human mortality taken as a fact of life; this balancing act of morality is judged within considerations of what it means to live a finite existence and what we owe to others who are in the same situation. It is only in the manner that a multitude of practices intersect and perhaps conflict that one can be said to make "moral" demands upon a person engaged in any specific practice. To give a pithy example, asking: "Is it immoral to philosophize?" is a non-sensical question in the abstract. For an old widower, who tends to remain alone in his apartment on weekday evenings, to write out some philosophical speculations while enjoying a glass of wine is unlikely to be seen as immoral; on the other hand, if I were absentmindedly philosophizing while my wife is exhausted due to the onset of an illness and my infant son is wailing in hunger, this would probably be considered immoral due to the detriment this would have on other practices are also impinging upon me.

Oakeshott's moral theory as developed in OHC has, therefore, worked through the problems that plagued his earlier arguments in EM and the essays of the *Rationalism* collection. By developing a more robust theory of practice as an aspect of human conduct and theorizing how this culminates in a morality understood as an embodied language in which various agents and their practices relate, Oakeshott is able to maintain that there is autonomy for the "modes" (or "voices") as they are disclosed in human practices while also expressing how moral considerations may govern those engagements without collapsing their unique forms of experience. Oakeshott, however, here provides nothing concrete for how life should be lived, as this is merely a theory of conduct that reveals its postulates without specifying the substance that rests upon them. Nevertheless, I believe that reconsidering Oakeshott's "The voice of poetry" and "The activity of being an historian" in light of the argument of OHC may make the earlier essays clearer and Oakeshott's overall corpus more coherent—and provide a thin normative framework for us to consider.

Some scholars, notably Steven Gerencser, argue that "The voice of poetry" suggests a radical shift in Oakeshott's understanding of philosophy that is fundamentally anti-foundational and supplants the grounding role of philosophy (1999, pp. 7, 34-38). This is a provocative claim, but one that is beyond the scope of this paper to adjudicate. I would, instead, like to offer an alternative suggestion: "The voice of poetry" should fundamentally be understood as a moral argument, though it is one in which the theoretical voice is supplementing and clarifying various details (RP 495). The moral aspect of the

argument comes through in how Oakeshott argues we should be conducting ourselves in relation to our use of the many voices: he recommends that we must become *conversational*, enjoying the different voices but never confusing any one of them for the conversation itself (RP 493-94).[17] This closely mirrors his understanding of morality as the governing logic between the many practices known in human conduct. Just as morality balances between these many prudential aims, so too does Oakeshott describe 'conversation' as the ultimate image for understanding how to balance between the many voices present in human life.

Moreover, this claim that human intercourse is understood as a conversation in which the different voices are all allowed a place is suggested in "The activity of being an historian." Oakeshott therein recognizes that the predominant threat to historical thought is that of an intruding "practical attitude." Given the revisions in language from OHC which I have acknowledged above, we can recognize that Oakeshott is suggesting that *historical theorizing* often becomes corrupted by those who are overly concerned with *doing*. In this way, there is a moral failure in not recognizing the differences between various practices that allow access to different "modes" or "voices," and consequently the human conversation is diminished. This, even if only vaguely, presents a limited moral suggestion that we might provisionally compare, in its orienting rather than prescriptive character, with images such as Aristotle's 'Golden Mean' or Kant's 'Categorical Imperative'—though without their aspiration to universal principle.

In brief, then, the conversational image of "The voice of poetry" acts as a thin, normative standard for moral life: we should desire as great a variety of engagements as possible without eristically collapsing any of them into the others. Conversation is judged by the richness and plurality of its voices, but only insofar as a balance is maintained between these many endeavours. This gives a touch more flesh to Oakeshott's notion of morality as the *ars artium* of OHC and reveals how Oakeshott's *magnum opus* masterfully connects the many threads that had persisted throughout his early writings. Oakeshott's conversational ethos clarifies how he understood the human passage from birth to death as intelligible without recourse to moral foundations or substantive ends (OHC 81-86).[18]

VI

This essay has argued that Michael Oakeshott's mature theory of human conduct should be understood as the culmination of a long-standing effort to clarify the practical conditions under which a plurality of forms of experience can coexist within a single human life. The difficulties that arise in EM—most notably the absence of any account of how distinct modes of experience may be encountered and sustained by a practical agent—are not abandoned in Oakeshott's later work but addressed through a substantial reworking of the concept of practice. What begins as experience *sub specie voluntatis* is eventually reconceived as a set of socially mediated procedures that orient conduct without dictating outcomes.

By tracing this development through the Rationalism essays, and especially through the transitional reflections of "The Activity of Being an Historian," I have suggested that OHC resolves two related problems in Oakeshott's early philosophy: the indeterminacy of practice and the opacity of modal interaction. Practices, as adverbial qualifications of action and understanding, provide the means by which agents can redirect their attention and engage in historical, scientific, poetic, or philosophical inquiry without collapsing those forms of experience into practical instrumentalism. Human conduct thus becomes the locus in which epistemic plurality is lived rather than merely asserted.

The culminating role assigned to morality as the *ars artium* further clarifies this achievement. Morality, on Oakeshott's account, does not compete with prudential or theoretical practices, nor does it supply substantive ends for them. Instead, it provides the grammar through which agents negotiate the inevitable tensions among the many practices they inhabit. This understanding preserves the internal autonomy of each practice while acknowledging the fact that human beings must continuously balance them within the limits of a finite life.

Reconsidered in this context, Oakeshott's image of conversation emerges as a moral rather than purely epistemological metaphor. Conversation names the disposition required to acknowledge a plurality of voices without allowing any one of them to claim sovereignty over the whole of human experience. It is a thin but genuine normative orientation, comparable not to a moral system but to a stance toward life that resists both reductionism and fragmentation.

The interpretation offered here does not claim to exhaust the implications of Oakeshott's theory of conduct. Questions remain about the status of philosophy within this framework, about the relation between self-enactment and self-disclosure, and about the place of religion in Oakeshott's understanding of moral life. Nevertheless, by situating OHC as a response to problems generated within Oakeshott's own early philosophy, this essay has sought to clarify the unity of his thought without denying its development. In doing so, it aims to show that Oakeshott's enduring contribution lies not in a doctrine to be applied but in a way of understanding human conduct as a plural, conversational, and irreducibly moral achievement.[19]

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NOTES

1 The claim that Oakeshott is consistent in his methods is debated in Oakeshott scholarship, so I will simply have to rely on an authority to substantiate that there is continuity in Oakeshott's understanding of theorizing throughout his career (Franco 1990, p. 166). A few others have also suggested this more implicitly than Franco, insofar as continuity is assumed in their analyses of Oakeshott's work: Grant 1990; Auspitz 2005; Alexander 2012; Nardin 2000. For examples of those who have distinctive views from Paul and these others, see: Gerencser 1999; Sullivan 2007; McIntyre 2012.

2 Michael Oakeshott, "The voice of poetry in the conversation of mankind," in Oakeshott 1991, pp. 488-541.

3 'under the form of the past.'

4 'under the form of the quantitative.'

5 'under the form of the will.'

6 I am here using the term 'practice' because this is the term that Oakeshott uses throughout EM

and the Rationalism essays to refer to this 'mode' or 'voice' of experience. He evidently goes on to modify his use of the term 'practice' and replace the 'mode' or 'voice' of 'practice' with 'human conduct' in his 1975 magnum opus—which I reiterate in the subsequent sections.

7 This is a theme also of deep importance and consideration in Oakeshott's later essay, "On being conservative," in RP 407-437.

8 One could argue against my claims here that Oakeshott does acknowledge within EM that it is possible to "step outside" the world of practice, but what precisely this means is difficult to understand. One might ask Oakeshott how a given person is capable of actually stepping outside practice as he describes it—would this not be a complete neglect of the passage of life and its concomitant concerns? Evidently, this is an Ideal notion of these various forms of experience, but Oakeshott's early formulation's adherence to such strict separation makes any intercourse or movement between modes difficult to conceptualize.

9 This may seem somewhat conjectural, but the sole place in which politics is used in a substantive manner in Oakeshott's earlier philosophical work was as a placeholder for practical concern: "A practical interest has usually intervened to put an end to serious discussion; the philosophical problem has been abandoned in favour of a merely *political dispute*; on both sides, the assertion of prejudices and opinions has taken the place of argument" (EM 242). Moreover, there are a number of essays in which this assumption that 'politics' is a species of the genus 'practice' is made explicit throughout the collection: "Talking politics," "Political discourse," "Rationalism in politics," and "Political education." In all these, political talk and action are taken to be abridgements within a 'tradition,' or what we might call an ongoing set of civilizational practices. Someone could, indeed, write a distinct paper on Oakeshott's understanding of politics as being an aspect of practice.

10 This phrasing nearly matches some statements that Oakeshott would subsequently provide in OHC 55, though the style and tone of the latter is certainly more densely philosophical: "It [a practice] is a prudential or an authoritative adverbial qualification of choices and performances, more or less complicated, in which conduct is understood in terms of a procedure." Passages such as this feature prominently in my subsequent arguments below.

11 Considering this essay is written a year before the "The voice of poetry," it is notable that Oakeshott here speaks confidently of poetry as being a distinct form of experience from any of the others; indeed, "The voice of poetry" might be read as a necessary explanation of what he was talking about in this essay.

12 Oakeshott's italics.

13 Oakeshott's italics.

14 Oakeshott's italics.

15 This is Oakeshott's own example given in the text.

16 This description lacks any clear moral imperatives (which is precisely Oakeshott's intention, as far as I can tell), which may appear to be a non-explanation. What Oakeshott would argue, however, is that such balancing between practices can only be known within a particular, historical context based on the practices that have therein emerged. It is precisely for this reason that Oakeshott ends "On the Theoretical Understanding of Human Conduct" by saying that any further specification of conduct or morality would require a turn to history. Those determinations would need to be based on a specific community in a specific place at a specific time – which aligned Oakeshott with figures like Burke and Hume. See Smith 2012, p. 140.

17 As well, though I am unsure if this was what Ferenc Hörcher expressly intended in his own treatment of Oakeshott's use of the conversational metaphor, the moral connotation of a 'conversational criterion' first dawned on me when reading an essay to which I wish to give due credit: Hörcher 2010, pp. 241-246.

18 No doubt, what I am here discussing also becomes evident in Oakeshott's discussion of "religion" as the highest form of morality—though I believe that unpacking this at length will take me well beyond what I have herein argued.

19 This paper benefitted greatly from comments graciously offered by Timothy Fuller, Kenneth MacIntyre, James Alexander, Leslie Marsh, and Thomas Cheeseman; in all cases, their wise commentary helped omit several foolish errors from persisting in this paper, and any that remain are of the author.

On the Theoretical Understanding of Human Conduct: Understanding, Conduct and Agency

WILLIAM CHURCH

I. INTRODUCTION

On Human Conduct (1975) was Michael Oakeshott's most mature and rigorous work in political theory. Critics thought otherwise, and OHC received mixed reviews after its publication. It exemplified a venerable tradition of political theory that had fallen out of fashion in the latter half of the 20th Century. It stands in contrast to significant contemporaneous works such as John Rawls *A Theory of Justice* (1971) and Robert Nozick *Anarchy, State, and Utopia* (1974) which were normative works and sought to revive traditions of political treatise and social contract. The closest analogue to this style was Bernard Bosanquet's *The Philosophical Theory of the State* (1899) which perhaps led Paul Franco (2014, p. 101) to describe OHC as Oakeshott's attempt to provide a '*restatement of the idealist theory of the state*.' Conversely, others have emphasised Oakeshott's break with commitments in his earlier Anglo-Hegelianism. Aspects of the work compare favourably with what Hannah Arendt identified as the ontological task of the political theorist to contemplate the features of the human condition.[1] Hannah Pitkin, one of Oakeshott's most uncharitable detractors, penned a review titled, "Inhuman Conduct and Unpolitical Theory" (1976, pp. 301-320). Benjamin Barber, writing in 1976, p. 447, perhaps best encapsulated the dismissive caricature of Oakeshott during his lifetime among academe:

> Oakeshott will be written off as an idealogue, a conservative, or simply an Englishman, only by those completely deaf to political theory as a conversation. That is not to say that his writings have not had a central ideological thrust: ever since 1933, when he published *Experience and its Modes*, he has been struggling to conserve politics from the central orthodoxies of the 20th Century liberalism and liberal Marxism. Against economists, moralists and reductionists of one kind or another…

In contrast, many subsequent scholars have lauded its value as a dense work of profound originality.

OHC diverged from Oakeshott's other works in that it was almost entirely an exercise in political and philosophical abstraction. The book consisted of three inter-linked essays, the titles of which perfectly described their respective contents: (I) "On the Theoretical Understanding of Human Conduct," (II) "On the Civil Condition," (II) "On the Character of a Modern European State." Much extant scholarship has focussed on the last two essays, both in terms of Oakeshott's intellectual history and what he proffered—the equivocal nature of the modern European state and the relationship of civil association to liberal political theory. The first essay, however, has been comparatively neglected and yet it is crucial to the purpose of OHC in significantly modifying Oakeshott's earlier thought on philosophy and the nature of theorising. Within this essay Oakeshott discussed human conduct, importantly distinguishing between

conditions of self-disclosure and self-enactment. Although an organised thinker, those familiar with Oakeshott's post-war publications often admire his essayist prose, rich with allegory and neat metaphors. *On Human Conduct* combined Oakeshott's literary elegance with systematic rigour proceeding from first principles to finally extrapolating upon his understanding of human nature to sharply dissect the ambivalent character of modern politics.

I first discuss Oakeshott's exploration of the nature and limits of theorising by grounding it in conditional platforms of understanding and rejection of the idea that theory can uncover ultimate truths or guide conduct. Secondly, I analyse Oakeshott's account of human conduct and agency as contingent on action involving reflective, intelligent agents engaging in a world of contingencies. Drawing (somewhat) on Aristotelian and Hegelian traditions, Oakeshott conceptualises agency not as unconstrained will but as reflective consciousness—a learned, historic condition. Conduct is not theoretical but performative, involving deliberation and persuasion. Moral conduct, analogised to language, is a practice of self-enactment and self-disclosure: agents act both in accordance with shared moral norms and from personal motives. This duality allows for individuality, subject to the adverbial conditions of conduct. Similarly, Oakeshott rejects biological determinism and instrumental morality, arguing that moral rules guide action without determining it. This view is important to his theory of civil association, which grounds freedom in rule-based practices, echoing Hegel while defending moral agency as expressive, uncertain, and historically situated. Thirdly, I discuss how Oakeshott links religion to self-enactment rather than to specific actions, viewing faith as consolation for human futility. Influenced by Augustine, he treats religious belief as a response to existential despair. Important here is his implied critique of modern liberalism's emphasis on self-disclosure, arguing that true individuality lies in authentic, inward moral self-enactment beyond utilitarian calculation. Finally, whilst scholars have extensively covered Wittgenstein's influence, I contend that compelling grounds support an Augustinian reading of Oakeshott's purpose. Oakeshott's distinction between self-enactment and self-disclosure parallels Augustine's distinction between the *verbum interius* and the external word: for Augustine, the *verbum interius* is the inward, mental articulation that orders thought and intention, a conceptual "word" prior to any spoken sign and ultimately rooted in the soul's participation in divine illumination. Whereas the external word is the outward sign or voice that expresses that internal understanding through speech and action, and which can never by itself confer intellectual insight. In Oakeshott, self-enactment expresses the agent's moral sentiment, revealing the orientation of the will that animates conduct, whereas self-disclosure manifests the adverbial conditions under which actions are performed, showing their moral quality indirectly. Moreover, Oakeshott approaches an Augustinian account of agency insofar as he affirms that human beings exercise will, choice, and deliberation, yet the virtue of their actions ultimately depends upon the orientation of desire; although Oakeshott allows greater latitude in identifying the sources of moral selfenactment, Augustine locates the remedy for disordered desire decisively in divine grace, which heals and rightly orders the will to produce genuinely virtuous action.

II. HUMAN UNDERSTANDING: POSTULATES AND THE NATURE OF THEORISING

The gist of *On Human Conduct* is nicely summed up by Oakeshott's opening statement in the preface (1995/1991):

> Philosophical reflection is recognised here as the adventure of one who seeks to understand in other terms what he already understands in which the understanding sought, is a disclosure of the conditions enjoyed and not a substitute for it.

Oakeshott starts from first principles, contemplating the nature of human understanding. This, he argues, is an unsought condition and inextricable from our human condition which constitutes a predicament. To be human is to "inexorably inhabit a world of intelligibles" (OHC 1). Through the pursuit of misty intima-

tions we come to inhabit a world of recognisables, in which "there can be no absolute distinction between fact and theorem" (OHC 2-3). This is necessarily an activity of identifying ideal characters, which is prone to fallibility, but involves a unity of particularity and genericity. As Oakeshott expressed this, "in every "going-on" identified there remains an imperfectly resolved tension between particularity and genericity" (OHC 5). Importantly, Oakeshott impresses a distinction between "going-on" which is theoretical and concerned with the generation of *theorem*, and that concerned with unproblematic verdicts. To apprehend an apple falling from a tree does not necessitate a theory of Newtonian gravity, this is an example of "going-on" in the sense of observable processes. To express this in Oakeshottian terms: "going-on" concerned with identifying ideal characters (*qua* theoretical explanations) are distinguishable from the identities with which they are concerned (OHC 14-15). Suffused here is a categorical distinction between two kinds of identities. Firstly, "going-ons" which are not themselves the exhibition of intelligence, and do not require being learnt to grasp their happening and can be understood as having causal processes. Secondly, "goings-on" which are themselves exhibitions of intelligence. These are not concerned with processes but rather practices and presuppose an ordered context. Each necessitates a different order of inquiry with its own distinct idioms of inquiry. All human activities are exhibitions of intelligence and concern practice, including theoretical understanding. The theorist is engaged in the reflective activity of explaining at a higher level a phenomena beyond its identification (OHC 13). In Oakeshott's words the theorist, "is no longer concerned with a thunderstorm but with the new problematic theorems of electromagnetism" (OHC 10). In elucidating postulates, this theorist is engaged with a more difficult task than identification—how polarised electric charges interact to create the observed phenomena of flashes of lightning. Thus, theorising involves two composites: (I) identification, and (II) explanations in terms of postulates. The activity of theorising he contends always involves problematic *theorems*, since identification is fallible, and given its inquiry takes place within conditional platforms of understanding.

The theorist is "perpetually *en voyage*" (OHC 11), and the *theorems* produced by his theorising are always open to investigation. The paradox of theory "is its propensity to generate, not an understanding, but a not-yet-understood" (OHC 11-12). Oakeshott discounts the possibility of minimum or universal epistemological standards; however, it follows that each "conditional platform" is comprised of its own standards, which he likens to idioms. This marked a terminological shift from *Experience and its Modes* (EM 1933), in so far as homogenous modes (which make up the concrete whole of experience) were replaced with conditional platforms. However, Oakeshott preserved irreducible plurality in that each platform has its own idiom, not unlike the distinct internal logic that characterises autonomous modes of understanding. According to Oakeshott, conditional platforms presuppose that "each is an autonomous adventure in theorising, insula, inextinguishable, resistant to reduction, having his own conditional truth, and capable of its own conditional perfection" (EM 12). In effect the substance of Oakeshott's position is simply modified but largely unchanged, the soundness of discourse dependent upon the internal standards of the conditional platform and their distinct idioms of inquiry. This coheres with Oakeshott's earlier position that, "each abstract world of ideas, in so far as it is coherent, is, then, true so far as it goes, true if its postulates are accepted, true if its reservations are admitted" (EM 77).

In EM Oakeshott was primarily concerned with differentiating the worlds of science, historical experience, and practice from each other. Oakeshott went to considerable lengths to differentiate these modes in terms of their distinctive features and disciplinary boundaries. In particular, he expended much effort defending the autonomy of historical inquiry from the intrusion of science—reflecting Dilthey's distinction between the natural and human sciences. Similarly, many of Oakeshott's contemporaries shared this humanist concern to defend its autonomy from science, as most evident in Isaiah Berlin's lectures on the philosophical history of Vico (Berlin 1982, pp. 80-110). Importantly for Oakeshott, the attempt to reason from one mode to another was an example of categorical error (*ignoratio elenchi*). Oakeshott's concern was undoubtedly to dismiss as nonsensical the supramodal reasoning of such endeavours as Karl Mannheim's "sociology of knowledge," and to protect history from positivistic reductions of its enterprise. In later writings, this hard injunction was tempered to the extent that

Oakeshott countenanced intermodal conversation as distinct from argument (*Rationalism in Politics* RP 477). Comparisons between his defence of the autonomy of history and R. G. Collingwood have been well-explored, though it also shared a striking semblance to the German hermeneutical tradition, in which human acts are not subject to the methods of natural science and their proper interpretation is *via* imaginative dialogue.[2] Whilst this was substantively preserved in OHC, Oakeshott was primarily concerned with the nature and limits of theorising. All understanding begins in an already understood, and all theorising involves understanding with more clarity than what is already understood. Consistent with his earlier Idealism, Oakeshott, similarly disposed of "brute" facts. However, OHC marked a shift in three significant ways: (I) Firstly, "going-on" replaced experience. Furthermore, instead of separating the practical from other kinds of activities, all activity involves practice, and this extends to theoretical engagement. (II) Secondly, conditional platforms replace modes as the domain within which inquiry takes place. (III) Oakeshott substantially revised the critical and unconditional task he had ascribed to philosophy in his earlier work. In EM philosophy enjoyed a supervening role above other forms of modal experience as understanding "without arrest or presupposition" (EM 2). This earlier position somewhat reflected Hegel's notion that philosophy is "the highest, freest and wisest phase of the union of subjective and objective mind" (Herbermann 1907, pp. 192-93). Oakeshott himself noted his debt to F. H. Bradley and Hegel (EM 6), though such an understanding of philosophy, arguably, finds an analogue in Spinoza's *Ethica* (1677). Arguably, Oakeshott was closest to Collingwood's *Speculum Mentis*, without the insistence upon a hierarchy between modes. Oakeshott also departed from Collingwood in arguing that the presuppositionless nature of philosophy denied its understanding as a mode. In contrast, *On Human Conduct* affirms that while philosophy involves the critical task of pursuing definitive understanding, as an explanatory form of inquiry it is concerned with postulates and conditions, therefore philosophy remains a conditional form of understanding. The philosopher cannot escape the imperfect condition of the cave-dweller and discover "ultimate postulates" (OHC 29). The conditional nature of philosophy necessitates that it is incapable of finality, its conclusions are incomplete, and always subject to subsequent critical investigation.

Oakeshott's repartee to Plato in his reworking of the allegory of the cave in the first essay underscores Oakeshott's shift to a more conditional understanding of philosophy. The cave-dweller for Oakeshott was correct to hold in scorn the philosopher who egotistically posits that his understanding is not only unconditional but superior to the conditional understanding of the cave-dwellers (OHC 25-30). He affirms the Socratic understanding of philosophy as a critical activity, but shared Hegel's sense of circumspection that the philosopher is often wise in retrospect. Important to Oakeshott was the sense that philosophy (and theorising) is chiefly concerned with explanation, and not with practical recommendation, thereby distinguishing its proper purpose from the activity of the theoretician and *philosophe*. As Oakeshott remarked, the theorist having escaped the cave, "recognizes the conditions (the performance at the parapet), not as instruments of understanding but themselves invitations to inquiry" (OHC 28). This was also consistent with his earlier insistence on a separation of theory and practice. However, in OHC his concern is rather to separate the domains of theory from conduct, since he reasons that all activities involve specific practices. Importantly, all theoretical understanding needs to relate to the conditional understanding it attempts to theorise. Furthermore, the postulates which result from theorising are not deduced principles which have relevance to conduct. This cautious attitude towards the role of the philosopher was arguably one that developed prior to OHC. Oakeshott is best known for his critique of rationalism; however, this critique has limited connection here. The critique of rationalism concerned an approach to politics that was Baconian, and significantly, cannot be interpreted as prophylactic for the philosopher's relevance to human conduct.[3] In his essay "The Claims of politics" (1939, p. 148) published in *Scrutiny,* we can see the first inkling of Oakeshott's departure from the almost omniscient quality he assigned to philosophy in EM. In Oakeshott's words, the philosopher does not emerge from "a retreat, bringing with them some superior wisdom, and enter the world of political activity, but to stay where they are, remain true to their genius, which is to mitigate a little their society's ignorance of itself."

To imagine that philosophy can perfect conduct is to forsake what makes it distinctly philosophical. Oakeshott's criticism of the *philosophe* cannot be likened to the vulgar anti-intellectualism of reactionary figures, such as Maurras or Gentile. The activity of the theorist is valuable as it clarifies or provides new insight into an already understood. Moreover, philosophical reflection is, "a disclosure of the conditions of the understanding enjoyed and not a substitute for it" (OHC xxi). Curiously, Oakeshott remarks that theorising so far as it concerns identifying abstracted identities remains "poised between heaven and earth" (OHC 25). Potentially, this is an allusion to Marx and Engel's (1988, p. 47) criticism of the immanentism of the German Idealists—"In direct contrast to German philosophy which descends from heaven to earth, here we ascend from earth to heaven" (Marx and Engels 1988, p. 47). The idea being that (material) social realities are made more real when raised to the level of theory- and, importantly, the ideological superstructures that cloud our comprehension of social realities can be unmasked. For Marx, there was no unbridgeable gulf between theory and "*praxis*." Theory enjoys a superordinate power to both make sense of and direct practice. In the *Theses of Feuerbach* (1845), Marx criticised the approach of philosophers to merely interpret the world, against the aspiration to change it. Such an aspiration could scarcely be more opposed to the proper task of political theory outlined in Oakeshott's *oeuvre*. Despite its originality, OHC, reaffirms many of Oakeshott's earlier commitments about the limits of political philosophy. In Oakeshott's 1951 Inaugural Lecture at the London School of Economics 'Political Education,' he enunciated the modest task of political philosophy, as follows:

> Political philosophy cannot be expected to increase our ability to be successful in political activity. It will not help us to distinguish between good and bad political projects; it has no power to guide or to direct us in the enterprise of pursuing the intimations in our tradition. But the patient analysis of the general ideas which have come to be connected with political activity—ideas such as nature, artifice, reason, will, law, authority, obligation, etc.—in so far as it removes some of the crookedness from our thinking and leads to a more economical use of concepts, is an activity neither to be overrated nor despised. But it must be understood as an explanatory, and not a practical activity, we may hope to be less cheated by ambiguous statement and irrelevant argument (RP 64).

Oakeshott, at times, referred to philosophising and theorising interchangeably. However, like Arendt he was more comfortable with "political theorist" than philosopher. An unassailable dilemma arose from his characterisation of politics as a practical exercise in EM, yet elsewhere: the more metaphysical their theorising, the more removed the theorist becomes from their subject matter (politics). Consequently, the theorist must have limited relevance to the practical activities of politics itself, his activity concerns a different platform of conditional understanding. For Oakeshott, the proper concern of the political theorist is a two-pronged task of explaining the ideal character and postulates of both (I) human conduct, and (II) political association.

Throughout the first essay, Oakeshott expends some pages dismantling the fashionable theories of the twentieth-century, Freudian analysis, and more pointedly other developments in the fields of psychology and sociology. The latter he described as darkling pain, "where ignorant armies clash by night." Much of Oakeshott's criticism of sociology and psychology is unsurprising in the context of their ascendency in British universities during the 20th-Century. The London School of Economics, founded by Beatrice and Sidney Webb, was devoted to the "scientific study of society." Oakeshott found the prefix of "social" to demarcate a discipline of discrete inquiry most problematic. Sociology was both an ill-defined and confused subject category, squeezed between other "social sciences." However, it was not just a case of incoherence, but that human activity was not a proper domain for scientific study and conjecture. Invariably, what is designated as social involves a collapsing of categories and neglecting the place of historical practices, custom, and culture. Moreover, there is no entity "society" or "social" removed from intelligent human conduct and agency. Émile Durkheim's (1933, p. 79) "collective conscience" was perhaps a great example of this categorical confusion, attributing supra-intelligent qualities and agency

to an abstract entity ("a determinate system which has its own life"). For Oakeshott, any inquiry into human action must presuppose reflective intelligence, otherwise it involves the wrong order of inquiry and categorical irrelevance. In addition to certain sociological conjectures, he considered as "categorically absurd" the reduction of humans to genetic or organic processes, or psychic needs and ego. These were all different examples of the muddled work of theoreticians, reducing reflective intelligence to mere laws and processes or collective social systems. These were not proper examples of theorising and their theorems self-refutably denied reflective intelligence itself. In Oakeshott's words, "Theorems about the so-called behaviour of social systems, or about the behaviour of their alleged components, can be represented as theorems about the actions and utterances of human beings only in a masquerade of categories" (OHC 25). Negating these theories was also important to his discussion of human conduct and agency. Since both are connected with the exhibition of intelligence, it is imperative to distinguish them from nonintelligent processes—genetics, organic conditions, theories of collective conscious, or biological processes. Oakeshott throughout his writings emphasised his concern with the human condition. He would have disavowed the efforts of various "social scientists" to reconcile speculative notions of innate human nature with Hobbesian philosophy.4 Similarly, it is not a stretch to imagine how Oakeshott might have responded to subsequent claims in the fields of neuroscience, genetic studies, and psychology that human volition is illusory, or that ethics can be reduced to notions of social reward, adaptive altruism, or neural circuits and anatomical structures of the brain. Oakeshott may likely have conceded that science could be instructive in explaining the how thinking and the mind operate, but this was not a substitute for humanistic disciplines of inquiry.5 The value of these disciplines (particularly history) is that their inquiry is categorically relevant to making sense of the institutions and practices of human associations.

III. HUMAN CONDUCT AND AGENCY

Oakeshott's distinction between two categories of "going-on" is important to how he conceptualises human conduct. Human conduct is concerned with the exhibition of intelligence, though it is different to theoretical activity. It concerns the transactional world *inter homines*, and more precisely, individuals responding to their contingent situations by doing this rather than that in relation to imagined or wished for outcomes (OHC 32). In theorising human conduct Oakeshott again applies a Greek vocabulary to conduct as *pragmata*. Whilst it shared some fidelity with Aristotle's semantics, Oakeshott deployed it in an idiosyncratic manner. The world of *pragmata* corresponded to a pre-theoretical form of conditional understanding that in earlier writings he consigned to the practical world (*sub specie voluntatis*). In OHC it was given more exact terms, as concerning the recognition of identities in contingent situations which, "predicate action, imagined future conditions of things, agency, deliberations, choices, decisions, intelligible utterances, performances, satisfactions, procedures, practises, motives." (Ibid.). Oakeshott made several clarifications about conduct, some of which seem so basic as to be a given, but were important to the related postulate of agency. These were briefly: Firstly, conduct concerns doing, and to this extent presupposes intelligent agents capable of choosing to do this or that action in the pursuit of satisfying wants. Secondly, it concerns understandings in terms of beliefs as distinguished from organic conditions or simply feelings. Thirdly, so far as it involves an engagement to understand, it is not concerned with the generation of *theorems*. It is categorically concerned with performances, and therefore concerns the self-disclosure and self-enactment of agents. Oakeshott understood his task of explaining conduct and agency at a theoretical level to be cabined. The theorist is not himself "*a doer*" and his theoretical understanding is removed from the activity he explains in terms of its postulates (OHC 35).

Oakeshott at times refers to freedom interchangeably with agency, but it is significant that he prefers to use *lexeme* "agency". The contingent activity of conduct presupposes reflective consciousness, "an agent who inhabits a conduct of pragmata, who is composed of entirely understandings, and who is what he understands (or misunderstands) himself to be" (OHC 36). Such reflection presupposes choice, or at least an ability to choose given limited contingent circumstances, and deliberation. This reflects that "doing"

often takes place within the context of contingencies, where outcomes are uncertain. It was implicit also that circumstances in which an agent responds may present alternatives, which compels the agent to deliberate. This was suggestive of Aristotle's influence in that deliberation involves more than simply choice given contingencies and precedes action. Moreover, deliberation is itself contingent, and situations in which the agent is uncertain about how to respond warrants deliberation, and every response proceeds from deliberation, given that it is contingent, implies uncertainty and alternative ways of responding or not responding. Like Aristotle, deliberation for Oakeshott was concerned with the means with which to act, rather than the ends or outcome of the action (Aristotle 2.10, 1226b16-17). Oakeshott describes conduct concerned with an agent as disclosing himself in action to be emotive utterance. In this sense, the conduct of agents comprises both reflection and utterance. Thus, it follows that an agent's conduct involves two characteristic idioms: (i) deliberation, the idiom of reflection; and (ii) persuasion, the idiom of utterance (OHC 40). Conduct where it relates to agents responding to situations by choosing certain actions is concerned with self-disclosure. Oakeshott described this as hazardous insofar as it concerns contingent responses from other agents as an enterprise of uncertainties.

Agency as Oakeshott theorises it in the first essay is related to the exhibition of intelligence. It is significant that Oakeshott avoids discussion of free-will and volition, orienting himself closer to Hegel than Kant. While in Kant's moral philosophy "autonomy" was related to the rational will and is the basis for moral action and judgment independent of external authority; with Hegel, moral agency is a product of reflective intelligence. Freedom inheres in the fact that it is concerned with reflective consciousness and is learnt. To this end, freedom is a characteristically human condition. An agent is not free because he has an unconstrained will, but because he has reflective intelligence and "because doing is an intelligent engagement" (OHC 37). This, Oakeshott emphasises, is not a natural or biological condition, but a learned and historic condition—"the starting-point of doing is the agent as a self-enacted reflective consciousness" (Ibid.). Oakeshott's lecture "A Place of Learning" (1974) contained a remarkably similar account of human freedom as historical contingent "self-understanding."[6] Many have interpreted this as a rejection of Benthamite-Hobbesian ideas of liberty (the absence of external constraint) considered paradigmatic of the classical-liberal tradition. A r*eductio* of Oakeshott's concept of agency would hold that a prisoner of Alcatraz is a free agent, insofar as he has reflective intelligence and is able to choose and deliberate action in response to other agents (prisoners). Yet it is apparent that a convict is decidedly limited and unfree given any ordinary understanding of what it means to be "free." This arguably misconstrues the intended context in which Oakeshott was concerned with conduct and agency. Efraim Podoksik suggests Oakeshott arguably straddled freedom as intelligent agency (human freedom) with a notion of civil freedom—the latter standing closer to the "negative freedom" of some modern liberals (Podoksik 2003, pp. 57-75).

Oakeshott's reference to utterances and idioms is suggestive of the influence of later Wittgenstein, as other scholars have recognised. Oakeshott emphasises idioms rather than truth as the standard of correctness applicable to theoretical endeavours. In contrast to Wittgenstein, Oakeshott rejects the idea that philosophers can resolve confusion in philosophy as linguistic puzzles as philosophy is itself limited by its idioms of inquiry. Intuitively we see in Oakeshott a likeness to J. G. Herder's insistence of the inescapability of language as the "organ of thought" (Spencer 1996, p. 249).[7] Similarly in terms of agency, Oakeshott argues that conditions which qualify conduct do not undermine our agency. Wittgenstein's influence was most apparent in his discussion of adverbial conditions as non-instrumental rules that qualify practice and in his concept of moral conduct in terms of self-disclosure. In an essay which predates the first publication of *The Philosophical Investigations* in 1953, Oakeshott suggested that traditional conduct occurs within a context of moral tradition that is analogous to language. Whilst this renders it dynamic it does not undermine certain examples of moral self-disclosure being analogous to the constructions of bad grammar (RP 471). Perhaps Oakeshott's most original idea in OHC is his explanation of moral conduct as a language comprised of self-enactment and self-disclosure. For Oakeshott, conventions and the rule-ordered character of linguistic practices do not undermine individuality in moral agency and conduct. The fact that individual agents subscribe to frameworks of practice does not

undermine the sentiment of our actions—just as subscription to the conventions of grammar and syntax does limit the self- expression of a novelist or poet. The similarity of this to Wittgenstein's concept of a public language cannot be overstated, though it is a connection which has already been well-explored to date.

IV. MORAL CONDUCT: SELF-ENACTMENT AND SELF-DISCLOSURE

Firstly, it is necessary to unpack how Oakeshott characterises morality as non-extrinsic and akin to language. Oakeshott compares morality to mastery of a language in that, "moral conduct is not solving problems; it is agents continuously and colloquially related to one another in the idiom of moral converse" (OHC 64). In Oakeshottian style, he both qualifies what is meant by moral conduct as conversation and excludes various alternative accounts and theories of morality. As "the *ars artium* of conduct; the practice of all practices" (OHC 60), it was like art in that it permits opportunity for individual style, and yet mastery can be distinguished (OHC 62). In this respect, Oakeshott affirms the Kantian prudence-morality distinction, given it is not connected with the success of the enterprises of agents. Nevertheless, this is where the similarity to Kant's ethics begins and ends. In a more Aristotelian fashion, he holds that moral conduct presupposes (as with agency) choice and deliberation. However, Oakeshott was most explicit that his theory of moral conduct is not concerned with human excellence, the good life, or teleological substantive purposes (Ibid.). Morals are concerned with actions and not events (OHC 61) and concern a way of living and not some substantive purpose to be achieved. To this end, they are examples of practice without any extrinsic purpose:

> In short, a morality may be identified as a practise without any extrinsic purpose; it is concerned with good and bad conduct, and not with performances in respect to their outcomes. A moral relationship is not an association for the achievement of common purpose (e.g. the greatest happiness of the associated); it is relationship solely in respect of conditions to be subscribed to in seeing the satisfaction of any want (OHC 62).

In an analogy with learning to master their mother tongue, he explains that children "come to consciousness in a world illuminated by a moral practice" (Ibid.). Thus, moral practice is composed of "a vernacular language of colloquial intercourse" (ibid.) as well as formalities of grammar and syntax. In being analogous to a language, "it emerges as a ritual of utterance and response, a continuously extemporized dance whose participants are alive to one another's movements" (OHC 63). This aspect of extemporaneity forbids the reduction of moral practice to rules in terms of codes. Furthermore, the vernacular and colloquial aspect of a moral language is fluid and often elusive—one cannot grasp it with reference to the formalities of moral practice, any more than one can understand the peculiarities of cockney slang with reference to the Cambridge English Dictionary. Each moral language has its grammarians who speak it "monotonously" but with care for exactness (OHC 66). Conversely, the ill-educated who speak vulgarly, and "each generation will speak its own moral slang" (OHC 65). Thus, Oakeshott is able to account for variation without devolving into moral relativism.

Several important considerations can be disentangled from Oakeshott's account of moral conduct and warrant brief exposition:

Firstly, consistent with his arguments elsewhere, morals cannot be conflated with biological urges or behaviours. They defy the reductionism of the former since they are concerned with the beliefs, sentiments, and understandings of agents and not instincts (OHC 62). It would also follow from elsewhere in OHC, that biological determinism errs categorically and denies agency—as Oakeshott reiterated, "morality is the practice of agency without further specification" (Ibid.). Oakeshott would have regarded as nonsense various attempts in modern psychology to explain morality in terms of adaptive behaviours or traits that are predetermined—tracing to genes or evolved modular structures of the brain. Importantly, the suggestion

that morals can be innate or programmed defies their understanding as practices, which necessitates their acquisition *via* learning. Moreover, even where such claims are merely concerned with descriptive ethics, Oakeshott would insist this is the wrong order of inquiry.

Secondly, morality consists of moral rules but not rules in the sense of codes or prescriptions of specific performance. This follows from the fact that moral conduct is concerned with practice, and therefore relates to procedures. Categorically, practices concern prescriptions that are procedural conditions and are relevant to the choices and actions of agents (OHC 58). Moral rules are abstractions and examples of abridgements, which are revealed in idioms of *ex post facto* persuasive discourse, concerned with the rightness or wrongness of certain performances (OHC 68). To characterise them as concerned with a persuasive mode of discourse, is not unlike Oakeshott's articulation of political discourse elsewhere. In the case of political conduct, the case for pursuing a particular action over another is not concerned with proving a desired direction—it is a persuasive and rhetorical exercise of demonstrating that it is a preferable course to alternatives. It concerns contingencies which cannot be demonstratively true or false. Congruently, to claim that a moral performance was just or unjust is to demonstrate that it was the best thing to do in the circumstances. Also, it cannot be a consequential activity concerned with the achievement of some outcome, because consideration is how the performance stands in relation to a composition of moral rules (OHC 69). Since, moral rules are not concerned with specific performance, Oakeshott argues that they are indeterminate and inclined to conflict. Further, not all moral rules have equal importance, and cannot be applied to all like-cases in a rigid or identical manner. The justification for good moral actions is often a "casuistical enterprise" of distinctions, obliquities, and exceptions (OHC 70)—not unlike the approach in case-based legal reasoning, which arguably found an equivalence in Cicero's *De Officiis* and later common lawyer jurists. For Oakeshott, the proposition that moral rules do not prescribe specific performance is important to his claim that agency is not undermined by subscription to conditions concerned with self-disclosure.

Thirdly, moral conduct is inextricable from agency. To be an intelligent agent is to act in recognition of the authority conditions of moral practice. Oakeshott expresses this in interdependent circular terms: "There is no agency which is not the exercise not the acknowledgement of moral practise, and no moral conduct which is not an exercise of agency" (OHC 63).

Finally, moral conduct like all practices, is subject to prudential and adverbial qualification. Since it is a practice, it concerns: (I) relationships of *personae*; (II) individual agents making intelligent choices in terms of wishes for circumstances, in relation to other individuals, related by subscription to moral standards. As practice it is learnt (not innate) and thus moral education is necessitated to acquire fluency.

Crucial to Oakeshott's account of moral agency is a distinction between self-enactment and self-disclosure. The two are inseparable but distinct aspects that comprise our moral language. Oakeshott elucidates this well in the following statement:

> Like any other language, it is an instrument of self-disclosure used by agents and disclosing their situations and in choosing their responses; and it is a language of self-enactment which permits those who can use it to understand themselves and one another, to disclose to one another their complex individualities, and to explore relationships far more varied and interesting than those it has a name for all those which a commonplace acceptance of so-called moral values would allow (Ibid.).

Acts of self-disclosure are necessarily "fugitive transactions between mortal agents," in the sense that our sentiments are masked (Ibid.). Self-disclosure is always in use akin to how non-instrumental norms are subscribed to any activity. The conditions of self-disclosure are always external to the agent, but are not concerned with the sentiment or motives of moral performances. In this sense, conditions of self-disclosure are closest to the formal conditions of grammar and syntax. This aspect of moral conduct is inextinguishable and stands prior to authentic self-enactment. Self-enactment reveals something of the

true nature of the agent since it involves motive unmediated by calculations of contingency and the possible responses of other agents. In simple terms, self-enactment concerns conduct understood in terms of the sentiments or motives in which they are performed (OHC 84). To extrapolate from Oakeshott, if self-disclosure is performative then self-enactment is substantive, the latter representing emblems of self-command (OHC 75). Consequently, self-enactment leaves more space for authenticity, however, it is also conditioned by moral practice. To the extent that self-enactment concerns motive it is always opaque to others and personal. Yet, our judgments about the virtuosity or laudableness of a moral action often relate to motives that concern self-enactment. Despite the duality of these two aspects of moral conduct, they are not capable of complete separation. Oakeshott was at pains to emphasise that self-enactment was not free of the compunctions that condition self-disclosure. Moreover, the sentiments or motives of self-enactment could not be repugnant or inconsistent with the conditions of self-disclosure. In Oakeshott's words, "since a vocabulary of moral self-disclosure and a vocabulary of self-enactment are a single language, the conditions they specify cannot be discrepant in any important respect; nevertheless, they concern different things" (OHC 77). Oakeshott made plain that virtuous examples of self-enactment never releases an agent from adequate subscription to conditions of self-disclosure.

The distinction between these aspects of moral conduct was important to Oakeshott's later purposes in OHC. If certain adverbial conditions of practice do not determine the substantive choices of agents, then moral autonomy is not compromised. Later in OHC, Oakeshott considers the ideal character of two dualities of political association that comprise the understanding of the modern European state: civil association and enterprise association. The former allows for a wider sphere of self-chosen action than its counterpart, and to this end the most amenable to the conditions of a *res publica*. Unsurprisingly, Oakeshott also identifies laws in the civil association as non-instrumental rules prescribing adverbial conditions—with the eccentric example that criminal laws do not proscribe lightning fires but prohibit the lighting of fires arsonically. To this end, he was close to Hegel's defence of civil law in the *Philosophy of Right* (1820), that obligations to laws cannot be considered constraints on freedom. Oakeshott belabours the point that moral agency is never without criteria, thus situating himself close to Hegel's notion of mediated autonomy (*contra* Kant):

> What is called moral autonomy does not require moral choice to be gratuitous criterion this exercise of so called will (an isolated *meum*) in which allowing the agent simultaneously recognises or even creates a value for which he is wholly responsible and places himself under its command, thus miraculously releasing himself from organic impulse, rational contingency, the authority rules of conduct (OHC 75).

In OHC (and elsewhere) Oakeshott traces civil association to Hobbes's *Leviathan* and his denial of the *summum bonum*. Subsequent theorists, such as John Gray, have explicated this in terms of the tradition of *modus vivendi* liberalism—in contrast to the liberalism of rational consensus (Gray 2000, p. 26). Conversely, other theorists sympathetic to Oakeshott have doubted the possibility of non-instrumental laws, as laws are rarely simply procedural in the terms Oakeshott described. Arguably, even laws which accord most closely with Oakeshott's non-instrumental rules have some extrinsic purpose. Oakeshott's civil association was also relevant to a wider debate in political theory—whether the involuntary compulsion of law can be reconciled with individual freedom.[8]

Finally, conduct involves uncertainty, in the sense that even if agents are sure of their wants, they can never be sure of satisfying those wants. In the world *inter homines* the pursuit of wants is largely contingent on the performances of other agents. While the formal conditions of self-disclosure are external to the agent and more transparent, success or failure of conduct is always a contingent exercise. Arguably, self-enactment provides a sense of clarity for agents, in that the sentiments which motivate actions are personal to the agent. Oakeshott left open a multiplicity of possibilities in terms of self-enactment, though religious enactment was certainly intended:

> Human conduct, then, is agents to disclosing and enacting themselves in responding to their understood contingent situations by choosing to do or say this rather than that in relation to imagined and wished for outcomes, in the exercise of chosen sentiments, and in terms of multiplicity of arts and practices presided over by a practise of moral conduct and perhaps a religious faith (OHC 85).

IV. SELF-ENACTMENT & RELIGIOUS FAITH

Oakeshott did not publish extensively on religion and theology in his lifetime. However, the publication of *Religion, Politics and the Moral life* (2011) and *Michael Oakeshott: Notebooks 1922-1986* (2014), has ignited interest in his religious thought. Significantly, one of his earliest essays "Religion in the World" (1929) reflected the importance of St. Augustine to his religious thought, in which Oakeshott distinguished worldly affairs from that of religious life. His discussion of religion in "On the Theoretical Understanding of Human Conduct," was brief but dense and wide-ranging. His characterisation of religion as the "evocation of sentiment" arguably departed from its earlier treatment in EM. In the latter, religion was practical with its mystique providing "concrete mood" (EM 292-296) as a near perfect form of experience. Contrastingly, OHC portrays religion as most intimately connected with self-enactment. As Oakeshott clarified, "A man may enact himself religiously, but there are no religious actions. Every religion, each with its own image of deity and of itself, has its own idiom of faith which reflects the civilisation of the believer" (OHC 85). Worthington argued that Oakeshott departed here from earlier treatments of religion, so far as Augustinian providence was jettisoned in the direction of a more Hobbesian understanding of self-enactment. Whilst Oakeshott implied a duality between the worldly and the temporal, both cities were "within the sphere of human experience" (Worthington 2000, p. 382). In Oakeshott's early essays on religion, the city of man was depicted as having lost sight of mortality and reflected St. Augustine's notion that the world is corrupt, as our mortal condition is afflicted by pride and *libido dominandi* (desire to dominate).

Additionally, Oakeshott addresses the consolation provided by religion, given the agony of the human condition. In a discussion of wrongdoing *inter homines* and theodicy one finds fleeting references to both Boethius and St. Augustine. In a Kierkegaardian tone, Oakeshott allows that above all, religious faith is consolation for the futility and nothingness of life:

> But while religious faith may be recognised as a solace of wrong-doing, its fortune and as a release from this utility of wrongdoing, its central concern is with a less contingent dissonance in the human condition; namely, the holiness, the futility of that condition, its character of being no more than, "un voyage au bout de la nuit.' What is sought in religious belief is not merely consolation for woe or deliverance from the burden of sin, but a reconciliation to nothingness (OHC 83-85).

For Kierkegaard, the human predicament is a sense of nothingness and emptiness, experienced by both the righteous and the unrighteous. Faith in our Creator allows the individual to confront existential dread, fear, and anguish, sustaining the self in a paradoxical relation to the divine (Kierkegaard 1941, p. 26). In a similar vein Bosanquet remarked, "Religion is what makes life worth living" (1920, p. vii). Moreover, for Oakeshott the individual finds some release through self-enactment from the hazardous adventures in self-disclosure. Worthington further explained this connection in terms of its significance to Oakeshott's civil philosophy. For Oakeshott, many of the historical proponents of moral individuality had failed to grasp that self-disclosure does not capture individuality in its fullest sense as authentic self-enactment:

> The tendency of liberal theory to focus in the moral character of self-disclosure and to overlook the moral significance of self-enactment has provoked charges that its conception of the individual is spiritually bankrupt by such (individualist) critics as Kierkegard, Fyodor Dostoevsky, and Frederich Nietzsche. Like Kierkegaard, Dostoyevsky, Nietzsche, and for that matter, Augustine, Oakeshott argues that the moral achievements of an individual must refer to something beyond (or behind) the merely external appearances of innocence and guilt (Worthington 2000, p. 394).

This interpretation not only reconciled religious self-enactment with Oakeshott's wider civil philosophy, but also the existentialist current in his thought. Consistent throughout Oakeshott's lectures and essays was a criticism of key figures in the liberal tradition as lacking a comprehensive understanding of moral individuality—namely Locke, and the later utilitarians such as Bentham and Mill. Bentham's felicific calculus exemplified the tendency to overlook self-enactment and to merely consider motives in terms of the pursuit of satisfying wants (*qua* utility). Oakeshott made explicit that such an approach involved not only a retrograde conception of moral individuality, but a denial of agency in its proper sense.

However, even in his Hobbesian turn, Oakeshott preserves subtle allusions of Augustine. He situates religious sentiment within the interior life rather than in acts themselves considered religious. He intimates that moral and religious significance stems from the inward ordering of the self, in place of the correct performance of outwardly recognised acts. This echoes Augustine's injunction *noli foras ire; in te ipsum redi*—do not go outside; return into yourself. Augustine's account of *ordo amoris* presents sin as a misdirection of love prior to its manifestation in conduct, a corruption of the will that only subsequently appears in outward action. Oakeshott frames morality as self-disclosure and self-enactment, with the self expressing itself within social conventions while realising its own moral and spiritual orientation. Religion, in his account, is the intentional cultivation of the self toward ultimate concerns. The significance of any act does not derive from its outward appearance but from the inward realisation of the self in performing it.[9] Oakeshott's self-enactment reflects Augustine's *verbum interius*: moral and religious significance emanating from the inward ordination of desire and deliberation. Self-disclosure manifests but does not consummate the ethical or spiritual quality of action, thereby emphasising the role of interior orientation in human agency.

V. AUGUSTINE AND OAKESHOTT: THE COMMUNAL, VERNACULAR CHARACTER OF MORAL CONVERSATION

While scholars have explored continuities between Oakeshott and Wittgenstein on rule-following and practice (Plotica 2013, pp. 45-68), the potential influence of Augustine on Oakeshott's moral thought warrants closer attention. In *Confessions* and *De Magistro*, Augustine presents understanding as arising through participation, correction, and habituation within a community, rather than from prior possession of abstract meanings. Wittgenstein famously interprets Augustine's description of language-learning in the opening sections of *Philosophical Investigations* as exemplifying an ostensive and referential theory of meaning (Wittgenstein 2001, pp. 6-8), but this reading isolates a brief autobiographical passage from its broader pedagogical and theological context, where Augustine emphasises the limits of ostension and the indispensability of communal practice. In *De Magistro*, he argues that words do not transmit knowledge but prompt inward recognition, while in *Confessions*, learning unfolds through the formative authority of parents, teachers, and liturgical life. Conceptually, Augustine anticipates Oakeshott's claim that moral knowledge is a practical competence rather than a codified set of principles. Augustine's analysis of the will reinforces this parallel: moral quality depends upon the proper ordering of love, not merely outward conformity. Augustine's insistence that genuine understanding cannot be transmitted technically supports Oakeshott's contention that moral education resists codification and remains embedded in living, vernacular practice. Knowledge is never purely private or innate but emerges through relationships, instruction, and shared activity, evincing the communal and lived character of Oakeshottian moral conversation. This

Augustinian influence is evident in three respects: in the inward realisation of moral orientation within the will; in the distinction between outward conformity and inward moral self-enactment; and in the understanding of moral life as cultivated within a historically transmitted practice, whose authority arises through communal habituation and through lived engagement.

Firstly, for Oakeshott moral self-disclosure constitutes a practical competence, the *ars artium* of conduct (OHC 60), acquired through mastery rather than through theoretical instruction. One does not master morality by assimilating a codified system of rules; instead, one attains fluency in it much as one acquires a language, through use, correction, and immersion in a living practice. Like any language, moral life possesses a vernacular and improvisatory character that resists reduction to formal grammar. Moral competence requires grasping a practice's idiom, not simply acquisition of its formal rules (OHC 63-64). Moreover, morality concerns both a cultivated capacity and the quality of the agent's self-enactment, as enacted in the orientation from which conduct proceeds. This understanding finds a striking pedagogical antecedent in *De Magistro*, where Augustine rejects the claim that teachers transmit knowledge through words (Augustine 1995, p. 141).[10] Words function as signs that occasion recognition; they do not deposit understanding in the hearer. The pupil must appropriate truth inwardly (Ibid., pp. 137-38). Augustine extends this insight in *Confessions*, portraying his moral crisis not as a defect of intellect but as a division of the will[11]: he recognised the good before he loved it sufficiently to perform it (Augustine 1991, p. 182). By situating moral understanding in the ordering of love, Augustine anticipates Oakeshott's contention that morality inheres in self-enactment rather than in explicit doctrine. For both, communal instruction and habituation remain indispensable, but moral realisation ultimately depends upon the agent's inward appropriation and active orientation of the will.

Secondly, Oakeshott distinguishes between outward conformity to rules and the inward enactment that gives conduct its moral quality, the criterion by which one's actions may be judged as virtuous or unvirtuous. A person may comply with the conditions of self-disclosure and still act unvirtuously if that compliance emanates merely from calculation or concealed self-interest. Oakeshott therefore refuses to identify morality solely with prescriptivism. He treats moral conduct as the expression of a disposition and sentiment, a way of going on within a practice that manifests the agent's inner orientation. Moral life, on this account, requires more than procedural correctness; it demands authentic self-enactment. Congruently, in *Confessions*, Augustine scrutinises not only his deeds but the loves that animate them. For Augustine, sin arises from a disorder of desire rather than a mere breach of external command (Wetzel 1992, pp. 82-95). He grounds inwardness more determinately than Oakeshott, evaluating moral conduct according to the proper ordering of the soul toward God as the highest good (*ordo amoris*) (Ibid.). Oakeshott, by contrast, allows broader latitude regarding the sources from which self-enactment derives its virtuosity. Both reject morality reduced to external compliance, but Augustine anchors virtuous orientation in a theologically ordered account of love, whereas Oakeshott situates it within historically contingent practices. For Oakeshott, virtuous conduct is not simply mastery of idioms or conformity with conditions of self-disclosure; the requirement of agency prevents him from appealing to any eternal or teleological source of virtuosity (OHC 79),[12] and agency demands that the only absolute is that self-enactment must remain compatible with the conditions of self-disclosure.

Thirdly, for Oakeshott, moral life realised within historically inherited practices finds strong analogues in Augustine's *City of God*. Augustine situates moral formation within communal and institutional life, showing that humans acquire virtue through participation in historically extended forms of social and religious practice.[13] In *City of God*, he emphasises that families, laws, and churches shape habits and desires, habituating people to ordered love and moral discernment.[14] Authority in these institutions is formative rather than coercive, guiding individuals toward proper ends without supplanting reflective understanding. Moral knowledge and virtue emerge not from abstract precepts but from sustained engagement with living practices that transmit patterns of thought, behaviour, and judgment over time (Ibid.). Augustine presents the ordering of desire toward God as the highest good, yet he stresses that temporal communities provide the context in which individuals learn to orient their loves rightly

(Williams 1989, p. 143). Tradition, in this sense, is not mere custom; it functions as the repository through which moral intelligibility and virtuous action are transmitted and sustained. Augustine's account coheres with Oakeshott's view that moral life is vernacular, historically transmitted, and embodied in conduct: it has no single architect, cannot be reconstructed from first principles, and depends upon immersion within a living communal tradition. In this way, Oakeshott's emphasis on authentically enacted will within a context of tradition and communal practice is partially Augustinian.

Thus, Oakeshott's moral philosophy emphasises the inward enactment of the self within historically transmitted practices and the communal cultivation of moral competence. He conceives morality as self-disclosure and self-enactment, with the moral quality of action determined by the agent's inward orientation. Augustine situates virtue within the ordering of love and habituated engagement in communal life. Both stress that moral understanding and conduct emerge through sustained practice, with Oakeshott allowing a plurality of sources for self-enactment, while Augustine grounded it in the proper ordering of love toward God.

VI. CONCLUSION

Oakeshott's OHC presents human understanding not as a quest for foundations but as a reflective clarification of the world we already inhabit. Theorising begins within practice and never escapes its conditional character; it identifies and explains without prescribing. By distinguishing intelligent conduct from natural process, he secures agency against reductionism while denying philosophy any sovereign authority over life. Theory remains an adventure without finality, valuable for lucidity but constrained by its own idiom. This account prepares the ground for moral conduct, where intelligent agency discloses and enacts itself within practices that no theory can command, yet which the theorist strives to understand. Oakeshott's reflections on religion deepen his account of moral individuality by situating faith in self-enactment rather than discrete acts. Religion names an orientation of the self toward ultimate concerns, expressed through sentiment and interior resolve, consoling not by resolving contingency but by reconciling the agent to it. This inward emphasis recalls Augustine's ordered love, where moral and religious significance derives from the will's orientation toward its ultimate good rather than mere outward conformity. In a secular age that often reduces morality to biology or utility, Oakeshott demonstrates that ethical life cannot be fully captured by instinct or calculation; instead, it unfolds through historical contingency and lived tradition, requiring the cultivation of inward orientation, reflective judgment, and authentic self-enactment within enduring communal practices.

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NOTES

1 However, there are some insurmountable differences. Congruently, Arendt was careful to emphasise that she was a "political theorist" and foremost concerned with the human condition as distinct from human nature. See: Arendt 1958.

2 This is hardly surprising, Collingwood himself wrote of the historical imagination, as comprising interpretation and interpolation. The connection between Collingwood and the hermeneutical tradition has been explored elsewhere. See Fell 1991, pp. 1-12.

3 This essay is so well-known its recitation here is almost redundant. Oakeshott traced this attitude to Bacon's Novum *Organum* (1620) and *New Atlantis* (1629). In a nutshell, this approach insisted that politics could be perfected through a "sovereignty of technique" to the exclusion of connoisseurship and traditional practice. This erred in neglecting the role of experience and practical *know-how* and imagined that politics was a science that could be reduced to a set of learned principles alike a political handbook.

4 See Pinker 2018.

5 This is somewhat implied in the statement: "The distinction, then between goings on identified themselves exhibitions of intelligence and goings on to which may be made intelligible but are not themselves intelligent, is not a distinction between mental or physical or between minds and bodies regarded as entities it is a distinction within the engagements of understanding, a distinction between sciences (that is ideal characters) and the identities with which they are concerned" (OHC 14-15).

6 This was initially delivered as an address to the Colorado College as the Abbott Memorial Lecture, commemorating the centenary of the college, and later published in a compendium of works. See Oakeshott, 1991, pp. 19-34.

7 Some caution must be had here to impute similarities without much support or attribution in Oakeshott's published writings. However, as at least one scholar has explained Herder's thought, "...language is the form in which human thoughts are moulded and shaped, and it is thereby credited as constituting the very contents of our consciousness" (Spencer 1996, p. 249).

8 In short, Oakeshott held acquiescence to authority to be obligatory, and from that it made sense to speak in terms of civil obligation rather than civil obedience. "Political engagement then, is an exploration of respublica in terms of the desirability of the conditions it prescribes, and this entails a relationship to respublica which is at once acquiescent and critical. The acquiescence is assent to its authority. Without this there can be no politics" (Oakeshott 1975/1991, pp. 155-156).

9 As Oakeshott qualifies, "The unresolved and inconclusive character of human conduct is qualified (and not merely concealed) when actions are recognised as self-enactments; that is, when they are recognised as self-enactment" (OHC 84).

10 Augustine implored us to instead "*hear the Teacher within you*" (Augustine 1995, p. 141).

11 "Human sinfulness, Augustine believed, resulted from misdirected or disordered love, making a sharp distinction between that which we ought to use and that which we ought to enjoy" (Sandlin 2021, p. 585).

12 Oakeshott restates and belabours this point throughout. However, he makes explicit that a practice, "does not prescribe choices to be made or satisfactions to be sought; instead, it intimates considerations to be subscribed to in making choices, in performing actions, and pursuing purposes. Consequently, it postulates 'free' agents, and it is powerless to deprive them of their freedom."

13 This can be distilled from Book XIX, Chapter 28, in his exposition of the two cities and the shaping influence of love on moral existence. Humans are shaped by the order of love, and moral identity is assimilated through community life rather than innate or abstract rule learning (Augustine 2003, pp. 593-94, Book XIV.28).

14 Augustine stresses that moral discernment depends on ordering love toward God, with virtue shaped through habitual engagement in community life (Ibid., XIX.13-14, 870-873).

The Philosopher as Proteus: The Varieties of Oakeshott's Epistemological Pluralism

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This year (2025) marked the 50th anniversary of the publication of Michael Oakeshott's *On Human Conduct* (OHC),[1] and this special issue of the journal *Cosmos + Taxis* will be devoted to celebrating that anniversary. In the following essay, I examine the varieties of Oakeshott's epistemological pluralism, from *Experience and Its Modes* (EM) to OHC. I will argue that Oakeshott's epistemological pluralism manifests itself in three distinct but consistent sets of arguments. First, and in the tradition of philosophical idealism, Oakeshott claims that there are multiple modes or platforms of understanding the world, and that these modes/platforms are not contradictory attempts to explain the same phenomena, but constitute the phenomena being understood. They are, thus, irrelevant to one another. Second, and manifesting the influence of ordinary language philosophy, Oakeshott argues that there is a fundamental difference between practical knowledge (knowing how…) and technical knowledge (knowing that…).[2] His account concludes by folding technical into practical knowledge, thus undermining the idea that they are ultimately plural. Finally, and in the tradition of Aristotle and the German hermeneuticists, Oakeshott insists that there is a distinction between understanding things that are necessarily the way they are and things that are amenable to alteration. This distinction echoes Aristotle's distinction between theoretical and practical reason, but, in Oakeshott's work, it takes the form of a distinction between actions understood as practices versus actions understood as processes.

The term 'pluralism' has multiple applications in contemporary philosophy, beginning with its use by William James to refer to systematic or metaphysical pluralism, which involves the claim that there are multiple explanations of ultimate reality which are both independent of each other and which conflict with each other. James' target in promoting metaphysical pluralism was Hegel and the Hegelian Idealist tradition, which metaphysically was and is monistic (like most metaphysical philosophical systems). Oakeshott, like Hegel, rejected metaphysical pluralism, but his own version of Absolute Idealism was more a result of the formal logic of his understanding of philosophical explanation than a claim about the actual nature of reality. Indeed, after EM, Oakeshott rarely ventured into metaphysical issues, and so, though I will address the issue in section one, it will not be a subject of extensive attention. Instead, my primary focus will be on Oakeshott's epistemological pluralism (the claim that there are multiple ways of understanding the world and that these are independent of and irrelevant to each other).[3]

I. METAPHYSICAL/SYSTEMATIC PLURALISM

William James was the first thinker to use the term 'pluralism' to refer to a specific philosophical doctrine, and his target was the monistic metaphysical theories of Hegel and those Idealists like Bradley, Bosanquet, and Royce who were directly influenced by him.[4] James claimed that there are many correct ways of describing the universe, and that these conflict with each other in a way that is not amenable to logical

solution. As Stephen Pepper explains, "our postrational (sic) eclecticism is simply the recognition of the equal or nearly equal adequacy of a number of world theories and a recommendation that we do not fall into the dogmatism of neglecting any one of them."[5] Oakeshott, like his Hegelian predecessors, rejected metaphysical pluralism as irrational and incoherent. His most explicit and consistent statement of his own metaphysical monism is found in EM, but even the more deflationary or modest account of the nature of philosophical explanation in OHC maintains that theoretical explanations are at a higher level of logical adequacy than other sorts of explanations. However, from the first, Oakeshott's Absolute Idealism was more skeptical than Hegel's, and consisted of a logical claim about the necessarily perpetual and interminable nature of metaphysical claims.

In EM, Oakeshott claims that "philosophical experience is…experience without reservation or arrest, without presupposition or postulate, without limit or category; it is experience which is critical throughout and unencumbered with the extraneous purposes which introduce partiality and abstraction into experience" (EM 347). Unlike other forms of activity and understanding, philosophical knowledge necessarily begins with an examination and determination of its own autonomous forms of judgment. Philosophy is, first, an exploration of its own character which issues in a vision of itself which is at one and the same time a provisional conclusion and an invitation to further reflection. Philosophical understanding, unlike other forms of knowledge, involves "experience without presupposition, arrest, or modification..., [which] carries with it the evidence of its own completeness" (EM 2). It is this self-complete and philosophically self-aware knowledge that constitutes metaphysical reality. Oakeshott uses the term 'experience', but instead of using the term as the empiricists or logical positivists did to refer to the impingement of external stimulation on the senses, he claims that experience is a concrete whole which cannot be separated into its components. He writes that "what is at first given in experience is single and significant, a One and not a Many" (EM 20). Thus, human beings begin with a world of experience, or, in other words, they are 'thrown' into a world of meanings and are therefore never completely ignorant.[6]

Oakeshott claims that questions concerning the nature of reality are inseparable from our experience of the given world. Following Hegel, he argues that a valid conception of reality must be logically connected with valid conceptions of knowledge about the world because, if the posited conception of reality is understood to be external to experience, then the reality itself is unknowable. And, since there can be no knowledge of things in themselves which is distinct from conceptual knowledge, there is no reason to assume that the term 'real' has any meaning when used to describe the inherently unknowable. Reality, like truth, is not something adventitious which is added at the end of an inquiry, but is merely "what we are obliged to think;…the real is always what has meaning, or is rational" (EM 58).[7] Insofar as this is the case, questions about the reality of the external world recede in significance and in fact Oakeshott insists that "the common terms of philosophic debate—What do we know of the external world? How are objects related to mind?—are not merely misleading, but, to me, nonsensical" (EM 59). Oakeshott's conclusions here are borne out in his subsequent work, and, as mentioned, he rarely revisits metaphysical questions about the character of reality.

Thus, for Oakeshott, the Absolute is not the result of the accretion of modal particularity of partiality, but is, instead the complete and self-consciously understood world from which any abstract world derives its significance. Metaphysical knowledge, understood as unconditional or presuppositionless understanding, is logically prior to any particular modal partiality and such a partiality contributes nothing to such an understanding. The philosophical understanding of any abstract or partial mode of understanding abolishes such partialities, not empirically, but logically by demonstrating their conditionality.

Nonetheless, Oakeshott argues that his account of coherence does not entail the metaphysical claim that he has a definitive conception of the Absolute as it exists or will come to exist. In rejecting this conclusion, he distinguishes himself from other Idealists like Hegel and Bradley. He claims that:

> what is achieved in experience is an absolutely coherent world of ideas, not in the sense that it is ever actually achieved, but in the more important sense that it is the criterion of whatever sat-

> isfaction is achieved. Absolute coherence as the end in experience is implicit in the character of experience because, where partial coherence is achieved and found to be momentarily satisfactory, the criterion is always coherence itself, that is, absolute coherence (EM 35).

Thus, Oakeshott suggests that coherence, like presuppositionless and unconditional experience, is a logical criterion of philosophical activity instead of the telos or expected result of such activity.

In OHC, which is the only other publication of Oakeshott's dealing in an extended way with metaphysical issues, he continues to claim that philosophy or theorizing is a second order activity which consists, initially, in the consideration of the general character of human understanding. Here, metaphysical claims are connected to epistemological ones. He writes that:

> philosophical reflection is recognized here as the adventure of one who seeks to understand in other terms what he already understands and in which the understanding sought (itself unavoidably conditional) is a disclosure of the conditions of the understanding enjoyed and not a substitute for it (OHC vii).

For Oakeshott, philosophical or theoretical understanding is of a different conditional quality than common understanding because philosophical understanding is concerned with the conditions which constitute common understanding and is, thus, inherently non-normative. However, and in even stronger terms than in EM, Oakeshott emphasizes the necessary conditionality of even philosophical understanding, and there is no mention in OHC of a criterion of unconditional or presuppositionless experience. Instead, Oakeshott emphasizes the distinction between the activity of philosophizing, which is an unconditional engagement, and the conclusions of such an activity, which are themselves susceptible to further investigation and elucidation.[8] He writes that:

> the engagement of understanding is not unconditional on account of the absence of conditions, or in virtue of a supposed terminus in an unconditional theorem; what constitutes its unconditionality is the continuous recognition of the conditionality of conditions…[and, thus,] the irony of all theorizing is its propensity to generate, not an understanding, but a not-yet-understood (OHC 11).

The philosopher is not engaged in the attempt to reach an understanding of the world that is in itself unconditional or presuppositionless, but is instead unconditionally committed to understanding the general conditionality of all understanding or experience. The philosopher as sceptical Idealist maintains an attitude of ultimate dissatisfaction with any particular metaphysical claim because such claims necessarily rest on conditions which can be further explored. The results of such an engagement in philosophical reflection (i.e., theories or philosophies) are inherently provisional, or, as Oakeshott puts it, they "are interim triumphs of temerity over scruple" (Ibid.).

Oakeshott's neglect of metaphysics after EM strongly suggests that the deflationary philosophy of the age, which generally avoided metaphysical questions, influenced the tenor of his work.[9] His metaphysical monism was seemingly a logical conclusion which he drew from his own conception of the general character of human understanding. Thus, for Oakeshott metaphysical claims are both necessary and necessarily incomplete because of the seeming paradox that any actual metaphysical conclusion would also necessarily constitute an invitation to investigate the conditions which made that particular metaphysical conclusion plausible.[10]

II. EPISTEMOLOGICAL PLURALISM

So, if Oakeshott rejects metaphysical pluralism, how does he justify his various accounts of epistemological pluralism? Though Oakeshott never uses the term, many scholars have noted that Oakeshott's epistemological claims are pluralistic, at least as that term is currently understood in academic philosophy. For example, Coliva and Pederson suggest that epistemological pluralism involves the claim that "there are several ways of being epistemically justified…;…warranted; and…rational."[11] Oakeshott's pluralism manifests itself in three distinct but not inconsistent ways in EM, the essays collected in *Rationalism in Politics* (RP), and OHC respectively.[12] In the first, he claims that there modally distinct ways of understanding the world, and that these modes do not form a hierarchy but are completely separate from and irrelevant to each other. In the essays in RP, he makes a distinction between practical and technical knowledge which is relevant to any sort of modally constituted knowledge. Finally, in OHC, Oakeshott reiterates his commitment to a multiplicity of modal conceptions of the world, while emphasizing the centrality of the distinction between the knowledge of intelligent practices and unintelligent processes.

A. Modal Pluralism

For Oakeshott in EM, the idea of absolute unconditionality is the criterion of satisfactory philosophical reflection, and, thus, anything that falls short of that kind of unconditionality is the result of not fulfilling the implicit task of philosophy. As mentioned above, this commitment to unconditionality represents Oakeshott's formalist metaphysics. However, he recognizes that, for the most part, human understanding does not approach this sort of unconditionality, and even admits that philosophical conclusions themselves, insofar as they invite inquiry into their conditionality, are never quite unconditional either. Oakeshott avers, instead, that the concrete understanding of the whole of experience is usually arrested, and, when the criterion of philosophical satisfaction is ignored, an abstract world of ideas emerges at the point of arrest. Oakeshott refers to these abstract worlds in EM as modes of experience because of their character as modifications of the concrete whole.[13] He writes that "a mode of experience is experience with reservation...shackled by partiality and presupposition" (EM 74). The various presuppositions which constitute a particular mode of experience cannot be questioned while operating or functioning within the mode itself. For example, scientists presuppose that the reality of the world consists in its measurability, and, thus, to question the measurability of beauty or wilfulness or connoisseurship is to leave the world of science behind in favor of some other pursuit. The postulates which constitute these various modes of experience act as absolute presuppositions both defining the logic of understanding and explanation possible within the mode while also acting as de facto limitations on the kind of questions appropriate to the mode and serving as emblems of modal partiality.[14]

These modes of understanding the world are not defined by a subject matter or methodology, but by their specific presuppositions. As Oakeshott notes, "from one standpoint, such a world of ideas is free and self-contained" (EM 75). That is, if one accepts the presuppositions of any particular mode of experience, the mode itself appears to be more or less coherent and satisfactory. So, Oakeshott defends the internal sufficiency of modal experience and, in so doing, develops one of the central features of his philosophical work: the celebration of the diverse ways that modern human beings have come to enjoy and experience the world. He writes that "each abstract world of ideas, in so far as it is coherent is, then, true so far as it goes, true if its postulates are accepted, true if its reservations are admitted" (EM 77). In contrast to Collingwood and Gadamer, he explicitly denies that the task of philosophy is to heal the fragmentation of the modern soul.[15]

Further, Oakeshott insists that an account of the relationship among the modes themselves and between the modes and philosophy is necessary in order to avoid intellectual confusion. For Oakeshott, unlike other Idealists, each mode of experience is completely independent of the other modes because of the distinctive presuppositions associated with the mode.[16] He claims that "between these worlds…there

can be neither dispute nor agreement; they are wholly irrelevant to one another" (EM 327). The various modes exist as a result of a set of specific presuppositions or postulates which constitute the conditions of the mode itself. The modes do not share the same presuppositions, so it is impossible to move in argument from one mode to another without resulting in what Oakeshott calls "the most subtle and insidious of all forms of error—irrelevance" (EM 76). The *ignoratio elenchi*, or category mistake, is central to Oakeshott's critique of modern attempts to reduce history, art, or practice to science, for any attempt on the part of one mode to regulate or judge other modes is both inappropriate and philosophically unjustifiable. Oakeshott observes that "what, from the standpoint of one world, is fact, from the standpoint of another is nothing at all" (EM 327).[17] For example, historians, when investigating the past, presuppose a past that is inherently different from the present and thus irrelevant to the concerns of, say, a politician or a moralist whose past is constituted primarily by questions of its usefulness and, as such, is dissolved into the present. The politician doesn't use historical 'facts' to support an argument, but, instead, conceives of the past as a storehouse of ready-made symbols and arguments whose relevance is solely based upon their utility. So, the historian who explains Kutuzov's maneuvers during Napoleon's invasion of Russia is not offering advice to contemporary military leaders, and the scientist who examines whether wrens are more likely to neglect their offspring in noisy places is not attempting to teach wrens how to be good mothers. Or, to offer another example, artists understand metaphor as intrinsically meaningful, whereas, in the world of practice or science, metaphors are useless unless they can be treated more or less as a form of literal symbolic language. The scientist is not merely appropriating a fixed and finished artifact created by a poet, but instead transforming it into something understandable as an answer to questions about precision, stability, or measurability. Oakeshott's insistence on the complete autonomy of these various modes of understanding is one of the characteristic features of his philosophical work and remains a consistent feature of his theoretical investigations throughout his life.

B. Practical Knowledge and/or Technical Knowledge

Oakeshott's critique of 'rationalism' is well known, but his primary objection to what he identified as rationalism was neither practical nor historical, but epistemological. In the essays "Rationalism in Politics" and "Rational Conduct," Oakeshott claims that that there are two types of knowledge, practical and technical, which, though not completely separable, are distinguishable. In these essays, Oakeshott's modal pluralism is presupposed and not gainsaid. However, his initial distinction between practical knowledge and technical knowledge, which is the second iteration of his epistemological pluralism, ultimately dissolves as technical knowledge is characterized as a parasitic abstraction from practical knowledge. He maintains that technical knowledge "is susceptible of precise formulation" in rules or recipes or theorems or factual propositions, while practical or traditional knowledge "exists only in use, is not reflective, and cannot be formulated in rules" (RP 12). These two types of knowledge are involved in every human activity, even scientific and historical research. Technical knowledge is the knowledge of the book, and its formulation and presentation appear to give it the qualities of completeness and certainty. Conversely, practical knowledge, because it is manifested only in activity itself and resists reduction, appears imprecise and uncertain. To use one of Oakeshott's favorite examples, a person who is capable of reading can memorize the recipes in a cookbook and thus know a great deal of facts about such recipes, but the skills and judgments of an experienced chef cannot be reduced to a set of explicitly stated rules, instrumental or otherwise.

Oakeshott's initial critique of rationalism rests on the claim that the rationalist not only asserts the superiority of technical knowledge but also completely denies the validity of traditional knowledge.[18] Oakeshott insisted the opposite, however, arguing that practical and technical knowledge are distinguishable types of knowledge and that, contrary to the rationalist claim, it is practical knowledge which is logically and temporally prior to technical knowledge. Indeed, technical knowledge, being an abstraction from an already existing body of practical knowledge, is parasitic on such knowledge. For example, before the rules of

grammar of any language can be formulated, there must first exist the actual practice of the language itself, and the practice of language, in turn, cannot be merely reduced to its grammar.

Oakeshott's initial account of practical knowledge and technical knowledge involves a clear distinction between the two, stressing that the latter is an abstraction from the former. However, Oakeshott didn't really make it clear what sort of epistemological status technical knowledge really had, other than being some sort of crib for beginners. In fact, Oakeshott claims that practical and technical knowledge "are the twin components involved in every concrete activity…[N]owhere…can technical knowledge be separated from practical knowledge, and nowhere can they be considered identical with one another or able to take the place of one another" (RP 12-13). This suggests that technical knowledge is in some way or another a necessary complement to practical knowledge, though Oakeshott's examples in the essay (cooking, painting, writing a poem, etc.) serve to defend his claim that practical knowledge is an aspect of every human activity and did not refer to the necessity of having technical knowledge in order to engage in such activities.

Oakeshott's account of the nature of practical knowledge in his essay "Rational Conduct" differs in important ways from his earlier account. Oakeshott associates the rationalist doctrine that he is attacking with an erroneous conception of mind. According to Oakeshott, rationalism maintains that "the 'rationality' of conduct...springs from something that we do *before* we act; and activity is 'rational' on account of it being generated in a certain manner" (RP 104). The presupposition which constitutes this account of rationality is that individuals have an independent faculty, reason, which exists externally to the objects of reason. Oakeshott noted that "what needs to be assumed is the mind as a neutral instrument, as a piece of apparatus... and 'rational' conduct springs from the exercise of it" (RP 107). Mind is considered to be not only separable, but completely separate from the contents of mind. Human activity, here, is believed to be composed of articulate and discrete problems, purposes, and actions.

Oakeshott rejects such a separation of mind and its objects, and argues that the separation mistakes an abstract distinction for an absolute division. Instead, he argues that the mind "is nothing more than hypostatized activity...[Mind] is the offspring of knowledge and activity,...[and is] composed entirely of thoughts" (RP 109). Mind, for Oakeshott, is constituted by thought, judgment, and activity, which are distinguishable but not separable from each other. Here, Oakeshott reiterated in shortened form his conclusions about the unitary nature of metaphysical understanding found in EM. Activity does not spring from a premeditation of ends and means accomplished after a purge of the mind. The consideration of principles, ideals, and ends is a possibility which grows out of conduct itself. Reflection necessarily follows activity. Oakeshott maintained that "doing anything both depends upon and exhibits knowing how to do it; and though part (but never the whole) of knowing how to do it can subsequently be reduced to knowledge in the form of propositions..., these propositions are neither the spring of the activity nor are they in any direct sense regulative of the activity" (RP 110). It is clear that 'knowing-how' or practical knowledge not only precedes technical or propositional knowledge, but that the latter is parasitic on the former.

For Oakeshott, propositional knowledge is the equivalent of what he earlier called technical knowledge and consists of rules, theorems, hypotheses, and facts which have been abstracted from the great variety of more or less concrete human practices. One of the doctrines of rationalism is that the only authentic knowledge is propositional knowledge, and that consideration of such propositions provides human beings with the appropriate questions and answers concerning rational action. However, Oakeshott claims that "it is the activity itself which defines the questions as well as the manner in which they are answered" (RP 118). Thus, practical knowledge arises from engaging in specific human practices, and knowing-how-to-get-along within such practices involves an immersion in the practice itself. An individual involved in any practice, whether it is playing the mandolin, building a woodshed, or conducting an experiment, understands a particular endeavor because of a commitment to and participation in the skills and expertise associated with that particular activity. Human beings are always and everywhere immersed in practices which existed before they were born and which condition the choices they make, which in turn reconstitute the practice itself. A chef doesn't become a chef by reading a cookbook; a violinist doesn't learn how to play the violin by reading a

music book; and an historian doesn't become an historian by looking at history books. Each achieves his tacit knowledge of how to do these things by participating in the practice of cooking, violin-playing, and historical research. Projects are not formulated externally without knowledge of any particular practice, but are conditioned by traditions of activity. Problems present themselves only within the context of a particular activity. Indeed, rationality, properly understood, is an internal quality of any traditional activity. The most authentic kind of human knowledge is the practical knowledge of knowing how to do things, like ride a bike, develop a scientific hypothesis, play the piano, recognize a decent argument, or write a sonnet. All human activity occurs within existing traditions of behavior, and individuals become conversant in these different idioms of activity through engaging in that activity. Thus, as Oakeshott argued, scientists, historians, poets, and philosophers all participate in traditional activities. The character of the explanatory languages of history, science, and philosophy differs in significant ways from the character of aesthetic expression and practical action, but all involve practical knowledge, and their persistence depends upon individuals who know how to engage in them.

C. Intelligent Practices and Unintelligent Processes

In OHC, Oakeshott focuses his theoretical attention on the world of human beliefs, institutions, and practices. Therefore, the question that informs his inquiry concerns the *differentia* between activities which are exhibitions of intelligence and those which are not. Oakeshott's answer is to make a categorical distinction between modes or platforms of understanding which presuppose a world composed of intelligent practices and modes or platforms of understanding which presuppose a world composed of non-intelligent processes.[19] As Oakeshott writes:

> There are two categories of identities to be reckoned with, predicating categorially different 'orders' of inquiry. To the first belong 'goings-on' the identification of which includes the recognition that they are themselves exhibitions of intelligence…To the second category belong 'goings-on' recognized, in virtue of their characteristics, not to be exhibitions of intelligence (OHC 13).

This categorical distinction informs the recognition of any particular identity, and identities which are categorically distinct, such as a boxing match and tidal flux, cannot be reduced to their opposite category. This distinction between practice and process constitutes two different platforms of understanding, but does not involve any claims about mind/body distinctions. Oakeshott suggests that "mind...is the intelligent activity in which a man may understand and explain processes which cannot understand and explain themselves," while body is viewed as a process to be understood by mind (2001, p. 3).

Further, the categorical identification of any particular thing in the world also predicates an idiom of inquiry, such as ethics or jurisprudence in the case of intelligent practices, or biology or chemistry in the case of non-intelligent processes. These idiomatic platforms of conditional understanding are also constituted by their postulates, and Oakeshott insists that "each is autonomous...and...capable of its own conditional perfection" (OHC 17). The elucidation of the postulates of these idiomatic platforms of understanding is recognizable as a theoretical task of philosophy for Oakeshott, and it is not to be confused with the creation of either a methodology or a set of normative axioms for the various idiomatic practices. Oakeshott compares this conditional sort of theorizing with dropping anchor in order to catch fish, and suggests that "the theorist who interrogates instead of using his theoretic equipment catches no fish" (OHC 11). However, the kind of fish one catches is directly connected with where one drops anchor, as there are no marlins in the Mississippi and no pikes in the Persian Gulf. So, again, the categorical distinction between practices and processes and the idiomatic distinctions within the categories preclude the intrusion of the epistemological considerations of one category or idiom into other categories or idioms. So, if a scientist or historian claims to have solved significant practical problems scientifically or historically, we

can rightly respond that he is offering us a fish story. Once again, Oakeshott maintains that the arguments, ideas, facts, and values which appear within the various idiomatic modes or categories of understanding are irrelevant to one another and that philosophical understanding is irrelevant to the practices involved in such idioms.

Oakeshott's notion that there are both categorical and idiomatic distinctions between the platforms or modes of understanding appears to reduce, to some extent, the actual independence of the modes from each other by suggesting that idiomatic platforms are less distinct than categorical ones. The term 'idiom' reflects Oakeshott's notion that the different modes or platforms of understanding resemble distinct languages, but it doesn't seem to be as strong as the term 'categorical'.[20] On the other hand, an 'idiomatic expression' is an expression which cannot be literally translated from one language to another, and, thus, serves Oakeshott's purposes quite well. The distinction between the use of 'categorical' and 'idiomatic' appears to be deployed primarily in order to criticize reductionist attempts to arrive at a purely scientific explanation of human conduct. Although Oakeshott adamantly rejects the idea, the distinction also lends itself to the notion that there is some bare datum that could be identified in terms of intelligence or lack thereof. That is, though it might make sense to claim that one can view human action either in terms of intelligent practices such as intending, believing, and arguing or in terms of non-intelligent processes such as digesting, perspiring, or aspirating, it does not appear as credible to consider anything else in this way. There appear to be things (e.g. tides, mineral deposits, forests, solar systems) which are inherently or naturally non-intelligent and not susceptible to consideration under the idiomatic modes of understanding associated with practices. Thus, the 'facts' about the tide or the stars or the animal world are not wholly constituted by the categorical distinction, but seem to be prior to such considerations and, in fact, require that they be considered in terms of processes.

It might reasonably be asked whether Oakeshott thinks that he is making a significant alteration in his conception of the character of modality and the relations of the modes to each other. The answer is that it appears quite unlikely that he believes himself to be doing so. In 1975, the same year that OHC is published, Oakeshott delivers an address entitled "A Place of Learning" in which he refers to the character of history, practice, literature, and science as modally distinct languages, suggesting that, at the time of its publication, he continues to view the distinctiveness of the modes as absolute (Oakeshott 2001, pp. 23, 28). Further, in *On History*, which was published in 1983, Oakeshott again reverts to the language of modality, asserting that "a mode of understanding…is…an autonomous manner of understanding, specifiable in terms of exact conditions, which is logically incapable of denying or confirming the conclusions of any other mode of understanding…[and] a mixture of modes...spells total inconsequence" (1999, pp. 3, 26). Thus, though there certainly appears to be some ambiguity in Oakeshott's presentation of the character of and relations between the modes or platforms of understanding in OHC, it does not seem to be the result of an intentional change in his conception of the general character of conditionality and the independence of the various forms of human experience. Oakeshott remains committed to defending the autonomy of these forms against reductionism of any sort, and, thus, his commitment to epistemological pluralism remains intact, as well.

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NOTES

1 In OHC, Oakeshott suggests that the writing of Pico della Mirandola offered "a new image of human nature, not Adam, not Prometheus, but Proteus—a character distinguished on account of limitless powers of self-transformation without self-destruction" (Oakeshott 1975, p. 241).

2 In the post-war essays, Oakeshott manifests an understanding of philosophy that is more modest and deflationary than the Absolute Idealism of Hegel., and which seems to have been influenced by the works of philosophers like Wittgenstein, Ryle, and Austin. For a sympathetic discussion of the relationship between Oakeshott and ordinary language philosophy, see Greenleaf 1968, pp. 93-124. For a critical assessment, see Pitkin 1976, pp. 301-320.

3 I will not be addressing moral or political pluralism in this essay because there is not world enough and time to do so. However, despite taking a different philosophical avenue to the destination, I would argue that Oakeshott's moral philosophy has strong affinities to what Isaiah Berlin and other moral the-

orists call value pluralism. Indeed, I think that the second part of the first essay of OHC is best understood as Oakeshott's contribution to the tradition of value pluralism as a practical philosophy. Regarding political pluralism, the two primary conceptions of political pluralism current in the academic study of politics are not completely relevant to Oakeshott's political theory. According to the American version associated with empirical political science, politics is conceived as a competition between various interest groups. Oakeshott explicitly rejects this notion because it presupposes that government is a source/provider of substantive benefits and that politics involves competition in order to achieve substantive satisfaction. For Oakeshott, transactional relationships are not the substance of government. Instead, government/law provides conditions under which individuals and groups pursue their own substantive purposes. Politics consists of discussions about the suitability of the conditions (laws) under which individuals pursue their substantive satisfaction. According to the British version of political pluralism, in a decent society, there are multiple sources of authority, and government does not always trump other sorts of authorities. Oakeshott would not deny this, and his particular conception of limited government implies that this can be the case. However, plural authorities are not central to his conception of nomocracy/civil association. For discussions of Oakeshott's moral pluralism, see Tseng 2010, pp. 127-142; Müller 2015, pp. 117-134; Plotica 2015; Botwinick 2011; Franco 2003, pp. 484-507; and Flathman 2005.

4 James 1987/1909. For an examination of James' plural pluralisms, see Goodman 2012, pp. 155-176; and Slater 2011, pp. 63-90.

5 Contemporary metaphysical pluralists often refer to themselves as systematic pluralists. See, among others, Pepper 1942, p. 342; and Ford 1990, pp. 335-349.

6 This is a traditional Idealist argument common to Hegel, Croce, Bradley, and Collingwood, but also to those who rejected both Logical Positivism and Absolute Idealism, like Heidegger and Gadamer.

7 Or as Hegel famously avers, "What is rational is actual, and what is actual is rational" (Hegel 1952, p. 10).

8 Oakeshott's primary purpose in substituting the terms 'theorizing' and 'theorem' for the term 'philosophy' is to distinguish between the activity and the conclusions of the philosopher (OHC 3, n.1).

9 For a brief history of English philosophy in the first half of the 20th century, see Warnock 1958 and Urmson 1956.

10 Oakeshott's reticence about metaphysical claims could also be connected to the argument made by R. G. Collingwood that metaphysics is, in one conception, an historical science insofar as it consists of the investigation of the conditions of understanding presupposed by various metaphysical claims (Collingwood 1998).

11 Coliva and Nikolaj Jang Lee Linding Pedersen 2017, pp. 1-19. See also, Beall and Restall 2006; Wright 2013, pp. 123-156; Rescher 1993.

12 Among others who have commented on Oakeshott's epistemological pluralism, see Rorty 1979; Annan 1990; Tseng 2003; and Neill 2015, pp. 39-63.

13 Oakeshott uses a variety of terms to describe these arrests, including 'modes of experience', 'voices in a conversation', 'worlds of imaginings', 'idioms of discourse, and 'platforms of conditional understanding'. It is not clear that his changing terminology manifests a change in his conception of these 'modes.' For example, he uses 'platforms of conditional understanding' in OHC, but produces during the same period essays in which he continues to use the term 'modes' to describe these various worlds. See OHC, 1-31, and Oakeshott 2001, p. 28.

14 For a discussion of the character of absolute presuppositions, see Collingwood 1998, pp. 21-77.

15 Collingwood 1992 and Gadamer 1994.

16 For a contrasting view, see Collingwood 1924. For a comparison of Collingwood and Oakeshott on this issue, see also Boucher 1989, pp. 69-89.

17 Gilbert Ryle was writing about category mistakes in the 1930s and continued to do so throughout his life. See, e.g., Ryle 2009. pp. 41-65.

18 As noted above, the logical positivism of the Vienna School and A. J. Ayer represents a prominent example of the type of thinking which Oakeshott characterizes as rationalism. Both tautologies and empirically verifiable propositions would be examples of technical knowledge. See Ayer 1952, pp. 59-70, 87-101.

19 This categorical distinction bears some resemblance to that posited by Wilhelm Dilthey in defending a distinctive method of understanding the human sciences, and Oakeshott points to Dilthey as one of the primary influences on his understanding of practical activity. See Dilthey 1988, pp. 76-148; Oakeshott 2011, p. 183.

20 The idioms relevant to practices include history, aesthetics, ethics, and jurisprudence. The last two are identified by Oakeshott as pseudo-philosophical concepts (OHC 16-17, EM 331-346).

Adventures in Human Conduct

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At first glance, the opening essay of Michael Oakeshott's *On Human Conduct* (OHC), appears to be a somewhat arid, analytic, and technical work. As described by Oakeshott himself, it is concerned with the "theoretical understanding and human conduct in general" (OHC vii). However, the investigation Oakeshott undertakes not only sheds light on this particular philosophical concern, but also reveals many of Oakeshott's fundamental assumptions and dispositions that influenced nearly everything he wrote. Undeniably, a central concern of the essay is to distinguish practices from processes and to insist that human conduct is the former. Yet, in laying out this distinction we get a glimpse into a host of other, related presuppositions that necessarily follow. We are introduced to Oakeshott's nuanced picture of freedom—one that both avoids extreme visions of freedom while at the same time provides a field for action that provides the resources and the scope to make life a grand adventure.

One of the central points of the essay is to distinction between a practice and a process and to carve out space for the intelligent action of human beings. Much like Aristotle's distinction between sensitive imagination and deliberative imagination, Oakeshott wants to emphasize that one part of our mental activity is reflexive, autonomic, or involuntary, while another part of our mental activity is reflective and intelligent. He uses the example of a blink compared with a wink. A blink, like one's heartbeat, is largely involuntary; a part of what Aristotle called the nutritive part of the soul or psyche that deals with maintaining and reproducing life itself at its biological level (1981, 413a). The wink is a chosen action.

That the action was chosen and intended has powerful implications. First, it presumes, or "postulates" as Oakeshott likes to put it, a "reflective consciousness": "an agent who inhabits a world of intelligible *pragmata*, who is composed entirely of understandings, and who is what he understands (or misunderstands) himself to be" (OHC 36). Oakeshott had said in his first major work, EM, the world is a world of ideas. "We begin, then, with a world of ideas; the given is neither a collection, nor a series of ideas, but a complex, significant whole. Behind this there is nothing at all." (EM 29) In the case of a blink, one need not reflect or be cognizant of the blink. But a wink has meaning, perhaps multiple meanings—meanings which need to be understood. And, the understanding falls to both the one winking and the agent who is the object of the wink. These agents necessarily need to reflect on the meaning of this action in order to make sense of and respond to it, and the reflection takes place within a system of connected meaning.

Oakeshott identifies this reflective capacity as constituting our very freedom. Oakeshott does not deny that we are biological creatures or that some of our behavior and actions are unreflective, if not unconscious, nor is he saying that we should never imagine, or that we are incapable of imagining, the actions of human beings as deriving from purely physical or mechanical causes. Rather, as he puts it, human conduct postulates a free agent. And, "[h]e is 'free' not because his situation is alterable by an act of unconstrained 'will' but because it is an understood situation and because doing is an intelligent engagement" (OHC 37).

Those familiar with Oakeshott's broader work will recognize that Oakeshott is supplying what he identified as the missing theory of volition in Hobbes' thinking. Instead of fear and pain (the impulses for protection and self-preservation, especially in the case of a violent death), Oakeshott is working through the particulars of how we go about making choices and exercising our agency. Describing it the way he does walks a line between the naturalism of Hobbes and the picture of a rational actor faced with unimpeded choice.

We are free agents, but not infinitely free. The specter of the unincumbered individual in a condition of perfect freedom presented in contract theory arises on one side, and the "embedded individual", or in the extreme the fated individual of philosophical determinism, appears on the other. Oakeshott seeks to avoid both of these abstract characters in order to describe more faithfully the situation in which human beings actually find themselves: that is, neither a state of perfect freedom nor a fatalistic condition. Instead, we often find ourselves in choice situations where our options are constrained, either physically or (perhaps more importantly) epistemologically by our own understandings. Critically we produce our responses through reflection and understanding, instead of the responses merely being generated by physiological or mechanistic processes.

Oakeshott continually strives to be concrete and to avoid arguing at some high conceptual level torn from the experience folks actually have. Oakeshott often makes what seem rather startling claims to bring us back to earth, and reinforce his argument. On moral freedom or choice he says, for example:

> Indeed, strictly speaking, there is no such experience as 'moral choice'. What is chosen in conduct is a substantive action or utterance in which an agent embarks upon the adventure of seeking an imagined and wished-for satisfaction in the response of another. And his 'moral autonomy' lies, first, in his character as an agent (that is, in his action or utterance being a response to an understood want and not the consequence of an organic impulse), and secondly, in his action or utterance as self-disclosure and self-enactment in a contingent subscription of his own to conditions of a practice (which cannot tell him what to do or to say) recognized in terms of its authority. Human conduct is not first having unconditional wants (individual or communal) and then allowing prudential reason and moral sensibility to indicate or to determine the choice of the actions in which their satisfaction is sought; it is wanting intelligently (that is, in recognition of prudential and moral considerations) and doing this successfully or not so successfully (OHC 79-80).

This, though Oakeshott doesn't put it quite this way, would seem to be a distinctive characteristic of human beings. Unlike other creatures, human beings are marked by their capacity for *logos* (not to gratuitously repair to Aristotle again): the capacity, not always actualized, to respond intelligently; to provide an account, in speech, of the reasoning, or the meaning, of one's actions. Further, Oakeshott says, this "inherent 'freedom' of a human being lies not only in his ability to make statements expressing his understanding of himself, but also in the world's being for him what the understands it to be, and in his being what he understands himself to be. A human being is 'free', not because he has 'free will', but because he is *in* himself what he is *for* himself" (1989, p. 19). Intelligence is exhibited, and meaning is inextricably woven into, the various moments of an act—in the diagnosis of one's situation; in the reflection on one's imagined responses; and in the chosen response, as well as in the consciousness that the meanings of these moments are intended to be conveyed to others.

We may misidentify a wink for a blink, but if we want to explain or convey to others the meaning of a wink—an intelligent, reflective response to one's situation—in terms of some biological mechanism, we are, for Oakeshott, making a category error. "A belief is what it *means* to the believer", Oakeshott says (OHC 23, emphasis added). That is to say, intelligent, reflective action has meaning. And that meaning is partly found in the intentions of the actor. It is a meaning the actor usually hopes others will understand and respond to appropriately.

The meaning then, is not merely one's own. The meaning is shared as part of a 'world'. This world, and one's place in it, is what *one* understands it to be. But what one *understands* it to be is the produce of having learned to understand it in that way. There is no solid wall of epistemic isolation, no point of pure solipsism. Instead, as Oakeshott puts it, these surely are *my* thoughts but, significantly, these are my *thoughts* (OHC 51). If one's thoughts were purely one's own, they would be incommunicable, indeed ineffable. Oakeshott defines an "agent" (as opposed to a merely reflexive "organism") as "one recognized to have an understanding of himself in terms of his wants and his powers and an understanding of the components of the world he inhabits; and action is recognized as an illustrative exhibition of this understanding" (OHC 32). One may, of course, sing and dance in the rain without anyone there to observe the expression, without this diminishing the self-understanding of an agent. Often, of course, our actions are designed to elicit a response from others. In order for this to happen, others need to understand one's actions. Here the situation gets rather complex.

Oakeshott distinguishes two parts of an action, calling one part self-disclosure and the other self-enactment. Self-disclosure is the action chosen as "responses to contingent situations conducive to the achievement of imagined outcomes" (OHC 70). This part of an action is about the intended outcome or consequences. One may try (as consequentialist ethicists attempt to do) to assess the correctness or justness of a particular action based solely on its consequences. Though the consequences might be assessed by using any number of metrics, the concern here is *dike* or justice: the good, useful, beneficial, virtuous outcome.

Self-enactment is the aspect of an action that has to do with the agent's motive: the agent's "sentiment or sentiments in which it [the action] is chosen and performed" (OHC 72). This aspect too may be evaluated in terms of its moral quality (about this aspect more will be said).

Self-disclosure, it should be noted, is particularly fraught with contingency and unpredictability. Every facet of one's action could be otherwise. And, as we have seen, each facet has meaning; meaning that needs to be conveyed if the action is intended to elicit responses from others. On any given occasion, one might diagnose a situation correctly or incorrectly, or partly correctly. One could choose among a variety of possible intentions (both as to outcome and sentiment of the performer). There is the choice among a variety of possible actions and associated host of possibilities for the manner in which the chosen action is performed—both are critical in order to convey one's meaning and to elicit the intended response from others.

Others, naturally, are doing the same in response: sizing up the situation and responding in a manner to convey their meaning. So much can go awry. Even under tightly drawn parameters, where actors utilize clear and agreed upon meanings (say in a legal contract), there are still so many opportunities for misunderstanding and unexpected responses.

What should be clear, however, is that there is a necessary connection between the two agents; shared meaning is not only possible but a requisite component, otherwise the intended response would not, could not, be expected. Agents necessarily are related, and "agents are related to one another in terms of understandings" (OHC 53). This shared world of meaning has further implications.

Meaning has to be learned. But, what does an agent learn and how does an agent learn? How does one characterize this learning and the relationship of meaning this entails? In his early writings, Oakeshott characterized this learning as being initiated into an inheritance or a tradition of behavior: The "intentional initiation of a pupil into the world of human achievement, or some part of it"; an inheritance not of things or artifacts but "human activities, aspirations, sentiments, images, opinions, beliefs, modes of understanding, customs and practices; in short, states of mind which may be entered into only in a procedure of learning"; knowledge of "a tradition of behavior" (1989, pp. 46, 66, 150). In his later writings (as here in OHC), he favored calling what is learned a *practice* and speaks of *subscribing* to practices.

Practices are shared patterns of action designed to convey meaning. They are sets "of considerations, manners, uses, observances, customs, standards, canons, maxims, principle[s?], rules, and offices specifying useful procedures or denoting obligations or duties which relate to human actions and utterances" (OHC 55). Practices are "adverbial qualification of choices and performances" (Ibid.). That is, practices are

concerned with how an action is performed rather than specifying a particular action. Practices don't tell you what to do, but how to do it (courteously, or promptly, or succinctly).

Two important types of practices are prudential ones and moral ones. Prudential practices are considerations that are subscribed to in order to be successful in our actions. For example, one might be courteous to another driver on a motorway in order that you both get to your destination safely and efficiently. One would be subscribing to a prudential practice here. Moral practices are concerned with the quality of an act itself, with its rightness or goodness or excellence; and not with the success of an act with achieving some substantive outcome. Oakeshott thus calls moral practice the "*ars artium*" of conduct, "the practice of agency without further specification" (OHC 60). One might be courteous because it is simply the right thing to do, or because one wishes to be a courteous sort of person. But to act in this way for these reasons, are not subscribing to a prudential practice. Oakeshott emphasizes, a moral practice is not "a prudential art concerned with success of the enterprises of agents; it is not instrumental to the achievement of any substantive purpose or to the satisfaction of any substantive want" (Ibid.). This connects moral practices to the self-enactment component of action in focusing on the non-instrumental, non-consequentialist aspects of human conduct.

A language is a practice, but practices are also like languages; so much so, that this became a favorite metaphor Oakeshott used to explain himself. Notably, a language does not determine what one says, only how one might say something in order to effectively convey one's meaning. Languages need to be learned in order to use them. The more skillful one is, the better one is able both to express and to convey one's meanings. This is all the more critical, not only because of the contingency of human actions and responses, but because of the historical contingency of our practices. Our prudential and moral practices are, like languages, historical achievements, with all the dynamism that this entails. They are not fixed; they don't rest on a foundation; they change and evolve; and they are transmitted from generation to generation through education.

It is practices that bind people together into a community. Practices that reflect, as we would say today, our shared "values", or the shared conception of the world and our place in it. Some communities favor the prudential and the community's morality reflects the weight placed on this.

But the binding and the unity is not perfect on the individual transactional level, as we have seen. A host of things could go wrong on the part of the acting agent and on the part of the responding one or ones. In a memorable phrase, Oakeshott calls this the "deadliness of doing" (OHC 74). Despite our best intentions and our thoughtful and prudential planning, events often unravel as if by the fickle fingers of *fortuna*.

This contingent element in human life cannot be remedied; there is no cure or release. In one formulation Oakeshott puts it this way:

> Every action is a fugitive transaction between moral agents, its outcome not merely uncertain but fragile and soon dissipated. Every satisfaction is casual and late or soon a casualty. Where conduct is the choice and the pursuit of substantive conditions of things every achievement is evanescent, and (as Augustine says) he who thinks otherwise 'understands neither what he seeks nor what he is who seeks it'. And no projected future can be any different from the present in this respect (OHC 84).

In the face of this somber reality, what is one to do? Oakeshott's response is not to despair, or to deny the value of evanescent achievements by a withdraw into some form of asceticism. Rather, he puts the spotlight on those less ephemeral aspects of conduct and life. He focuses on character and self-enactment: in cultivating a moral language of self-enactment. Moral languages that are "nodal densities of sentiment to which an agent who is familiar with the language and who acknowledges its authority recognizes himself to be incited to subscribe. Learning to speak a language of self-enactment is learning how to subscribe to its intimations of 'virtue'" (OHC 75). In moral conduct as such, there is "an echo of an imperishable

achievement": in staying true, in valor, in loyalty, fortitude, etc. (OHC 84). But, alas, this too is "episodic and an inclusive engagement". Why? Because, the "enacted self is itself a fugitive; not a generic unity but a dramatic identity without benefit of a model of self-perfection" (Ibid.).

Oakeshott also focuses on activities that are ends in themselves, education, philosophy, art (poetic activities), conversation, and friendship. He values skillful displays that express judgment and learning (in addition to moral action he admires connoisseurship of many kinds), and the repose of religion. Each of these and others are also contingent, but in them Oakeshott believes, "the sharpness of death and the deadliness of doing [is] overcome, and the transitory sweetness of a mortal affection, the tumult of a grief and the passing beauty of a May morning recognized neither as merely evanescent adventures nor as emblems of better thinks to come, but as *adventures*, themselves encounters with eternity" (OHC 85).

Oakeshott sees life itself as a grand adventure. He is fond of metaphors of adventure, most prominently nautical ones. There the oft-quoted passage in his essay "Political Education" about political action taking place on a boundless and bottomless sea. More generally in human conduct Oakeshott says, "it may be said that in 'doing' an agent casts off a mooring. He may be seeking a satisfaction, but what he *chooses* is an action; that is, the adventure of aiming at an imagined satisfaction. Hence the saying of Democritus that courage is the beginning of action: courage to put out to sea" (OHC 40).

In the face of the indeterminacies of life, he chooses not to recoil but to embrace the uncertainty. Hence, he is fond of gambling imagery. "Conversation," he says, "is not an enterprise designed to yield an extrinsic profit, a contest where a winner gets a prize, nor is it an activity of exegesis; it is an unrehearsed intellectual adventure. It is with conversation as with gambling, its significance lies neither in winning or losing, but in wagering" (1991, p. 490). In human conduct more generally, "acting is making a bargain with an imperfectly imagined future" (OHC 44).

The open and indeterminate nature of life and conduct opens up the choice of approaching life as an adventure—an adventure, hopefully punctuated by encounters with eternity.

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Oakeshott's Moral Vision

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Oakeshott's vision of a satisfactory and flourishing moral life appears in a variety of places throughout his corpus. A person who lives such a life has managed to elude (at least in part) the imperatives of ambition, achievement, and career. He has cultivated a habit of mind, a way of being, and a personal style that is uniquely his own. He appreciates things disinterestedly, which means that he does not see the world and its contents as material to be used, but instead to be contemplated and enjoyed. Important relationships with others are understood as dramatic, not utilitarian.

The aim of life, if there is an aim, is the cultivation of a sensibility that looks both outward and inward. It looks outward to appreciate the material and intellectual world. It points inward because such a sensibility is deeply grounded in one's own mind and character. The inward personality is continually constructed by exploring one's own tendencies, capacities, and predispositions in activities of self-disclosure and self-enactment, to use the terms of *On Human Conduct*.

A person's mind and character may certainly be developed and made more perfect, but perfection is not thought of as a goal to be achieved at the temporal end of life. Instead, it is an adventure of continual self-discovery. Noel O'Sullivan has called it liberation: "something more general than civil and political liberation: what is involved is an almost existentialist conception of life as the endless task of striving to acquire a distinctive self of one's own, not by rejecting the cultural tradition from which one comes, but by critical self-immersion in it" (O'Sullivan 2002, pp. 71-74). It is thus both conservative and creative.

Oakeshott's vision may appear as impractical, impossible of achievement, or, as he himself maintains, suitable mostly "for poets and women" (2011, p. 33). It is romantic, aesthetic, apolitical, and deeply countercultural. This vision contains echoes of Christianity, though his is not an orthodox Christianity. It is conservative in its appreciative outlook toward the world, but it does not necessarily accord with political conservatism as it appears now, or as it ever has. This vision is expressly opposed to all the things we normally take as primary goods—like career, investment, and planning—and it does not take its orientation from a set of precepts or principles.

Yet it is an attitude that is appropriate at all times and in all places. This view is never in or out of style. It will never be widely adopted, and it will never be fashionable. Nobody could constantly sustain it, but Oakeshott's understanding of a flourishing life—if even intermittently embraced—offers satisfactions that come with seeing gratefully and living boldly. This moral character embraces freedom with relish and is in love with individuality. It flatly rejects determinism, reminding us that "man is what he learns to become" and that nobody exists simply as a collection of identity traits. We are endowed with abilities to think, to choose, and to do.

The view has coherence as a whole; and it arises out of Oakeshott's lifelong meditations on love, mortality, learning, permanence, and change. But it also has particular facets, like a well-cut gemstone. In the

pages that follow, I explain this positive moral vision in more detail by considering discrete aspects or facets of the ideas Oakeshott expresses throughout his writing.

One aspect of this moral vision is its focus on life lived in the present. Even in his earliest writings, published posthumously, Oakeshott was concerned with living what he called a "religious" life in the present. In later writings this manifested as a concern with activities that could be understood as valuable in themselves: their entire significance is contained in their actual exercise. These include love, friendship, conversation, liberal learning, and contemplation. Someone with a disposition toward presentness simply cannot be an ambitious careerist and does not locate self-worth in achievement.

As a corollary to a focus on the present, this moral vision concentrates on life understood as a series of "performances" and "occasions" that are premised on contingency. Performances are significant not because they take place in front of others; their meaning lies in the fact that each performance (whether in drama, music, or human conduct) is unique and unrepeatable. Contingency is an unavoidable part of all performances; a performer must be fleet of foot and easily adaptable to catastrophes and good fortune alike. Performances imply creativity, as does human conduct in general. And occurrences and occasions signify that active intelligence is at work; they are not "things" that just "happened."

Moreover, every performer has a style, manner of conduct, and habit of mind. What matters in this moral vision is not so much *what* is done as *how* it is done. Adverbial conditions are vital for determining the significance of any action. Is care given generously or reluctantly? Are difficulties approached patiently or anxiously? Adverbs often say more about a person's character than do actions themselves, and the trick is to habituate oneself into a life where we can consistently approve the adverbs that accompany our activities. In other words, we develop style, sensibility, and insight.

Oakeshott did not come to this view on his own, of course. He was steeped in the works of Plato, Aristotle, Hegel, and Bradley, and also in the great works of literature in English, French, and German, as well as the work of Montaigne and Augustine, and hundreds of other authors. Several near-contemporary thinkers had a special influence on his thought: George Santayana, John Cowper Powys, and Walter Pater. Oakeshott records many quotes from these men in his notebooks, and together they comprise a view that may best be summarized in Pater's phrase, "life as an art." Tracing some of these influences yields a more capacious view of the moral life that he approves.

Finally, Oakeshott continually emphasizes the freedom that is requisite for the development of his positive moral vision. Character is formed through intelligent thinking and acting, and we are free to understand (or misunderstand) ourselves. Human beings are not a bundle of genetic predispositions or unchosen sexual and racial identities; we are free and responsible human beings who have the burden and blessing of making choices about our lives.

ON LIVING IN THE PRESENT

In an essay titled "Insouciance," D. H. Lawrence once wondered: "Why do modern people almost invariably ignore the things that are actually present to them?" (Boulton 2004, p. 96). This question is one of Oakeshott's most abiding preoccupations too. Why must we always be thinking of the past, he wonders, and of our mistakes, regrets and triumphs? And why do we alternately fear and eagerly anticipate the future? What is so difficult or unsatisfying about living in an actual present?

Perhaps living in the present would require us to set aside the dissatisfaction and perfectionism that preoccupy us. We could no longer find solace in thinking that our present faults will *surely* be remedied by a careful regimen of hard work. We would also have to set aside guilt and regret about past mistakes, as well as nostalgia for periods of time that are now gone. We would have to learn to enjoy the world as it is, not as it could or should be, cultivating gratefulness instead of criticism.

Oakeshott maintained in his notebooks that to become "friends with mortality, to defeat death, it is necessary to live an extemporary life." In this kind of life, he wrote, "there is no death, for there is no recognized change. Each moment, instead of being the successor to the last & the predecessor of the next, is

complete in itself. Life becomes continuous, without breaks or lacunae. We no longer move from point to point, but are complete at every point" (Oakeshott 2014, p. 235). He knew that this was a difficult outlook to cultivate and maintain, because the past and future continually break in upon the present. This constant passing-away of experience is one of his most abiding concerns.

Oakeshott admiringly describes a life lived in the present in his 1956 essay, "On Being Conservative," one of the most idiosyncratic descriptions of conservatism ever written. Crucially, he describes conservatism not as a set of precepts but as a disposition, a way of being. At the heart of it is "a propensity to use and to enjoy what is available rather than to wish for or to look for something else; to delight in what is present rather than what was or what may be" (1991, p. 408). Conservatism is an attitude of enjoyment and of gratefulness. It is "to be equal to one's own fortune, to live at the level of one's own means, to be content with the want of greater perfection which belongs alike to oneself and one's circumstances" (Ibid., p. 409). It is affection for what exists at present.

A more youthful expression of this same sentiment appears in his early essay, "Religion and the World," written in 1929, when Oakeshott was 28 years old, and published after his death. In this essay he sets out an idiosyncratic vision of religion as the antithesis of worldliness, where worldliness consists of investment and career. Religion, in contrast, is life lived in the present. Its aim is insight. In such a life, the future will not be allowed "any longer, to lay its withering hand upon the present, for, though to live in the present may appear frivolous, to live for the future is certainly vain" (2011, p. 33). The full value of life is to be found in each lived moment.

The most radical expression of this idea appears in Oakeshott's explication of poetry in "The Voice of Poetry in the Conversation of Mankind," originally published in 1959. The essay is a belated retraction of a "foolish sentence" in his early book, *Experience and its Modes*, where poetry had been included as part of the mode of practice. In "The Voice of Poetry," Oakeshott describes poetry or contemplation as a mode all its own, separate from practice, and distinguished by its "presentness." Images in contemplation, poetic images, are "merely present; they provoke neither speculation nor inquiry about the occasion or condition of their appearing but only delight in their having appeared." The images that are the subject of contemplation are "both permanent and unique. Contemplation does not use, or use-up or wear-out its images, or induce change in them: it rests in them, looking neither backwards nor forwards" (1991, pp. 509-10).

In one sense poetry is a mode that has nothing to do with the mode of practice, where Oakeshott places religion, politics, and morality. Poetry is removed from the world of daily life. In poetry, and in practical activity seen poetically, "no premeditated achievement is pursued," the activity is "not inferential or argumentative," and there is no "restlessness to be overcome, no desire to be satisfied, or approval to be won" (Ibid., p. 513). Human conduct may sometimes be approached this way.

Oakeshott wrote these lines in his notebooks: "Dante met somewhere in hell a man whose crime was that he did not love the sweet light of day. It is the crime of our civilization. Instead of the sweetness of the present day, the light of today, we love what is gone or is to come. We despise all that is not productive, contributory: we do not understand what is simply for itself" (2014, p. 148). This is an eloquent summing up of his disposition to live, so far as possible, in the present. In *On Human Conduct* he describes this sentiment as religion, where "doing is delivered, at least in part, from the deadliness of doing" (1975, p. 74).

PERFORMANCE, CONTINGENCY, AND OCCASION

Oakeshott resists the notion that activity must constantly refer to a future end or purpose, which helps to explain his rejection of career and achievement as primary goods. Put differently, he does not see every action as valuable in terms of what it produces. Nor does he think that subsequent actions can be predicted from past events or states of being, as if people were wholly controlled by genetic patterns or biological urges. He therefore understands life as full of contingency. Each person plays a part that can be replicated by no one else, and chance and choice are fundamental.

The relationship of friends, for example, consists in the mutual enjoyment of another unique self, who cannot be replaced. Friendship implies a "ready acceptance of what is and the absence of any desire to change or to improve." A friend excites contemplation, and the relationship of friend to friend is "dramatic, not utilitarian; the tie is one of familiarity, not usefulness" (1991, p. 407). Friendship is also contingent in that one could never plan to "procure" perfect friends; these relationships often develop outside our conscious control and result from events that could have been otherwise.

In his later writing Oakeshott also describes moral conduct as "performance." Again, he does not mean performative in the sense that conduct must be seen, appreciated or judged by others; his notion of "self-enactment" has little to do with other people. Rather, performative conduct means that we enact ourselves creatively within the terms of practices—settled modes of doing things. As a participant in these practices, a moral actor may have the expertise of a virtuoso or the inexperience of a novice. Expertise and mastery depend upon what an actor has learned and practiced over time.

Crucially, a moral language is not a grammar but "an instrument which may be played upon with varying degrees of sensibility to its resources. There is room for the individual idiom, it affords opportunity to inventiveness." And this: "For an agent in conduct a practice is an instrument to be played upon, and to do this he must have the understanding of a performer. It is a language, at once responsive to and critical of his wants and aspirations, in which he discloses and enacts himself" (1975, p. 91). Like an artist or musician, who requires a medium or instrument in order to perform, a moral actor requires a set of practices that facilitate his moral performances. As Walter Pater observes in his "Essay on Style," a writer is like a moral performer in "dealing scrupulously with his instrument, and therefore, indirectly, with the reader himself" and he possesses "the science of the instrument he plays on, perhaps, after all, with a freedom which in such case will be the freedom of a master" (1915, p. 14).

This moral understanding implies not only the uniqueness of a particular occasion and a performance by a particular person or set of people, but also the contribution of each occasion to the larger whole of an ongoing life. As any performer knows, no musical piece is ever played in exactly the same way, even by the same violinist, in the same recital hall, on the same day. Thus, there is distinct value in each and every performance. Understood poetically, these discrete performances are complete in themselves and worthy subjects of contemplation. "A human life is composed of performances, and each performance is a disclosure of a man's beliefs about himself and the world and an exploit in self-enactment" (2001, p. 63).

Yet many performances also produce a certain kind of performer. The performer of twenty years ago is not the same as he is today; repeated actions have turned the musician into a very different—and hopefully more excellent—practitioner of his art. This is not so different from the *hexis* described in Aristotle's *Nicomachean Ethics*, which comes only as a result of repeated, habitual practices. Over time, then, a person may come to possess a distinctive style, whether as a musician, poet, writer, carpenter, teacher, or moral actor. He learns more fully the "languages" of these activities and becomes more expert in speaking them.

This language of performance is in accord with Oakeshott's inclination to see the world aesthetically. An aesthetic outlook implies freedom—from purpose (teleology and the future) and from determinism ("causes" and the past). This aesthetic notion of morality depends upon contingency, which Oakeshott describes at the end of his first essay in *On Human Conduct*. A contingent relationship, he maintains, is categorically different from a causal relationship, or from a teleological relationship. Contingency is not mere accident, but rather "a sequential relationship of intelligent individual occurrences where what comes after is recognized to be conditional upon what went before . . . because they 'touch' and in touching identify themselves as belonging together" (1975, p. 104). This touching might or might not have taken place, and when it does it is often the result of free, intelligent action, though sometimes also subject to chance. Every action is a response to what has come before it, and subsequent "occurrences" result from prior actions. Ultimately, understanding any performance requires that it be placed in a story, which is concerned with the "topical and the transitory," with things that could have been otherwise (Ibid. p. 105).

Moral conduct is therefore an *intelligent* "ritual of utterance and response, a continuously extemporized dance whose participants are alive to one another's movements and to the ground upon which they

tread" (Ibid., p. 63). It is not a series of predictable events but of occurrences and "occasions," experienced and undertaken by intelligent agents. Occasions, after all, imply things that are particular or special, like events, ceremonies, or celebrations. They are chances or opportunities. Oakeshott hopes that, with the proper education, people will be inclined "to recognize everything as an occasion" (2001, p. 60). The world we inhabit, he writes, "is composed not of 'things' but of occurrences, which [we are] aware of in terms of what they mean" and to which we must respond in terms of our *understanding* of them (Ibid., p. 9).

STYLE, MANNER, ADVERBS: SENSIBILITY AND INSIGHT

So far, I have described Oakeshott's positive moral vision in terms of present experience and the disposition to appreciate the drama and occasions of life. His vision also encompasses the longer-term project of building a fulfilling human life as a whole, as I have suggested above in the example of the musician who develops skill and finesse over decades. At various points Oakeshott described a central concern of life as the cultivation of style, sensibility, and insight—of a particular "habit of mind." These are the precisely the qualities he thought liberal learning might yield. In another formulation it is Montaigne's challenge of knowing how to belong to oneself. In still another, it entails coming to terms with the "adverbial conditions" according to which moral conduct takes place. Are our actions governed by gracefulness or anger, kindness, pride or self-indulgence?

Oakeshott's essay, "Religion and the World" is concerned with just such questions of moral style. There, alongside his discussion of presentness, the words "insight" and "sensibility" appear no fewer than thirteen times in a nine-page essay. These terms are meant to convey the appropriation of experience into an original, personal philosophy. Oakeshott generally finds the world's templates for human flourishing reductive and boring; and he rejects the ideals of the "worldly man"—success and accomplishment—in favor of "the realization of a self" achieved through "insight." The worth of a life should be measured by its "sensibility, not by its external achievement of the reputation behind which it may have been able to hide its lack of actual insight" (2011, p. 33). He quotes, without attribution, Walter Pater's *Marius the Epicurean*: "[the religious man] will maintain a kind of candid detachment in the face of the very highest actual achievement" (Ibid.). Like the magnanimous man of Aristotle's *Ethics*, this person never compares himself with others but is calmly self-possessed.

Oakeshott prizes this intellectual-moral cultivation of mind and character. The goal of life, he writes, "is always here and now in the achievement of a personal sensibility" (Ibid., p. 35). And again: "nothing is of final worth except present insight, a grasp of the thing itself" (Ibid., p. 37). This achievement of sensibility may also be understood as the acquisition of a personal style—not primarily in the superficial terms of dress and appearance, but as a habit of mind.

Every significant utterance "has a style of its own, a personal idiom, an individual manner of thinking of which it is a reflection." We observe the style of others, especially our teachers, and thereby come to see that styles differ and that there is no one perfect *telos* for moral and intellectual excellence. The most significant component of education is learning how to feel and think, and this happens in listening to and recognizing the styles of others. We copy and discriminate as we incrementally create our own habits of mind and conduct.

Such style is never explicitly taught; it is only imparted. In this respect the whole experience is slightly mysterious. Who knows what elements of personality will be compelling to a student, what turns of phrase or mannerisms he or she will pick up or reject? The process is also quasi-aesthetic, for conduct like this is "like an *art* in having to be learned, in being learned better by some than by others, in allowing almost endless opportunity for individual style, and in which virtuosity and mastery are distinguishable" (1975, p. 62). Many of us may master something; few will be virtuosos.

In the 1951 essay, "Political Education," he suggests a line of thought that will be developed more fully in *On Human Conduct*. In "Political Education" one finds the argument, actually somewhat unusual for Oakeshott, that the way we study politics has real implications for the *practice* of politics. Usually he is

keen to separate the explanatory and detached character of teaching and learning from moral and political conduct, but here he identifies a direct link between the two. At the conclusion of the essay Oakeshott quotes Ovid's famous maxim, "*Abeunt studia in mores*," or, "our studies have an influence on our characters and manners." Oakeshott admits here that an inescapable moral component accompanies all profound experiences of learning. This is not a direct undertaking to teach morality, as is the case in certain classical schools, which focus on virtue education. It is an oblique engagement. We may find that after a semester-long study of Aristotle, for instance, that we are inclined to think more deeply about (and even practice) temperance and courage.

Even the pursuit of learning for its own sake—disinterested learning—may inadvertently yield someone more capable of holding desires and aversions at arm's length, able to be slightly less buffeted by emotions and to remain calm amidst chaos. The cultivation of such a temperament, with its ironic or Stoic detachment from the turbulent goings-on of politics and daily life, is in fact a *moral* achievement. It requires recognizing other modes of experience besides the practical. And Oakeshott hopes that a proper education will yield political actors who understand politics for what he thinks it is: the pursuit of intimations about appropriate change and preservation, not the pursuit of ideological consistency or perfection.

Most important of all, what may be gained from education is a particular "manner" of conducting oneself. "The fruits of a political education will appear in the *manner* in which we think and speak about politics and perhaps in the *manner* in which we conduct our political activity" (2001, p. 184). This is quite different from operating according to "rules" of conduct; for what Oakeshott points to here is precisely what happens when rules are not received as inflexible guides or directives. Style is "the choice made, not according to the rules, but within the area of freedom left by the negative operation of rules" (Ibid., p. 59). Rules cannot tell people what to do; they announce "only conditions to be subscribed to in making choices" (1975, p. 58).

In *On Human* Conduct, this vision is described in terms of "adverbial conditions" that govern practices. Indeed, a practice is simply "a prudential or a moral adverbial qualification of choices and performances, more or less complicated, where conduct is understood in terms of a procedure"—not a process (Ibid., p. 55). The adverbs themselves—"punctually, considerately, civilly scientifically"—and so on, do not tell us *what* to do but rather how to do the things we have chosen to do. So-called "rules" of conduct, likewise, do not comprise a book of technique but are the ideas or nodal densities that have been distilled from an already existing practice. These can inform an agent, but what he actually does is "*illustrate* them in actions." Any action or speech "is an *illustration* (not an example)" of human conduct (Ibid., p. 92).

In his notebooks, Oakeshott observes the significant difference between "moral dispositions which are part of one's *amour-propre* and those which are 'principles' or 'ideals' or are recognized as independent virtues of a certain character" (2014, p. 430). A person must assimilate and appropriate virtues for himself, within his own life, for them to be authentic and deeply held. It is not enough to praise courage or moderation in words, or to desire them abstractly; they must be lived. He asks rhetorically, "Is morality entirely itself if its precepts are not part of one's *amour-propre*?" (Ibid.).

Oakeshott's language is precise, and it is easy to overlook the subtle differences in his chosen terms. He contrasts virtuosity with mastery, illustration with example; and he employs specific, aesthetically-inflected terms to talk about human conduct: performance, performer, style, manner, insight, sensibility. Are these ideas entirely Oakeshott's own, or do they owe something to other sources? If they do, as I believe, then an examination of some of these sources will better illuminate his understanding of desirable moral character.

LIFE AS AN ART

The publication of Oakeshott's notebooks has been a gift for scholars. This volume shows his astonishing breadth of intellectual interest as well as the particular authors whom he found compelling at various points in his life. Any careful reader of Oakeshott's early work will likely have already seen that he was a devoted reader of Walter Pater, the nineteenth-century author and critic, but the notebooks also reveal his debts to John Cowper Powys and George Santayana. Oakeshott appears to have read of most of Santayana's major works.

I have argued so far that the moral character Oakeshott admires prioritizes life in the present, sees events as occasions, and embraces the contingency, adventure and unpredictability of human life. The terms he uses to talk about moral conduct are strikingly aesthetic: performance, manner, occasion, illustration, insight, sensibility. This accords with the philosophy that Pater attributes to his main character in *Marius the Epicurean*, in the novel of the same name, which Oakeshott read and absorbed.

For Marius, as for Oakeshott, past and future are constraints on a vital and intense life. As Pater writes (in his somewhat convoluted prose): "And so the abstract apprehension that the little point of this present moment alone really is, between a past which has just ceased to be and the future which may never come, became practical with Marius, under the form of a resolve, as far as possible, to exclude regret and desire, and yield himself to the improvement of the present with an absolutely disengaged mind" (Pater 1909, p. 105). In other words, regret and desire mark someone who is fundamentally distracted, whose mind is taken up with things that are *not* happening at the moment.

If Marius's satisfactory moral life looks neither forward nor backward, it also does not locate fulfillment in mere pleasure. "Not pleasure, but fulness of life, and 'insight' as conducting to that fulness—energy, variety, and choice of experience . . . whatever form of human life, in short, might be heroic, impassioned, ideal"—these are the values that Marius embraces (Ibid., pp. 114-15). This view is echoed in Pater's conclusion to *The Renaissance*: "*Philosophiren*, says Novalis, *ist dephlegmatisiren, vivificiren*. The service of philosophy, and of religion and culture as well, to the human spirit, is to startle it into a sharp and eager observation. Every moment some form grows perfect in hand or face; some tone on the hills or sea is choicer than the rest; some mood of passion or insight or intellectual excitement is irresistibly real and attractive for us,—for that moment only. Not the fruit of experience, but experience itself is the end" (Pater 1873, p. 210).

Like Oakeshott, who questions the value of career and accomplishment, Marius also finds refuge in an aesthetically-tinged philosophy that weighs "the claims of that eager, concentrated, impassioned realisation of experience, against those of the received morality" (Pater 1909, p. 113). Instead of conforming to that conventional morality, Marius "break[s] beyond the limits of the actual moral order; perhaps not without some pleasurable excitement in so bold a venture" (Ibid.). In other words, he tries to live a life of value in the present, by his own lights.

A reader might wonder how Oakeshott could square this language of heroic, impassioned ideals with his later praise of a morality grounded in habit and custom and with the conservative disposition. A commonplace (though mistaken) view of conservatism is that it produces a certain kind of temperament: the conventional, staid, somewhat boring, always moderate person, fearful of novelty and change, and desirous above all of protecting what he has. By contrast, Oakeshott believes that the conservative disposition can and often does coexist with energetic and even idiosyncratic lives, and it may appear among people who possess a wide variety of temperaments. One line in "On Being Conservative" has often puzzled commentators but nevertheless illustrates this point: "it is not at all inconsistent to be conservative in respect of government and radical in respect of almost every other activity" (1991, p. 435). What could this possibly mean?

First, it means that the conservative does not misunderstand the importance of politics. A conservative disposition is important in politics precisely *so that* politics itself does not intrude into the spheres of more important human activities. Political activity, in its ordinary sense of maneuvering, manipulating

to gain power, making alliances, gathering votes and producing policies, is a second-order activity that facilitates other, more personal and communal goods among people who relish the freedom to live as they wish. The aim of politics here is merely to protect this sphere of free human choice and enterprise. We are assumed to have freedom and ideas about what to do with it.

In contrast, when people understand political activity as their most important task, it is often because they are dissatisfied with their present lives and desire improvement or change—the antithesis of living in the present. They might even wish for the state to help, and sometimes they even aim at gigantic enterprises for utopian transformation (thus the significance of the Tower of Babel image). But the conservative disposition in politics is opposed to this, for on such a reading, government's aim is "not to inflame passion and give it new objects to feed upon, but to inject into the activities of already too passionate men an ingredient of moderation; to restrain, to deflate, to pacify and to reconcile" (Ibid., p. 432). This is not a common view of politics and government at present, but this does not make it valueless.

Second, this conservative disposition toward enjoyment and experience is itself quite energetic and alive. The world and its inhabitants are delighted in, appreciated, loved, examined, contemplated, discussed. A conservative may be skeptical about politics but passionate about music or poetry or motorcycles, or about building a business or evangelizing or doing scientific investigation. In short, we may be "radically" committed to a variety of activities and people. We could therefore approve Pater's vision of eschewing mere pleasure in favor of "fulness of life, and 'insight' as conducting to that fulness—energy, variety, and choice of experience" (1909, p. 114). The key, for both Pater and Oakeshott, is to make experience one's own through this insight, by appropriating it in a way that is unique, and in doing so not for an audience but because we know it to be good. This is knowing how to belong to ourselves. It is life understood as an art.

Similar views about the importance of personal insight appear in the work of George Santayana, whom Oakeshott quotes extensively in his notebooks: "In Philosophy itself investigation & reasoning are only preparatory & servile parts, means to an end. They terminate in insight, or what in the noblest sense of the word may be called theory, [GK *theoria*],—a steady contemplation of all things in their order & worth. Such contemplation is imaginative" (2014, p. 10).[1] Again, the terms are insight and contemplation, with imagination and poetry prioritized over logic and reason. Oakeshott does not, of course, disparage logic and reason, but the vital experience he seeks is somewhat different, and not merely intellectual. At three points in the notebooks he copies this line from Isak Dinesen: "When you know what things are really like you can make no poems about them." Practical knowledge of the world can often be an impediment to living a life full of poetic experience, insight, and sensibility. Or as Oakeshott glosses the line in one place, "To know what things are really like is an accomplishment from which it is difficult to escape again into the world of possibilities" (Ibid., p. 429). There is indeed a youthful, romantic streak in Oakeshott's thought.

One of the most intriguing sources for Oakeshott's view appears in the work of the essayist, novelist and philosopher John Cowper Powys, whose book, *The Meaning of Culture*, Oakeshott reviewed in 1930. Powys himself owes a great deal to Walter Pater, and observes (along the lines of both Pater and Oakeshott) the great difficulty of living in the present, and of rejecting both utility and the future: "For one does surely come at last to recognize that it requires as much effort, as much stoical austerity, to shake off those heavy vapours of use-and-wont which betray us into taking the passing moments for granted, as to devote ourselves to some great ideal cause" (1929, pp. 31-32). It is, however, Oakeshott's appropriation of this book in his review that best crystallizes the view of life I have been describing.

In the review Oakeshott delineates three understandings of what it might mean to be a cultured person. He rejects the idea that a cultured person is someone possessing "encyclopedic information"—someone who knows a lot about a lot of things and is thus able to provide limitless answers to factual inquiries. In the modern world, this is equivalent to the E. D. Hirsch *Cultural Literacy* view. The second view understands culture as the "acquisition of the best that has been thought and known in the world," *a*

la Matthew Arnold and T. S. Eliot. This is similar to the first view, except that there is a selection process at work. Instead of encyclopedia, we find "greats."

The idea of culture that Oakeshott and Powys favor is distinct from both of these. They reject culture as equivalent to mere acquisition—whether that be of indiscriminate information or of the best that has been thought and known. Instead, they emphasize the deeply personal character of all true culture, and the necessity of its being filtered through a person's mind and heart, made one's own in a process of digestion. In other words, it becomes part of our character, and this happens through not just in the intellectual faculty of knowing, but in the intellectual *and* emotional process of making it our own.

It is one thing, for example, to regurgitate Aristotle's doctrine of the mean on an exam; it is another to have tried to live it, to see how it does or does not account for our experiences of the moral life. Or as Pater puts it, "What is important, then, is not that the critic should possess a correct *abstract* definition of beauty for the intellect, but a certain kind of *temperament*, the power of being deeply moved by the presence of beautiful objects" (1873, p. xii).[2] It is much easier to know all about a picture than to have acquired a sensibility for it. The real aim of education is not to make people into walking dictionaries; it is to enhance and make their experiences of life different, better and richer. How this happens is a mystery; *that* it sometimes does is indisputable.

A few remarks from John Cowper Powys illuminate this view. First as to its origins: the "art of self-culture begins with a deeper awareness," he writes, "borne in upon us either by some sharp emotional shock or little by little like an insidious rarefied air, of the marvel of our being alive at all . . . [i]t is clear that there must be a will to philosophize at the very start. This implies a desire to focus such *imaginative reason* as we possess upon the mystery of life" (1929, p. 8). The result is a person who lives his philosophy, and does not merely talk about it. "One always feels that a merely educated man holds his philosophical views as if they were so many pennies in his pocket. . . . Whereas with a cultured man there is no gap or lacuna between his opinions and his life . . . .They are *what he is*" (Ibid., p. 10). And the desirable effects of becoming cultured, of reading literature, and of thinking, are "to encourage one to learn the art of becoming a 'great author' oneself; not in the sense of composing a single line, but in . . . [catching] on the wing that fleeting loveliness of which no genius has the monopoly" (Ibid., p. 39). Again, this is life understood as an art.

Still further, the independent, free soul with integrity is perfectly content, "apart altogether from external success, or fame, or prestige, or any reputation in the eyes of others" (Ibid., p. 115). Ambition, Powys observes, is the "grand enemy of all peace." Real culture, in contrast, simplifies existence "down to bed-rock" and heightens "those great permanent sensations which belong, as Wordsworth puts it, to 'the pleasure which there is in life itself'" (Ibid., p. 119). To summarize: a rich and fulfilling human life requires both intellectual and moral experiences, mixed and digested in the mind and heart, all of which form an integrated, coherent character. This kind of cultural formation even has a quasi-religious character, as Matthew Arnold famously notes: "Religion says: *The kingdom of God is within you*; and culture, in like manner, places human perfection in an *internal* condition, in the growth and predominance of our humanity proper, as distinguished from our animality" (1903, pp. 10-11).

Also in the notebooks one finds a fascinating list of the moral types that Oakeshott approves: the 'superior man' (Confucius); the Magnanimous Man' the sapiens/apatheia [GK] of the Stoic—the good will of Kant; the elect of the Calvinist, the importance of 'living alone' (Epicurus, Chuang Tzu)—to be *free* (Spinoza); 'courage' of Vauvernagues: all manners of being superior to fortune, invulnerable; of being a 'moral god': Milton's Christ & his Satan. Unconquerable. Not by Platonic wisdom (contemplation, the *vita contemplativa*, Aristotle); and not by succeeding—by having *good* fortune; but by something else—the Platonic courage; the Hobbesian 'pride'. The hardness of it all; that is only Vauvernagues—'*coeur tendre et Stoique*' hits the right note (2014, pp. 425-26).

Vauvernagues, who concludes the list and is little-known today, was a French writer and moralist who corresponded with Voltaire and died at the age of thirty-one. Widely admired for his character and maturity, he was eulogized by the French literary critic Charles Augustin Sainte-Beuve: "Both proud

and modest, stoic and tender-hearted. . . . He set a rare example, that of a superior man, long humbled, restrained, overwhelmed by misfortune, and who, growing neither bitter nor resentful, took his revenge in a noble manner."[3] This is a succinct summary, too, of the character that Oakeshott admires: self-possessed, humble, ironic, Stoic; but also energetic, with a sense of honor, and fully engaged in living an intense and vital life.

FREEDOM

Finally, the moral character Oakeshott approves is defined by a love of freedom. Again in the notebooks, he writes: "Kant, Fichte, Hegel—'freedom' = being in control of one's own world & destiny—choosing." At its most basic level, this is the freedom Oakeshott praises: an individualist disposition that understands human conduct as entailing freedom and choice. This freedom is necessary for self-determination and self-creation, not undertaken alone and outside social structures, but within practices and among other people.

In addition to this most basic freedom, Oakeshott also prizes liberation from the constraints of determinism and scientific behaviorism—from notions that human beings are just like animals or any other natural phenomenon that can be studied statistically by social scientists. As he explains in *On Human Conduct*, we are "creatures of want" and not only of need. Our wants "are not biological impulses or genetic urges; they are imagined satisfactions, which have reasons but not causes, and are eligible to be wished-for, chosen, pursued, procured, approved or disapproved" (1975, p. 63). This view of freedom also opposes most of the conceptual apparatus of contemporary identity politics, for while Oakeshott does not dispute that personal characteristics like sex or race matter in a person's identity, what is far more important is how we choose to think about those characteristics.

The third kind of freedom that Oakeshott prizes may be designated, again following Walter Pater, as "liberty of soul." This liberty of soul is what Pater describes as "freedom from all partial and misrepresentative doctrine which does but relieve one element in our experience at the cost of another, freedom from all embarrassment alike of regret for the past and of calculation on the future: this would be but preliminary to the real business of education, insight, insight through culture" (1909, p. 107). It is freedom from the demands of the world and the future. In the terms of *On Human Conduct*, it is satisfactory self-disclosure and the even-more-satisfactory self-enactment, where conduct is undertaken not for any external rewards but in pursuit of what one knows as one's own "integrated" character. Liberty of soul offers freedom from the judgments of others as well as freedom "to achieve a homogenous way of living." Here, life is "integrate, single, satisfying only when we have freed ourselves from the temptation to produce, to achieve, to accomplish anything whatsoever save an integrated life" (2014, p. 152).

The seeds of this last freedom are found not just in Pater and the nineteenth century, but also in Oakeshott's musings on Stoicism and Epicureanism: "Among the Stoics to despise ambition & to be free from the world had become a cult –a negative cult. But with Epicurus it was a positive way of life—'Live Alone." The freedom of the Stoic was an escape; that of the Epicurean a fulfillment." It was also informed by the individualism of Chuang Tzu and his belief in "the supreme importance of cultivating *one's own powers*. No pursuing 'goodness', or obeying the Law. Freedom from reputation & a desire to exploit life" (Ibid., pp. 230, 423). All of this offers another way of expressing the focus on "presentness" with which this essay began. This view is grounded in an "improvident desire for freedom [and] integrity" and its essential requirement is "an integrated self whose purpose is not to remember, adopt or assimilate, but to live a life contemporary with itself" (2007, p. 32).

Taken as a whole, Oakeshott's musings about the moral life form a coherent picture. Yet the kind of character he praises cannot be easily or simply described, and it is not a single characteristic or set of characteristics. The facets I have described above—a focus on the present, the performative aspect of human conduct, the importance of style, and freedom to make choices—are all part of his overall vision of a flourishing life. These characteristics make up an essentially "aesthetic" morality, in which conduct is

understood as endlessly creative, performative, and subject to the intelligent choices of human beings who are what they have learned to become. This way of living is a challenge and a satisfaction at once.

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NOTES

1 Ouoting George Santayana, 1910, *Three Philosophical Poets Lucretius Dante and Goethe*. Cambridge, MA: Harvard University, p. 10.

2 My italics.

3 Quotation from Sainte-Beuve in Lainey 1966, p. 22.

A Common Practice and a Collective Dream

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THE DREAM

In the second part of *On Human Conduct*, entitled *On the Civil Condition* Michael Oakeshott undertakes an elaborate discussion of a specific type of human relationship that he calls civil association. It is a relationship in terms of non-instrumental rules called *lex* which prescribe the formal conditions that ought to be respected by individuals in their self-chosen actions. Oakeshott clearly states that the model he describes should neither be identified with any existing state, past or present, nor be considered as a design to be implemented, akin to those premeditated, rationalistic, abstract projects, detached from actual circumstances, that he criticized in his post-war essays. For Oakeshott, civil association is an ideal type of association and as such, it is not his invention, but the result of a reading and subsequent philosophical reworking of a tradition of modern politics which embraces both the theoretical elaborations and the actual realizations of a conception of the state that he calls *societas,* referring to its origins in ancient Roman law.

According to Oakeshott, while trying to understand the specificity of this tradition, which can for the most part be identified with the political tradition of liberalism, we should take into account its three distinctive features. Firstly, its primordial concern has not been, as it had generally been with more ancient traditions, the constitution of government, the question of who forms government and how, but the problem of the activity of governing, of what governments should be expected to do. In case of *societas,* ruling means prescribing and keeping custody of a set of authoritative rules of conduct that we generally identify as the rule of law. Secondly, the idea of *societas* has always been challenged by a radically opposed understanding of the modern state that belongs to the tradition of political collectivism. According to this rival conception of the state, which Oakeshott identifies by the Roman term *universitas,* governing means running a collective enterprise aimed at achieving a common goal. In the late Middle Ages the categories of *societas* and *universitas* were utilized to denote some then existing associations or communities and, later on, the emerging states. In the course of time, however, and with the appearance of the ambivalence and complexity characteristic of the modern European state, the two ideas turned out inadequate as self-sufficient representations of the state but proved to serve well—and this is the way Oakeshott employs them—as representations of two opposed, rival dimensions inherent in every modern state that co-exist in mutual tension. And thirdly, the idea of *societas*, though boasting a tradition that includes some outstanding theoretical and practical achievements, has always been actualized in forms that were in certain respects insufficient or defective. In response, Oakeshott constructs his own theoretical model of civil association, which results from a distillation of the constitutive features of *societas* from its historic incarnations, actual and theoretical, and their remodeling in accordance with his own philosophical presuppositions. What we are presented with is an ideal type of association that best grasps the essential

features of *societas* or, we might as well say, the ideal character of the modern European state in its strictly liberal version.

Such an ideal type can assist studies of the liberal tradition, as it allows for the identification and critical assessment of states that can be considered as representations of *societas*. But it can also be a useful lens for us, inhabitants of the politically troubled present. In the midst of the social turmoil and ideological disarray, where the unyielding voice of the collectivist *universitas* keeps suppressing the gentler tones of the liberal *societas*, it can help us gain a better perspective of our own situation, a sharper vision of what we have already achieved and where we may be heading. And in the wake of the recently celebrated the 50th anniversary of the publication of Oakeshott's masterpiece—highly acclaimed, though still not reaching sufficient audiences—we are authorized to take even bolder steps in an effort to rethink this work, allowing it to exert a more than theoretical influence and possibly to inspire and enlighten us in our quest for political self-understanding. Thus, we can approach Oakeshott's conception of civil association in a way that he himself suggested with regard to Hobbes's *Leviathan,* considering it as a version of the "collective dream" embodied in and craved after by the liberal *societas*. This dream constitutes a formative vision that has not merely been extracted from the liberal tradition but has also been made to grasp its ultimate possibilities: an epitome of what normally manifests itself as an "implicit assumption in writings, arguments, and utterances concerned with other matters and expressing divergent opinions in regard to these matters (…), recognized as a 'faith', an aspiration, or an alleged historic condition" (OHC 243-44), that Oakeshott transforms into a comprehensive image with exceptionally illuminating powers.

And so, beneath the steady, disciplined lecture of *On the Civil Condition* there lies a collective dream. It is a dream about a common civilization or the art of civilized coexistence. Oakeshott considered this dream to be the binding thread that unites the generations in a liberal society and that ought to be cultivated and recreated in each of them. He insisted, contrary to Leo Strauss, that what underlies every *societas* and has been conducive to its invention is not man's egoism or the surge of his lower instincts but a longing for civility, a quest for civilized order. The dream is "collective" not in the sense of belonging to some unitary, reified abstraction like that of 'society', but in terms of collecting, fusing and condensing the innumerable intuitions, recognitions, hopes and aspirations of individuals within a particular moral tradition—the tradition of liberal individualism. Oakeshott thought it the task of philosophy and literature to recollect and reformulate the dream, thus keeping it alive. And when one decides to engage in the undertaking, the initial focus must be on man himself, since we can only be able to think about building civilized relations between individuals, if we first have an idea about who men are and an understanding of the essential traits of modern selfhood. And thus, the core of the dream has always been a myth about the human condition. Oakeshott discussed a previous version of the dream, found in Hobbes's *Leviathan*, in a short text, originally composed for a radio broadcast of 1947, seeking its basic meaning in Hobbes's reinterpretation of the Christian myth which had for centuries served to elucidate the mystery of human existence. While the Christian, mainly Pauline and Augustinian, myth contained a depiction of man as essentially a creature of pride doomed to fall, along with a promise of the restoration of order and of eternal salvation by means of divine grace, Hobbes emphasized the other pole of this inherited vision of the human condition—man's finitude and weakness, his incapability to achieve ultimate satisfaction that he constantly yearns for, but also his concomitant, strictly modern focus upon himself, which gives him the will and power to invent an artificial order and thus "to create a civilized life out of the very fears and compulsions that belong to his nature and circumstance" (HCA 162).

In his own version of the dream, Oakeshott takes a further step in the secularization of the myth inherited from Christianity. He replaces Hobbes's imaginary vision of man's natural condition with a strictly philosophical elaboration of the socially embedded "human conduct" that is discussed in the first part of his *opus magnum*. For him, men are not only creatures of passion or seekers of satisfactions, but also intelligent subscribers to practices. They strive to satisfy their desires in reciprocal transactions with others, while observing a variety of formal conditions that regulate their actions, varying from vaguely defined ways and mores to highly precise duties and norms. While the goals and interests that men pursue

are the substantive element of their actions, the practices they subscribe to are the element of art in human conduct, which imbues human conduct with form and meaning. Among these practices one is preeminent, and it is here that in his attempt to broaden and enrich Hobbes's conception of man Oakeshott goes back to the philosophy of Augustine. His civil association, the governing practice, which allows men to create peaceful coexistence, is Hobbes's *civitas* reframed in the image of Augustine's *civitas peregrina*.

Oakeshott makes use of the Augustinian distinction between the *civitas terrestris* and the *civitas Dei,* also termed *civitas peregrina,* to explain the dualism which defines the situation and conduct of the members of civil association or *societas*. In Augustine's work, the two cities are radically distinct, opposing those who live "according to man", seeking mundane pleasures, and those who live "according to God", adhering to the spiritual values. This serves to emphasize the contrast between the virtuous life of the Christian community and the sinful, materialistic, self-oriented existence of the pagans. But in the light of the interpretation of Augustine's work offered by Peter Brown that Oakeshott refers to, even though the heavenly city is called *peregrina* in the sense that its members are strangers or "resident aliens" in the earthly city, this does not mean that they ought to renounce their links with this world. Although they are "otherworldly in the world" since their primal loyalty is to God and his ordained values, they can still go on with their temporal lives, making use of the mundane goods and cherishing them as the gifts of their Lord in heaven (Brown 2000, pp. 323-24).

In the image of the two heterogeneous, and yet coexisting cities Oakeshott saw a convenient metaphor of the character of membership in civil association. As liberal individuals, we seek to fulfill our desires, pursue goals, cultivate identities. These are all, in Augustinian terms, our terrestrial, finite engagements. But apart from these private concerns we also have a common obligation to subscribe to a system of non-purposive rules of law or *lex* in our self-chosen activities and endeavors. And so, while being immersed in the sphere of substantive concerns, we are also inhabitants of another city, the *civitas peregrina*, whose higher, civilizing order secures our individual engagements while diminishing chances of conflict and collisions, as well as imposing sanctions and retributions in case of breaches of the law. It is all-embracing and authoritative, but at the same time generously indifferent to the substantive content of our individual pursuits. Thus, each member of civil association has a double belonging: in the private life of substantive concerns and in the public life of the *civitas peregrina*. Unlike the kinds of public commitment postulated by the democratic or republican traditions, membership in the *civitas peregrina* or civil association does not require any special identity-formation and is not initiated upon one's leaving his private concerns and entering a "public" sphere. Whether or not we are actively engaged in politics does not enhance or diminish our commitment. Within this practice, the private and the public are not two separate spheres, the *civitas peregrina* is not something detached from the *civitas terrestris*, as "they meet in every substantive engagement: the private 'interest' in its success and the public concern that it shall not be pursued without taking account of considerations (specified in *lex*) which are indifferent to its success or failure" (OHC 146). And so, when Oakeshott calls the ordering system of rules and related rule-like or rule-oriented arrangements the "*respublica*", he does not mean a separate sphere that one must make a special effort to participate in, but something inherent in every individual performance: "a common concern that the pursuit of all purposes and the promotion of all interests, the satisfaction of all wants ad the propagation of all beliefs shall be in subscription to conditions formulated in rules indifferent to the merits of any interest or the truth or error of any belief and consequently not itself a substantive interest or doctrine" (OHC 172).

The liberal dream that Oakeshott unveils for us, highlighting its distinctive idea of common, civilized relations, may reorient our thinking in two ways. It illuminates our actual political experience, allowing us not only to appraise its conformity to the ideal vision, but also to see the true nature of the bond that unites us as liberal societies which we all too often fail to adequately understand. The liberal condition, the condition of *societas*, says Oakeshott, is not about individuals trying to achieve their own goals in their private sphere, the limits of which are set by an external system of coercive law and the corresponding institutions. The liberal condition is that of a common practice, a common loyalty and a bond, the character of which Oakeshott explores with great curiosity and precision in his crowning philosophical work. But apart

from highlighting our actual experience in a form relieved of the distracting company of *universitas* and elevated by Oakeshott's elucidation, his vision extends beyond what has already been accomplished into the sphere of its intimated potentialities. Thus, it not only helps us to understand our present situation, but also touches upon its inherent promises and aspirations.

THE PRACTICE

The rule of law is a central element of the liberal-democratic order, widely implemented in contemporary Western states with varying degrees of success. Respect for the norms of law is an acknowledged obligation in modern liberal societies, but it is seldom recognized as the principle of their integration. Our desires naturally impel us to the substantive dimension of existence and to its prevalent experience of people integrating and uniting around common purposes and beliefs, both in private andsocial life. Oakeshott shows us that besides these substantive concerns and relationships, which are mutable, temporary and never apply to the whole of society, we are also associated in a manner categorially different. And so, besides the undeniable purposive component of our everyday conduct, we should also acknowledge the reality of our membership in civil association, understood not as something imperiously imposed upon us, but as a common relationship, a shared language and an integrating tie. Oakeshott's *civitas peregrina*, which constitutes a sphere of loyalty and belonging just like its Augustinian archetype, reformulates for us the meaning of a practice which is already part of our common experience. This liberal idea of a common civilization is based on an understanding of a unifying bond that is independent, self-sufficient and does not require substantive glues to be imported from the domain of *universitas*—such as a common identity, the sanctity of tradition or a common project or goal—to make it real and valid.

Oakeshott's conception of civil association invites us to view our common obligation to respect the law in a new light. Generally, the rule of law is considered as a system of external restraints that curb human freedom and prevent conflicts between individuals. This is the way Hobbes's *Leviathan* is most often read—the sovereign state is erected to end the calamities of war, to prevent people from hurting each other. It does so by replacing one kind of fear—the fear of death from the hand of another—by the fear of sanctions following violations of the law and imposed by the state. But seen through the lens of Oakeshott's conception of civil association, the rule of law appears not as an instrument of coercion and social control, but as a common practice and an integrating web of relations. While practices, those formal proprieties that are subscribed to while acting, establish ties that are far more durable than any of the substantive purposes, interests and enterprises that people may unite around, the rule of law is the most institutionalized and formalized among them, creating a bond that is most extensive and prevalent. The fact that the norms of law are non-purposive and strictly formal allows them to oblige all members of society without making any claims upon their beliefs, preferences and interests. The rule of law thus institutes a fundamental equality between the associates, "in terms of which they put by their characters as enterprisers and put by all that differentiates them from one another and recognize themselves as formal equals—*cives*" (OHC 128).

In liberal societies, differences are omnipresent, since they are the inevitable consequence of our cherished value of freedom. We pursue our individual, chosen goals, and form endless relationships and associations in order to realize our shared purposes. This makes our society pluralistic and diverse, but at the same time makes it impossible to find some sphere of commonality among us. Consequently, the common identity of *cives* in a liberal state does not stem from some preexisting, collective self-understanding, nor from a common interest or goal. It is not about *what* they do or pursue as individuals or unitedly, but about *how* they perform their freely chosen actions. And this common practice is not prudential, but moral, since, in terms of Oakeshott's understanding of morality, it does not dictate substantive goals to be pursued, but only prescribes conditions to be observed while acting. Individuals intelligently subscribe to the rules of civil association, which have been learned and understood, though they do not need to be explicitly invoked. They are used in conduct and not obeyed, as they are not commands determining the

substantive content of actions. And thus, as a practice, the rule of law should not only be considered as the common acknowledgement of norms to be subscribed to, but also as the constant actualization of a "vernacular language of civil understanding and intercourse" that Oakeshott calls "the language of civility" (OHC 122). This language, just like any other, specifies not the content of individual utterances or performances, but their form or "grammar". And it is not only used by individuals whenever they act, but also understood and responded to by their fellow associates. It thus constitutes an idiom of communication and mutual understanding, "the instrument of that conversation in which agents recognize and disclose themselves as *cives*" (OHC 123). And further, since for Oakeshott human conduct consists of the individuals' reciprocal transactions, the obverse of the common responsibilities that govern their performances are "the counterpart 'rights' to have these responsibilities fulfilled" (OHC 128). Thus, the law prescribes not only individual obligations but also the standards that determine what we can legitimately expect from one another regardless of who we are. Of course, this civil language is always actualized in connection with our substantive concerns which attract most of our attention. But there are times when it becomes the sole focus of our concern - as when we undertake or are subject to some legal or judicial actions - and this is when our human relationships are "reduced to the considerations of 'justice'" (OHC 123). And justice, as it is understood here, is neither an instrument of coercion, nor an unconditional norm, nor what we would have devised if we had lost knowledge of who we are. Justice is what binds us together, the principle of the integration of our society.

By depicting his version of the liberal collective dream, Oakeshott explains what it means to be a liberal 'community'—though he avoids the very word due to its substantive connotations - one that occupies a middle ground between an atomized society of politically indifferent individuals and the fervent and demanding commitment of the patriotic, nationalist, communitarian, democratic or republican models of citizenship, centered around substantive issues such as a common identity, public (as opposed to private) virtues or collective goods. From the liberal perspective, the goals we may pursue and the goods we strive to achieve or to protect, either individually or in cooperation with others, are the sphere of unavoidable differences. A liberal political community, lacking the density of substantive commitment and based, instead, on a "somewhat 'watery' fidelity called civility" (OHC 147) and with an ethos that consists of "the cooler virtues of civil association" (*Rationalism in Politics* RP 460), rests upon a non-substantive idea of commonality that integrates without demanding allegiance to common, substantive goods and goals—this is why Oakeshott prefers to call it an "association". What binds us in a liberal state is our allegiance to *respublica*, which in most countries primarily means loyalty to the constitution and to the rest of the legal system considered as part of the common historic legacy of a society. It deserves respect and safeguarding because it unites without compromising individuality and protects without diminishing freedom, as well as "mitigates conflict without imposing uniformity" (Ibid.), attesting to the idea that individuals are able to maintain good relations without having to sacrifice their particularity and uniqueness.

THE AUTHORITY

Bringing into focus the liberal understanding of community, Oakeshott's analysis helps to explain and reinterpret our respective, ongoing practice, but it also throws a bridge between the actual and the potential, highlighting some important aspects of the liberal civilization that are postulated or intimated in the practice, but have not been adequately or sufficiently realized. In fact, it looks as though some significant aspects of a genuine, mature liberal order still lie hidden deep in the abysses of our society's political slumber—ignored, misunderstood or suppressed by substantive concerns. In drawing attention to the neglected elements of the liberal civilization, Oakeshott's conception not only serves to broaden our self-understanding, but also provides signposts for a possible revival and development by means of which, as he himself phrased it in his remarks on the collective dream, "it will prompt and it will instruct" (HCA 160). Among the issues discussed in the second part of *On Human Conduct*, special attention is given to three indispensable elements of civil association that in actual states still remain highly deficient or defective:

authority, politics and political discourse. Oakeshott restores for us their authentic meaning out of the heaps of useless or misleading concepts that are polluting contemporary politics.

Normally, when we think about the authority of the state, we tend to look to the various purposive dimensions of our social life, making authority dependent upon what the state actually does for us. But when it comes to policy issues differences of opinion and clashes of interests are inevitable, while the elected governments never represent the whole of society. Nevertheless, we persist in trying to locate authority in the sphere of the substantive pursuits of *universitas*, ignoring the fact that the implementation of policies and the management of collective enterprises is always achieved at the cost of somebody's freedom. Instead of acting as a unifying factor, authority thus understood in fact serves to aggravate social conflicts and divisions. Consequently, from the liberal perspective, the authority of the state is not dependent upon its effectiveness in dealing with the problems troubling society. In civil association, political authority relates solely and strictly to *respublica* and is based on direct allegiance to its rules. And because these are non-substantive, the acknowledgment of authority in a liberal state is "the only understanding of *respublica* capable of evoking the acceptance of all *cives* without exception and thus eligible to be recognized as the terms of civil association" (OHC 154). Oakeshott puts great effort into relieving the concept from all of the misleading interpretations it often receives. And so, contrary to our most natural intuitions, bred under the auspices of our democratic regimes, it has nothing to do with the desirability or moral worth of the conditions that the law prescribes, nor with the expected consequences or benefits of subscribing or with the inevitability of the sanctions following non-subscription and it is independent of people's motives for compliance. Oakeshott also excludes the allegedly legitimizing stamp of all the external, supposedly higher or absolute norms such as moral imperatives, man's inalienable rights, the fundamental laws dictated by God or nature, or the soberer ideas of the public interest or *raison d'État*.

For Oakeshott, the authority of the norms of law resides in their authenticity or in their having been enacted in accordance with an established procedure and by institutions exercising powers specified by that procedure, which are all strictly legal constructs. Thus, the authority of the law comes from nothing other than the law itself and it consists in the self-authenticating property of its rules. "In short, the validity of *lex* is a matter to be decided in terms of the resources for decision which *lex* itself provides" (OHC 151). It may be difficult to understand why our opinions about the law are irrelevant in relation to its authority or why it is of no importance whether we consider its rules as desirable. Oakeshott explains that these opinions are highly significant when it comes to discussing possible amendments in the existing law—as this is what genuine politics is about—but they are irrelevant in relation to the legitimacy of the civil bond. Since it is this bond that turns liberal individuals into an association or a political community, it must be independent of the opinions of its members. Beliefs change, but the framework within which they are formulated must persist. And this is not contrary to individual freedom but in fact constitutes its very safeguard—we can only be free if the order securing our freedom is shielded from subversion by any contingent exigency, interest or opinion.

Oakeshott thus speaks about authority in its most uncontestable form, secured from the antagonizing claims of *universitas*. It resides in the rule of law and establishes a political culture of justice, impartiality and transparency that can persist no matter where the convulsive winds of party politics will take us. Authority in a liberal state, says Oakeshott, is independent of the results of the elections or of the current composition of the democratic majority. It is not an attribute of those who govern, but of the rules of law that oblige rulers and ruled alike. There can be no interest or need that can compromise the authority of the law or lead to the instrumentalization of its rules by the government. Thinking about authority requires the silencing of substantive conflicts and claims in order to be able to focus on the fundamental legal order, the protection of which is the only guarantee of the stability and persistence of a political community. And the primary test for the validity of any policy is whether or not it subscribes to the rules of law, while the insurmountable criterion of good government is whether it fulfills the essential role of keeping custody of the common legal system. Oakeshott leaves us in no doubt that not only does civil association possess its

very own and independent conception of political authority, but also that it is here, and not in the realm of *universitas*, that the authority of the state should be located.

In terms of Max Weber's triadic conception of legitimate authority Oakeshott's conception corresponds to legal-rational authority that Weber attributed to modern states, while excluding both the charismatic authority of leaders and the authority of tradition based on inherited customs and ways. This does not mean, however, that the practice in terms of the rule of law is something abstract, superimposed upon a historical and continuously changing society—the formally defined authority of law is to be strictly distinguished from how this law has been generated. As in the case of all the other moral practices, subscription to the conditions of *lex* is the actualization of a language that is already ours. Like all the other moral languages, it has not been artificially constructed *ex nihilo*, but shaped and modified over time. When Oakeshott speaks in the first part of *On Human Conduct* about moral rules in general, he calls them "abridgements" or "passages of stringency" (OHC 66-7) within a particular moral practice which transform its various formulations of what is considered *proper* to do into what is precisely *right* to do. Civil association is specific in that it is a moral practice made up of rules only. It is not, however, an artificial construct, detached from the rest of the moral life of society, but rather the culmination and condensation of a culture made up of a multitude of moral practices. The channel through which the ideas and beliefs of a society penetrate into its legal system is politics, which for Oakeshott consists in the deliberations concerning the desirability of the existing rules of law and the preparation of its possible amendments. And obviously, engagement in politics does not make us cut off our roots and inherited allegiances. Yet, it does require some special predispositions, as well as a decided and serious commitment that in today's politics is rarely to be found.

POLITICS AND POLITICAL DISCOURSE

Thus, the liberal dream about a common civilization is also a dream about politics, about mature, relevant, authentic political engagement. Oakeshott insists in his many writings that politics should not be considered as a separate profession, requiring some sort of technical education, as it is a deliberative engagement, which involves persuading others and seeking their support in order to enhance the credibility of the advocated proposal to change the existing law, which may then be presented to the legislative body and recommended for enactment. From the liberal point of view, politics does not deal with substantive concerns – which is the domain of *universitas*—but concentrates exclusively on the specific subject of civility. Its sole interest is the system of authoritative rules which constitutes the association: "in order to be recognizably 'political', a proposal together with the reasons for it must relate to a possible condition of *respublica* and to nothing else" (OHC 168). Of course changes in the law can be triggered by substantive concerns, by a perceived problem or need in society which is impossible to address in the context of the existing law: "A political proposal may stem from an effort to procure a satisfaction, from a disadvantage or imagined advantage, but a proposal which may begin in a want must lose this character and acquire a political character in being understood as a proposal for the amendment of the *respublica* of civil association" (OHC 169-70). And so, the proposed changes in the law cannot be aimed at relieving a mischief of a particular group but they can focus upon creating such general conditions of conduct, that will make grievances less likely. Participants in nomocratic politics neither seek to negotiate compromises with regard to policy issues nor strive to win popular support for the goals they intend to pursue. Their concern is, in line with Oakeshott's famous phrasing from one of his earlier essays, "attending to the arrangements of a society" (RP 45) or keeping custody of *respublica* which involves negotiating and implementing salutary changes to the existing system of law.

Oakeshott specifies for us the genuine political perspective. Politics always addresses an item or a section within the legal system, and never questions the whole of *respublica*. It requires an attitude which is "at once acquiescent and critical" (OHC 164), as it must combine acknowledgement of the authority of *lex*, which is itself unquestionable and non-debatable, with a determination to examine the desirability of

its rules when required. It is neither fixed upon preserving the *status quo* nor overly reformist, as it values continuity and is marked by an economical approach towards change which must always consist in "an appeal to current achievements in civility and an exploration of the intimations of these achievements" (OHC 180). The liberal approach to politics excludes not only the fancies of political idealism and the dreams of earthly salvation, but also the strictly non-political considerations (in the liberal sense) of moral improvement and the good life, of solidarity and welfare, of the reconstruction of society or the fulfillment of group needs which transform politics into political bargaining aimed at negotiating advantages and flattering interest groups. From Oakeshott's point of view, however, all these uncompromising exclusions do not validate the repeated criticisms that liberalism kills politics, that it is a politically sterile doctrine. He shows that, on the contrary, liberalism has a very specific conception of politics and political engagement which requires a "disciplined imagination" (OHC 164) and a very focused perspective, directed strictly to the issues concerning the system of authoritative rules which constitute the common bond of *respublica*. And he makes it clear that this is far from easy: politics is one of the most demanding activities "simply because it has no place for the consideration of what is most readily considered, namely, interests" (RP 455).

This idea of politics is strictly connected to a conception of civilized political discourse - balanced, impartial, pertinent and distant from what Oakeshott often condemned and mocked in his texts as the "artless muddle" (RP 439) of contemporary politics. Since politics is not about clashes of worldviews and interests, but an exchange of opinions about a common reality, the formation of political arguments and proposals excludes succumbing to the dictates of an ideology or a party line. Neither can they be determined by abstract scientific concepts or the alleged laws of historical or social progress. Oakeshott draws a sharp line between political deliberation and demonstrative discourse which consists in deducing conclusions from general theorems or laws about society, economy or historical development. Political deliberation requires arguments which are neither scientific, nor technical or ideological, but pertain to the sphere of morality, though morality that is strictly distinguished from abstract or unconditional moral norms. Political deliberation has "moral considerabilities of its own" (OHC 175), which refer to "what is currently held to be civilly desirable" (OHC 172). But in spite of the supra-individual character of the considerations that feed and shape political discourse, these should not be attributed to the chimeras of psychological or moral collectivism nor sought within some unitary body of inherited tradition. In *On Human Conduct* Oakeshott dismisses the notion of tradition altogether, not because the concept itself has become irrelevant for him but because in the light of the transformation that it has undergone in modernity he prefers to speak not of tradition, but of a plurality of practices. These are neither collective, nor subjective, and should best be considered as intersubjective languages shaped in human interactions, constantly re-enacted and modified, though sometimes also violated or ignored to the extent that they may fall into desuetude. They do not form any system or compact body of moral wisdom, some are mutually interconnected and can strengthen each other, while others are difficult to reconcile or even downright contradictory. In Oakeshott's view modernity does not destroy the cultural environment that shapes people's self-understanding, but it is no longer based on a consolidated tradition imposing a single moral order, since it has been transformed into a multitude of practices amidst which people navigate with growing ease and flexibility.

And so, the contemporary moral sensitivity which pertains to politics is not the product of a unitary tradition but stems from a pluralistic culture constituted by a multitude of moral practices that shape the conduct of individuals in a liberal society. What this means for political discourse is that differences of opinion or even of normative orientation are inevitable and there is no single criterion for ascertaining which view is correct. And no refuge from the inescapable plurality of perspectives can be sought behind the veil of Cartesian or Rawlsian ignorance that postulates erasing one's individual moral preconvictions altogether, as this would amount to losing capacity for intelligent choice which is an indispensable aspect of Oakeshott's idea of freedom. But although political opinions and proposals will surely be marked by the agents' histories, beliefs and preferences, this does not mean that the political debaters are doomed to get

stuck in unnegotiable idiosyncrasy. Politics, as an experience shared in common, fosters self-awareness and self-restraint, the capacity of distancing oneself from one's fixed beliefs and of taking up a more balanced and disinterested stance.

For Oakeshott, there are two important features of political discourse that make consensus and impartiality more attainable. Firstly, the subject is well defined and demarcated, as political deliberation refers exclusively to the condition of *respublica*, which eliminates substantive or instrumental concerns. As examples of the relevant "considerabilities of political deliberation", which are "aids to reflection rather than indisputable criteria of choice" (OHC 178), Oakeshott mentions the enforceability of the proposed rule, the recognition that subscription to civil rules should only concern the capacity of actions to harm others and the adaptability of the proposed rule to the rest of the existing legal system. The second feature of political discourse conducive to reaching agreement and compromise amidst inevitable differences is the strictly normative and procedural character of its subject matter: politics is limited to devising "continuous responses to circumstances in terms of rules" (Ibid.). This serves to facilitate adopting a more restrained and generalized perspective, for if the considerabilities of political discourse refer not only to formal or strictly legal issues, but also to "general ideas about what constitutes civil conduct, and some even more general moral ideas (such as fairness and humanity)", in politics these "have become 'civilized' by being given civil meanings" (OHC 177). For Oakeshott, translatability to rules is a convenient criterion that helps to distinguish ideas that can become part of civil discourse from those that cannot. And such translation has a "civilizing" effect upon individual preconceptions and beliefs, as it reduces the element of partiality and bias attached to them. Deliberations which are to result in proposals concerning universal rules of conduct act as filters and checks that help to exclude, so far is it is possible, ideas and arguments that resist such translation in being overly dogmatic, discriminatory or insidiously purposive. Liberal politics is conducive to making distinctions between moralities or moral ideals that are directly linked to substantive choices or specific life patterns and the impersonal, formalized morality of the *civitas peregrina*. As Oakeshott wrote in *Talking Politics*, also from 1975: "A rule of civil association is desirable in respect to the accuracy with which it reflects, or does not affront the moral imagination of the associates when it is directed to what they have learned to distinguish as a relationship not of moral perfection but of civility or justice" (RP 455). Thus, according to the liberal collective dream, the politics of civil association fosters agreement with regard to the moral fundamentals of the state and thus opens space for a common effort of attending to its constitutive arrangements.

THE ETHOS

But politics also has a civilizing effect on us, liberal *cives*. It mitigates the force of individual idiosyncrasies, the urge of substantive needs and the alleged validity of even the broadest group interests, while fostering fidelity to r*espublica*, the system of non-instrumental rules that oblige us all and, indeed, create the safest conditions for even the most uncommon or eccentric views and identities to flourish. Our collective dream, taken in a broader sense, inevitably touches upon our common self-understanding, upon who we are and who we aspire to be. It discloses what Montesquieu once identified as the 'principle' or the driving force of a political system: the spiritual resources that stabilize and put into motion the liberal *societas*. This imaginary self-portrait is of course historical, as it has been shaped, as Oakeshott showed in his various writings, by the moral tradition of individuality which has been an important condition for the emergence of the liberal state. Within this tradition individual freedom, which constitutes for Oakeshott an inherent feature of human conduct, is considered as a gift worth cultivating which leads to the development of individual autonomy or self-governance—the hallmark of a liberal society.

The metaphor of the *civitas peregrina* helps to highlight the two aspects of individual autonomy that civil association strengthens and promotes. Oakeshott defines freedom as intelligent, free choice and thus with reference to both the substantive and the formal aspect of human conduct. The cultivation of freedom in terms of the substantive aspect of human conduct is practicing free choice and self-direction in deciding

among different activities and enterprises of whatsoever kind. The cultivation of freedom in terms of the formal aspect of human conduct is choosing intelligently, which means that the choice is mediated by the formal conditions of action provided by the practices in the use of which the agent has been educated and which allow him to give meaning to his actions and thus express and develop his moral individuality. Civil association, the crowning practice of a liberal society, exemplifies and climaxes the cultivation of freedom with reference to both of these aspects of conduct. It fulfills the substantive aspect of individual autonomy, since *cives* retain and cultivate the freedom of choosing their own activities and goals and it fulfills the formal aspect of individual autonomy, since it provides a system of rules with reference to which the choice of actions becomes meaningful—one performs or interprets an action not only as desired, but also as the 'right' or 'lawful' thing to do. And although actual membership in the association established in terms of these rules is compulsory, since civil association is typically actualized in the form of states, which do not grant their members the possibility of voluntary disassociation, this does not constitute an encroachment of freedom since the rules of the association are non-purposive and remain neutral with respect to the substantive content of the actions of *cives* and without any claim to direct or manage their individual lives.

Thus, in civil association, which represents the liberal model of a common civilization, individuals retain and develop their autonomy in terms of both the substantive and formal aspect of freedom. And it is both of these aspects of freedom that the teleocratic state or *universitas* fails to respect. It diminishes the substantive dimension of freedom by setting a common goal for people to pursue, which inevitably limits the scope of independent choices that they are able to make while designing their lives. And while it is modelled upon the ideal type of enterprise association, which is a relationship in terms of goals that people pursue in common, it violates one of its postulates which consists in each participant's freedom of association and disassociation. Additionally, the laws and rules that *universitas* sets for people to observe are instrumental to the pursuit of the common goal, which compromises their moral character and the respective condition of civil freedom according to which the formal procedures of conduct must remain independent of its substantive content.

Oakeshott's liberal state, on the other hand, fosters the development of two strictly related capacities of *cives*: the capacity for self-determination in the private sphere and the capacity for self-regulation in the public sphere. The image of the *civitas peregrina* highlights our dual status of 'earthly' beings endowed with an admixture of a 'heavenly' rule-based morality. Civil association ascribes to our mundane activities and commitments an "otherworldly", formal element, specified by the non-instrumental rules of law that determine the conditions to be subscribed to while acting. And since it lacks any ambition to impose upon the associates a common, substantive goal, it treats them not as "pilgrims" to a known end united in a collective enterprise—as it is with the members of *universitas*—but as self-oriented "adventurers", who have the determination and courage to face the risks and challenges of an autonomous life, while simultaneously acting as "partners in a practice of civility" (OHC 243). This self-image ennobles us as moral beings, who not only pay their bills and debts, keep their promises and refrain from hurting others or taking their property, but who, in doing all this, disclose themselves as creatures capable of being just to one another and bound by a common loyalty to *respublica*. It brings us closer to the aristocratic ideal of proud self-government, where the motive of lawful conduct is not fear, but self-respect, where justice becomes a matter not of external restraint, but of individual dignity and where one subscribes to the norms of law not to escape punishment, but because they consider it inherently right. The adverbial aspect of the common rules, focusing on the 'how', and not on the 'what' of actions, is also dignifying as it translates to a self-understanding of actors as self-governing individuals who are "disposed to choose their own destinations even if they do not reach them" (OHC 460), and thus less inclined to succumb to the dictatorship of substantive achievement. The collective dream pictures them as creatures not only of substantive wants, but also of artful self-direction. Their common civilization, which originally meant the aristocratic ways of an ordered society as opposed to chaos and barbarism, in the context of liberalism becomes the indispensable moral framing of a free society.

In this dream we take pride in our individuality or distinctness, though this has nothing to do with selfishness or solipsism. Civil association specifies reciprocal duties that we owe to one another in spite of our differences, because within the liberal order sameness is not considered to be the necessary basis of mutual obligations and one finds it a matter of honor that the privilege of self-direction be equally granted to others. And indeed, the *civitas peregrina* can welcome even the most unconventional associations or life patterns as long as they respect the formal conditions of the law. In this dream it is considered disgraceful to beg services or encumber others with one's own wants and needs. Liberal individuals are thus reluctant to give initiative to the state in all those areas that they can manage on their own: "the insecurity of seeking to satisfy chosen wants" is considered preferable to "the security of receiving expected benefits" (OHC 325). From the liberal perspective it is not the state that is expected to be charitable, magnificent and compassionate, but individual people, who are predestined by the conditions of agency to indulge in multifarious common enterprises and initiatives around intelligently contrived common projects. And thus, as Oakeshott shows in this collective self-image extracted from the often mistaken tradition, liberal individuals are far from representing the notorious bourgeois morality of down-to-earth, egoistic money-making. As long as their activities are protected within the framework of the rule of law, they are able and willing to organize freely around even the most ambitious and morally demanding goals.

The love of freedom gives immunity to the allure of *universitas* and to the temptation of confounding rights with needs, which makes individuals succumb to external guidance. This love protects civil association against appropriation by those fervent pilgrims of the teleocratic state who are keen on making it dependent upon a specific worldview or credo and to dictate its only permissible idiom. And indeed, the conflict of these two contrasting tendencies does not only occur within states, but also within individual people. Not only are our inherited traditions diverse and in many respects opposed, as Oakeshott shows, but so are our inner dispositions. In the closing remarks of his work, the author translates the two moral traditions responsible for the historical emergence of *societas* (the tradition of individuality) and *universitas* (the tradition of collectivism) into two corresponding attitudes within each particular individual. The first disposition is the individualist side of our nature, the appreciation and desire of autonomy and self-determination, the recognition of life as an adventure that includes risks and does not have a known ending. The second disposition is the need of security and guidance, the perception of choosing and deciding as a burden that one would gladly be relieved of. For Oakeshott, although every individual is a mixture of both attitudes, if a society has been predominantly influenced by one of these traditions, the corresponding disposition will be considered as preferable by its members and it will exert more impact upon their actions and pursuits. Thus, the self-portrait of *cives* presented in the dream is obviously not a formula for reaching perfection, but an attempt of the imagination instructed by experience to bracket the otherwise inescapable complexity and highlight that part of us that makes us predestined for membership in civil association.

THE EXPERIENCE

Liberalism has often been accused of endorsing a model of the state that is formalistic, soulless, fueled by human egoism. Oakeshott depicts it as a rich and multifaceted tradition driven by a vision that strongly contradicts this view—one of a common civilization that combines legal and institutional order with a moral way of life, artful and ennobling. This vision, presented in the second part of *On Human Conduct*, along with extensions in the adjacent parts of the work and in some other essays from roughly the same period, envisages the essential features of a liberal state and a liberal political community: the rule of law as the governing practice and principal concern, the kind of political authority that does not need to appeal to substantive gains in order to bring forth a sense of obligation, the type of politics that is rooted in one's moral and cultural environment but at the same time based upon a sound understanding of the public and its demands, about political discourse whose civilized language transcends partiality and bias in order to address directly the central concern of *respublica*, and the ethos of liberal individuals, pictured

not as enterprisers, believers, activists, compatriots or pursuers of satisfactions of whatever kind—though it never questions any of these roles—but as *cives*, partners in the practice of civility. To some, it may appear as unrealistic and one-sided, unnaturally detached from the Siamese twin of *universitas*. And yet, it can hardly be criticized for being a utopia, for it is firmly rooted in our longstanding practical experience and intellectual achievement where it has been manifesting itself as "a 'faith', an aspiration, or an alleged historic condition".

As such, this collective dream, which can be considered as emblematic for the liberal tradition, could have the power of awakening the self-awareness of liberal societies. As Oakeshott shows in his historical analyses, it is precisely in its own intellectual and political legacy that liberalism's core values can be found and it is its own practice that suggests ways of further development. While liberalism has always placed the individual in the center of its attention and it has always been the principal concern of liberal theorists to devise conditions for preserving individual freedom, the tradition has often found troublesome establishing ground for the existence of a liberal community that would not infringe this freedom while instilling some sense of togetherness in self-dependent individuals and thus preventing liberal society from turning into a gathering of unrelated atoms. What Oakeshott shows is that we need not look for helps from outside, trying to incorporate elements from other, more communally oriented traditions, as liberalism has got its own, specific conception of community without collective goods that he prefers to call an "association", which is most reconcilable with individual autonomy, while providing the necessary procedures and institutions for the functioning of a modern state.

Oakeshott's is a positive vision, concerned with building a political culture and not with restraining negativity. Thus, among the central concepts of *On Human Conduct* we shall not find 'power', but 'authority', while the 'politics' here discussed has nothing to do with the notorious struggle for domination and, instead, invokes the luminosity of the ancient *agora*. For Oakeshott, unlike his mentor Hegel, the rule of law is not the sphere of hyper-rationality contrasted with the irrational instincts of private individuals but rather the crowning of a diverse and vibrant culture of freedom that consists of a plurality of moral practices that give shape to human individual and associative pursuits. The liberalism that he presents is not the liberalism of fear striving to curb the dark side of human nature but definitely a liberalism of hope. And as such, it is a dream that can make us dream and hope further, as soon as it gets released from the confines of a strictly theoretical interest. With each repeated lecture we are invited to explore imaginatively the potentialities of Oakeshott's conception and to ponder upon aspects of the liberal order that he envisaged in forms intensified and uncompromised as in reality they could never be, though clearly reflecting the habits and the language that already give shape to our everyday lives.

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The Development of Michael Oakeshott's Poetics

MICHAEL ADAMO

INTRODUCTION

The goal of this essay is to trace the development of Michael Oakeshott's poetics from his earliest writings through the publication of *On Human Conduct* (OHC 1975). Consistent with his definition of philosophy as experience without presupposition, reservation, arrest, or modification, Oakeshott never reached a final position on poetry and aesthetics. At every point in his life, he was embarked on the continuous adventure of theorizing poetry's nature and its position on the map of human activity. The main development in Oakeshott's aesthetic thought over time is a subtle historicization of the activity of poetic experience and its association with the character of human individuality, which has emerged and receded at various points in history. This historical account of poetry, along with Oakeshott's exploration of the ambiguous relationship between poetry and practice, provides us with a starting point for addressing the problems of literary study today.

The publication of Oakeshott's personal notebooks allows us to more closely examine the authors and works that Oakeshott was reading at various points in his life. I have relied heavily on this record of sources as well as the authors and works that Oakeshott mentions throughout his published writings, with the understanding that this list can only ever be incomplete. Oakeshott's aesthetic sources could be categorized into five broad groups. The first is philosophical idealism, including Kant, Schopenhauer, Bradley, Bosanquet, Croce, Collingwood, and an English aesthetician named Edward Bullough. The second is Romantic poetry and criticism, including Keats, Coleridge, Wordsworth, and Shelley. The third is nineteenth-century cultural criticism, including Matthew Arnold and John Ruskin. The fourth is aestheticism, broadly construed to include Walter Pater, the French Symbolists, Arthur Symons, and W. B. Yeats. The fifth are the "practical critics," including T. S. Eliot and I. A. Richards, both of whom were beginning to exercise a profound influence on literary studies at Cambridge in the 1920s and 30s when Oakeshott arrived there. I list these sources to show the breadth of influences on Oakeshott's aesthetic thought. He read most of these sources at a young age and returned to many of them over the years. As a result, almost all of these influences were present in some combination at every stage of his life.

Following the practice of Oakeshott and the philosophical idealists, I use the word poetry to include all forms of aesthetic experience, not limited to the written or spoken word. With these introductory comments complete, we are prepared to move on to a chronological examination of Oakeshott's writings on poetry.

OAKESHOTT'S POETIC THEORY

In an early work, "An Essay on the Relations of Philosophy, Poetry and Reality" (1925), Oakeshott opposes poetry to philosophy. Both claim to give access to reality: poetry through immediate access to the object, and philosophy through abstraction. As to whether they actually provide the access that they claim, Oakeshott is agnostic. Poetry is equated with mysticism and, at one point, with religion. Oakeshott criticizes those who hold a "hedonistic" view of poetry, with whom he counts Wordsworth, writing that they are "but a small step from this to the Utilitarian conception of art expressed in Bentham." He sees poetic delight, in other words, as a wholly substantive and practical kind of pleasure at this point. He is likewise critical of those who see poetry as "a criticism of life"—he seems to be referring to Matthew Arnold—and says that "the notion of a definite idea to be expressed is wholly foreign to art" (Oakeshott 2004, pp. 85-86). The poet deals only with the spirit. The poet's job is to get so close to his object as to embody it; the philosopher's job is to stay distant from his object and to abstract from it. "The poet fails when he does not literally become what he contemplates, the philosopher fails when he so far loses himself in the object as to forget his '*theoria*'" (Ibid., p. 90). Philosophy uses language symbolically, poetry only "to evoke in others a feeling which the poet himself has already known" (Ibid., p. 95). The aesthetic sources that Oakeshott lists at the end of the essay include Aristotle's *Poetics*, Henri Bergson, Bernard Bosanquet, F. H. Bradley, Robert Browning, Samuel Taylor Coleridge, Goethe, Kant, Keats, Lessing, Longinus, Plotinus, John Ruskin, George Santayana, and Percy Shelley. The essay demonstrates that, over thirty years before writing "The Voice of Poetry in the Conversation of Mankind," Oakeshott was already thinking deeply about the relation of poetry to other modes, distinguishing it from philosophy, giving it an ambiguous position between practical life and the world of "the spirit," and exhibiting a skepticism of whether poetry can provide the access to a higher reality that it often claims.

In *Experience and Its Modes* (EM), Oakeshott includes poetry under the category of practice, almost taking special care to diminish its position on the map of human activity. Oakeshott would later retract this "foolish sentence" in the 1962 preface to *Rationalism in Politics* (RP), when he would make poetry an independent mode. For now, art, music, and poetry remain subordinated to practice: "For in these, in the end, we are wholly taken up with practical life." Science, history, and philosophy can offer "a more radical and more complete escape from life than that which art, music and poetry can offer" (EM 228). Oakeshott's later revision would promote poetry to its own mode, or voice, and put it on an even plane with the other modes. But, in doing so, he would introduce further questions about the relation of poetry to practice. What Oakeshott would preserve from EM was the notion that certain modes constituted an escape from practical life—an escape that is needed because of Oakeshott's generally pessimistic view of practical life as an endless series of wants and satisfactions which generate more wants.

In 1938, Oakeshott wrote a review of R. G. Collingwood's *The Principles of Art*. Collingwood accepts the idealist account of aesthetics as articulated by the early-twentieth-century Italian philosopher Benedetto Croce: that aesthetic experience is a single imaginative-expressive act that takes place internally and that good art is simply the successful expression of the artist's emotion or feeling. Collingwood combines this traditional idealist view with a concept of cultural consciousness that is reminiscent of Matthew Arnold. The role of art, for Collingwood, is to help prevent the "corruption of consciousness" that comes from dishonest dealing with one's own experiences. The corruption of consciousness occurs when one turns away from an emotion or feeling rather than recognizing it. The corruption of consciousness not only degrades the individual psyche, it also has implications for the health of a society or civilization. Oakeshott, in his review, described Collingwood's book as "the most profound and stimulating discussion I have ever read of the question, What is art?" and said that he found it "singularly convincing" (Oakeshott 2007, pp. 184-85).[1] What does Oakeshott's acceptance of Collingwood's aesthetics mean for his earlier view of art as subordinated to practice, as articulated in *Experience and Its Modes*? In many ways, it is a continuation. The health of a society and the avoidance of the "corruption of consciousness" is clearly a

practical goal. Poetry has not yet emerged as an independent mode, though it seems to have received a promotion in importance on the map of human activities.

In 1939, Oakeshott contributed to a symposium titled "The Claims of Politics" organized by F. R. Leavis, the editor of the Cambridge literary journal *Scrutiny*. The symposium addressed the place of literature and culture within a society's broader political obligations. The influence of Collingwood on Oakeshott's contribution is evident. Oakeshott writes that "The last corruption that can visit a society is a corruption of its consciousness," from which politics cannot save it. It is the role of artists "to create and recreate the values of their society," to make the society "conscious and critical of itself." The philosopher has a role to play here too, but "to a lesser extent." But, since artists must be free from the world, it is better that they remain separate, and so their influence on society's values must be indirect. To make art explicitly political or to make politics explicitly poetic would be a disservice to both (Oakeshott 1993b, pp. 95-96). The essay hints at a more ambivalent relation between poetry and practice than is found in Oakeshott's earlier writings. While there is undoubtedly still a practical element to the pursuit of poetry in the form of culture and values, there is a growing sense that poetry must be kept separate from the world of practice and not simply be subordinated to it. Oakeshott takes up the Arnoldian strain of Collingwood's aesthetics and its concern with the role of art and culture in the betterment of civilization, but he does not adopt Collingwood's central definition of art as the expression of emotion.

In 1944, toward the end of the war, Oakeshott's surviving notebooks resume with one titled "A Conversation." Luke O'Sullivan believes that this notebook contains the roots of "The Voice of Poetry," where Oakeshott would come to use conversation as a metaphor for the respective contributions of the independent modes of experience—practice, history, science, and poetry. O'Sullivan writes, "What Oakeshott originally appears to have contemplated was a dialogue between a number of characters who represented different tendencies in contemporary society. . . . The aim was apparently to show a style of 'politics become conversable.'"[2] The notebook also contains some reflections on the process of artistic creation, in which Oakeshott is clearly struggling with the Crocean and Collingwoodian problem of the relation of artistic intuition and expression, which will remain ambiguous in his future writings (Oakeshott 2014, pp. 329-30).

In 1947, Oakeshott delivered a radio talk, later published as the essay "*Leviathan*: A Myth." Similar to "The Claims of Politics," he is still thinking at the civilizational level. But whereas "The Claims of Politics" portrayed the artist as a creator of values, "*Leviathan*: A Myth" considers the artist as a mythmaker. "What a people dreams in this earthly sleep is its civilization. And the substance of this dream is a myth, an imaginative interpretation of human existence" (Oakeshott 1975b). The artist is the most profound dreamer: he recalls and recreates the myth of civilization in order "to make more articulate the dream-powers of a people." The artist as a dreamer of dreams is again distinguished from the scientist, "whose perverse genius is to dream that he is awake" (Ibid., p. 160). Hobbes's *Leviathan* is an example of myth, not science. Oakeshott's 1944 notebook also contains several reflections on myth, focusing on science's inability to substitute for it. But the role of myth is left ambiguous, except to say that, without it, "civilization is inarticulate" (Oakeshott 2014). Earlier in Oakeshott's notebooks, he defined myth as "a kind of practical thinking about religion," as opposed to theology, which is theoretical thinking (Ibid., p. 137). Throughout his notebooks, the concept of myth is frequently connected with religion and death, and opposed to the concept of science. In Oakeshott's later writings on poetry, the concept of myth becomes less prominent. In "*Leviathan*: A Myth," Oakeshott continues in the Arnoldian vein, connecting artistic activity to the fate of civilization as a whole. Paul Franco, discussing "*Leviathan*: A Myth," notes that "by linking philosophy to art and understanding its task to be the recreation of the values of a society or a civilization, Oakeshott has effectively historicized philosophy" (Franco 2004, p. 79). This is an important observation, because, as we are about to see, Oakeshott is soon going to subtly historicize his conception of aesthetic experience as well.

In 1958, the year before writing "The Voice of Poetry," Oakeshott delivered a series of lectures at Harvard University, later published in an edition titled *Morality and Politics in Modern Europe*. In one

section, Oakeshott draws on the work of the cultural historian Johan Huizinga to describe the historical emergence of the modern conception of art in Europe. In the Middle Ages, Huizinga writes, art was "still wrapped up in life" (1924, p. 223). Its purpose was to decorate the various objects, rituals, and offices that were encountered in day-to-day life. "Art was not a means of stepping outside the routine of practical life into another world of delight and contemplation," Oakeshott says, contrasting the medieval outlook to our modern conception of art (1993a, p. 6). The modern practice of gathering art pieces and setting them aside for contemplation only emerged from circumstance and use in the late Middle Ages. Huizinga says that it "developed as a result of superabundant artistic production," which led princes and nobles to accumulate prized works in collections (1925, p. 224). There are two caveats to be noted. First, Oakeshott explains that he is referring to this historical account only to provide an example of how the historian should pursue his craft. The rest of the lectures are devoted to morality and politics, not art. Second, he presents this example as Huizinga's account, not as his own. Still, it is significant that the question of the historicity of art as a mode of experience was on Oakeshott's mind in the months prior to writing "The Voice of Poetry." In "The Voice of Poetry" he will allude to a historical account of the emergence of art, and he will do so in a way that calls back to Huizinga's account and calls forward to Oakeshott's own idea of the emergence of individuality and anti-individuality in modern Europe.

"The Voice of Poetry in the Conversation of Mankind" (1959) is considered Oakeshott's definitive statement on aesthetics and poetry as a mode of experience. Human intercourse consists of a plurality of voices in conversation with each other. Each voice is an emergence from activity, which is to say that each voice receives its character from established patterns of usage: it is descriptive rather than prescriptive. Practice, science, and poetry are the most common voices we encounter in life. For several centuries, practice and science have dominated the conversation of voices, causing it to become boring. Oakeshott's project is to revive the voice of poetry in an effort to save the conversation from the morass of boredom.

The world of experience is comprised of interactions between self and not-self. These are not always strictly distinct categories: we are constantly exploring the boundary between self and not-self. The self is activity, and always a specific mode of activity. There is no pure "activity" that is not modal, but all activity, practical or otherwise, consists in making and recognizing images—in "imagining." Not-self is composed of images that the self creates in its activity. Images do not simply exist, they are made. As the self's activity always corresponds to a mode, the images it creates always correspond to a specific mode of imagining. There are no modeless images.

Practical activity is the most common mode of image-making. The practical mode is concerned entirely with images of desire and satisfaction, with the facts and not-facts that relate to this world of desiring, and with the approval and disapproval of moral activity that regulates the interactions between selves. In managing practical life, we use everyday language, also called symbolic language. In symbolic language, words stand for practical images (of desire and aversion, approval and disapproval, fact and not-fact); they are not themselves images. Words in practical life have fixed meanings: we use them like coinage and do not seek to enlarge their meaning. In short, the practical mode is concerned entirely with desires, approval, and fact, and it employs symbolic language exclusively for these ends.

Scientific activity, in contrast to practical activity, seeks rational understanding without desire entering into the equation. It is driven by the search for rational coherence and intellectual satisfaction. Science "exists only where this impulse is cultivated for its own sake unhindered by the intrusion of desire" (RP 506). Scientific activity may be involved in achieving practical ends, but the practical ends are not determinative of the rational structure of the scientific universe of discourse. Science is a co-operative enterprise requiring exactness of communication. Its language does not have a place for anything private, esoteric, or ambiguous. Therefore science uses symbolic language in a similar way to practical activity, but requires even more precision out of the words it uses, and often uses mathematical symbols with agreed-upon meanings. In science, "Symbols are like chess-men: they stand for what can be done with them according to known rules" (RP 508).

Poetry is image-making in service of contemplation or delight. Contemplation is activity that rests in images which appear as permanent and unique. Images in contemplation are "merely present," and have no concern with cause and effect, usefulness, or history (RP 509-10). They have no relation to pleasure, pain, or truth—they do not refer to any supposed higher reality. Contemplation recognizes images as individuals, not concretions of qualities or symbols of something else. That is not to say that images are always simple or singular: an image can come from a complex combination of other images, but all images are nonetheless whole in themselves. The coherence of poetic images comes from the delight they offer in their perpetual combinations. In contrast, the coherence of practical images comes from desire, and the coherence of scientific images comes from their communicable intelligibility.

In life we pass between modes. We can never be exclusively and permanently in the practical, or scientific, or poetic mode. One cannot be a poet and nothing else. The passage from practice to contemplation tends to be facilitated by leisure—an interruption of practical activity. In leisure, contemplation arrives as an invitation or an in-flowing. It is a type of wonder that nonetheless stops short of scientific curiosity. Many experiences can provide the invitation to contemplation, including both memory and forgetting. An old memory liberated from its original practical urgency or an old artifact of great craftsmanship but forgotten usage may each invite poetic contemplation.

With poetry thus established as contemplation, Oakeshott goes on to list several things that poetry is *not*. Poetry, as we have already said, is not concerned with fact and not-fact or moral approval and disapproval. It is not about pleasure and pain. It is not about trying to uncover "things as they really are," or a higher reality. It is not about expressing or conveying experiences that the poet has had. It is not about a special quality called beauty. It is not about the elimination of desire in an effort to see things as they really are. And it is not about communicating emotions in order to evoke the same emotions in others or to "express" the emotions cathartically, which would, after all, be a practical exercise.

Oakeshott does not give a detailed account of poetic creation. As in Croce and Collingwood, there does not seem to be any sort of process from internal conception to external expression, no distinction between imagining and doing. The aesthetic experience is a unified one. Poets, Oakeshott writes, "are not doing *two* things—observing, thinking, remembering, hearing, feeling, etc., and then 'expressing' or making analogues, imitations, or reproductions of what they have seen, heard, remembered, felt, etc., in the practical world, and doing it well or ill, correctly or incorrectly—they are doing *one* thing, imagining poetically" (RP 520-21). Oakeshott explicitly rejects the Platonic conception of art as first *theoria*, contemplation of the ideal model, and then *mimesis*, copying of the model (RP 512). These two supposed steps are collapsed into one.

Poetry is a language, but it is not a symbolic language like practical and scientific language. It doesn't have a vocabulary and it can't be learned by imitation. The images ("words") it uses do not have a settled value; they rather come to embody whatever value the poet succeeds in giving them. Any time images become practical or scientific in the course of their use, any time they come to be used as symbols for things that are desired or for the exclusive communication of rational truths, they become an obstacle to poetry.

Oakeshott then shifts somewhat subtly into a historical account of aesthetic experience. Up until now, he has been speaking of poetry as if it were a common mode of experience available to all selves at all times throughout history. But, he says, there are periods when practical language becomes so precise and so symbolic that it impedes the self from shifting into the poetic mode. "The language of the twentieth century is more exactly [symbolic] than that of the sixteenth century, and therefore constitutes a greater hindrance to poetic imagining" (RP 529). Many modern writers before Oakeshott have commented on the propensity for language to become less poetic over time. There are examples in Voltaire and Diderot (Wellek 1955-1992, Vol. 1, p. 50), and more recently in Owen Barfield's *Poetic Diction* (1928, pp. 66-68). But Oakeshott's specific argument here, and his tracing of the disaster to the sixteenth century, likely reflects the influence of T. S. Eliot's idea of the "dissociation of sensibility," the breakdown of poets' ability to unite thought and feeling, which Eliot believes occurred sometime after John Donne and the metaphysical poets.

In Oakeshott's historical account, poetic experience is *not* originally something primordial, mythological, or religious. Old mythologies and religious rituals were always practical before they were anything else. In fact, the poet had to emancipate himself from these imaginative modes in order to truly become a poet in the sense of someone pursuing aesthetic contemplation exclusively. The ancient poet was not the seer or the entertainer, but some unnamed third thing. Oakeshott's view is "that there have always been poets, and that there have always been 'works of art" (RP 530). But their activity was often obscured by the dominant tone of other voices, usually the practical (which includes religious) voice, with poetry only making itself heard at certain times. The historical pattern was therefore one of emergence and recession, and the sustained liberation of poetry from practice has been a rare occurrence. "Properly speaking," Oakeshott says, "it never took place in ancient Greece; a glimpse of it is to be found among the Romans; and subsequently in Europe it has been slowly and uncertainly achieved" (RP 530-531). With this account, Oakeshott historicizes his understanding of poetic experience.

Oakeshott concludes "The Voice of Poetry" by reflecting on the place of poetry on the map of human activity. While other writers have considered poetry to be subordinate or superior to the other modes, he argues that no voice in the conversation of mankind should have primacy. Each mode is an escape from the others, "an emancipation from the conditions which determine the idiom of each of the others." He then discusses the ambiguous relationship between the practical and poetic modes. We have already seen how the self may move between the practical and poetic modes with the help of memory or leisure. But Oakeshott says that it is also possible to "find in practical activity itself intimations of contemplative imagining capable of responding to the voice of poetry." The examples he gives are love and friendship, where what is communicated and enjoyed is not emotion "but the uniqueness of a self." Love is unambiguously practical, but it seems to disclose "a channel of common understanding" between the practical and poetic modes. He finds similar intimations of poetry in the recollections of childhood, since "everybody's young days are a dream, a delightful insanity, a miraculous confusion of poetry and practical activity (RP 535-38)." His final comment in the essay is on the transience of poetic experience: the escapes that it enables are never permanent, and so we have to regard it as "a momentary release, a brief enchantment . . . a sort of truancy, a dream within the dream of life" (RP 540-41).

The character of "The Voice of Poetry" is unmistakably idealist and fairly uncompromising in its definition of poetry as pure delight or contemplation and nothing more. Along the way, Oakeshott offers some idiosyncratic pronouncements, for instance declaring that the titles of poems are "never of any significance; poets always know poems by their first line" (RP 526). In terms of continuities with his earlier thought, the idealist conception of aesthetic experience as undivided intuition is maintained: there is no distinction between conceiving an artistic idea and executing or expressing it. That is, there is no distinction between "imagining" and "representing," between *theoria* and *mimesis*, as Plato posited. The conception of artistic creation as irrational or at least non-rational inspiration rather than a process of craftsmanship is fairly Romantic, in line with Oakeshott's overall disposition. But Oakeshott rejects the Romantic idea that the poet has access to a higher reality, whereas in some of his earliest writings he was still agnostic on that point. Oakeshott has come out explicitly against Collingwood's idea of art as the expression of emotion, believing that to be a practical concern. And notably missing is the prior Arnoldian concern with art as a feature of culture or civilization. The problem of the "corruption of consciousness" has been displaced by the problem of the dominance of the practical and scientific voices in the conversation of mankind. Boredom has supplanted decadence as the relevant calamity. Lastly, the conception of aesthetic experience has become highly individualistic. There is no further discussion of the poet's role as society's mythmaker or the maker of its values. Oakeshott's conception of poetry becomes lyrical as opposed to dramatic, in that it has more to do with personal subjective experience than with abstract types in the form of characters or ideas.

Many scholars believe that Oakeshott's aesthetic thought did not change materially after "The Voice of Poetry." While the essay is certainly a mature statement that resolves some earlier issues in Oakeshott's aesthetic thinking, it also raises new questions, including questions that will be further problematized by

the new concepts introduced in OHC in 1975. But before we go on to OHC, there are some essays in the intervening years that may offer us more clues.

In "Work and Play" (c. 1960), drawing again on Huizinga, Oakeshott groups the activities of philosophy, science, history, and poetry under the category of "play," the kind of non-purposeful activity which he opposes to "work," the pursuit of wants. Poetry is again defined as "a dream enjoyed for its own sake" (2004, p. 312). Oakeshott refers to these two aspects of man—man as worker and man as player—as *Homo Laborans* and *Homo Ludens*. At one point he refers to a *Homo Faber*, man as maker, but he does not provide any elaboration. Does the introduction of this third category hint at Oakeshott's recognition of the need for a concept of fabricating to mediate between contemplating and doing? Oakeshott would later introduce that third category, called fabrication, in OHC, but in the meantime there is no further development of the idea of artistic creation or the work of art as an artifact, which remain weak spots in Oakeshott's aesthetics.

The essay "The Masses in Representative Democracy" (1961) does not at first glance seem to shed light on Oakeshott's theory of poetry. It is a political essay that deals with the emergence of human individuality and its counterpart, anti-individuality, in modern Europe. However, there are clear parallels between Oakeshott's historical account of the emergence of individuality and the historical account of poetic activity given in his earlier writings. Individuality and poetry both emerged from the conditions of medieval life, and each has generated its own countermovement: in the case of individuality it is the anti-individual, and in the case of poetic activity it is the opposite disposition which focuses entirely on practical life and scientific objectivity to the exclusion of the voice of poetry (RP 363-83). Much of the language in "The Masses in Representative Democracy" will reappear in OHC where Oakeshott makes an important connection between aesthetic experience and human individuality.

In "The Emergence of the History of Thought" (1967), Oakeshott argues that human self-recognition is a modern achievement and that it prizes poetic utterance, among other things, over actions. Oakeshott revives his conception of a mythical past from "*Leviathan*: A Myth" as a kind of collective dream of society. This time, however, there seems to be a clearer picture of the artist as something resembling the individual that Oakeshott describes in "The Masses in Representative Democracy," rather than just a dreamer:

> Now, it so happens that one of the most remarkable features of what is called 'modern' Europe was the emergence of persons . . . who identified themselves in terms of their beliefs, of general ideas about the world and themselves rather than practical undertakings, of their sentiments rather than their actions, of poetic utterances rather than notable deeds, of their curiosity about what they did not understand rather than their use of what they did, of their intellectual engagements rather than their information – persons, in short, acutely aware of deserting a well-trodden track, of being embarked upon new intellectual adventures, enticed by vernal sentiments and of being invited by the prospect of novel experiences (2014, p. 353).

The valuing of poetic utterance is now included among a complex of characteristics that make up the modern European individual, the person who has liberated himself from the well-trodden track of communal life and all its substantive concerns, and who recognizes himself and others in terms of what Oakeshott would later call self-enactment—not the choices that relate to the pursuit of wants, but the choice of the sentiments in which to act. Poetry, in other words, has a role to play in the formation of the individual character which provides the basis for the modes of association of modern Europe.

Turning now to OHC, we may first note, without making too much of it, that Oakeshott references Wordsworth's definition of poetry on the first page of the preface. He describes philosophical inquiry as "a well-considered intellectual adventure recollected in tranquillity," a playful reference to Wordsworth's definition of poetry in his Preface to *Lyrical Ballads* as "emotion recollected in tranquillity" (OHC vii). OHC is a work of political theory, and it should not be surprising if we do not find a complete restatement

or elaboration of Oakeshott's aesthetic theory within it. However, with its comprehensive scope, stretching from the initial conditions of human understanding to the development of modern European states, it is bound to raise some questions that position his earlier aesthetic writings in a new light.

In the first essay of OHC, Oakeshott presents a detailed account of human understanding using concepts like theorizing, recognition, identification, and platforms of conditional understanding. This account is a significant modification of his earlier conception of experience as purely "imagining" in various modes. In experience we are first presented with various "goings-on." Oakeshott writes that "There are no so-called minimum epistemological conditions" for us to recognize a going-on, and that we do not need to recognize the components of paint and canvas separately before understanding it as a work of art (OHC 6). An identity is a particular going-on that we recognize in terms of ideal characteristics. For example, we may recognize a particular painting as belonging to the identity "a work of art." There are two categories of identities: exhibitions of intelligence and non-intelligent processes. Our recognition of these categories is imperfect; it may produce a misunderstanding, for instance, if I see the Giant's Causeway and believe it to be man-made. But we can generally recognize a work of art as an exhibition of intelligence, as distinguished from a natural process such as water falling from a high cliff or patterns inscribed on sand by a falling tide. We always, in our understanding or misunderstanding, categorize something as either an exhibition of intelligence or a non-intelligent process. This categorization then informs our *order* of inquiry, that is, what can relevantly be asked or said about the identity. Intelligent processes prescribe different orders of inquiry from natural processes. An order of inquiry then corresponds to an *idiom* of inquiry, or "an unambiguous system of theorems which has acquired . . . the condition of a distinguishable 'science,'" which helps us relevantly interrogate the identity (OHC 17). Idioms of inquiry are historically established patterns of theorizing. Oakeshott lists aesthetics as a particular idiom of inquiry, although we should note that aesthetics is not the only idiom in which we engage with works of art, and that an aesthetics may actually chase out the capacity for delight by applying abstract criteria to works of art.

Looking back on these initial pages of OHC, we may be struck by two things. First, Oakeshott has referred several times to the work of art as an object, whereas in prior essays like "The Voice of Poetry" he spoke only of poetic experiences, not of artistic creation or the work of art. Second, he categorizes works of art as exhibitions of human intelligence, meaning they can be theorized according to certain idioms of inquiry. This is a refinement of Oakeshott's prior view, in which poetic experiences could only be delighted in, if they were to be relevantly enjoyed at all. The question that Oakeshott does not explore is whether pure aesthetic contemplation is possible or whether any way of looking at a work of art involves a historically conditioned idiom of inquiry. His prior historical account, based on Huizinga, would suggest that even the contemplation of a work of art "for its own sake" would seem to be a historically conditioned activity.

Oakeshott next introduces a distinction between "acting" and "fabricating." In acting, one looks for a particular response from other agents: the imagined and wished-for outcome is yet another action by another agent. In fabricating, on the other hand, "the imagined and wished-for outcome is an artefact; a finished product" (2014, p. 35). Not all fabrications are works of art: Oakeshott lists bridges or ships as examples where the artifact is built for sale (from the perspective of the builder) and for practical utility (from the perspective of the user). The work of art is only that type of fabrication that does not look for a particular practical response:

> Indeed, fabricating may be said to divest itself of the character of a performance, and the artefact to reveal itself in terms of what is exclusive to fabrication only when it is recognized as a work of art. An artist may seek a response from others or from himself at a later time, but it is often a very indefinite response and the meaning of what he has made is independent of it. Here, what is made may be said to be made with no other intention but that of making it; unlike an action, it is not intrinsically episodic (Ibid).

It appears that it was necessary to introduce this distinction between doing and fabricating in order to preserve the autonomy of works of art from the practical world of human conduct. But the distinction between the two worlds has always been ambiguous in Oakeshott's writing, and his account of the fabrication of works of art here is not entirely convincing. The artist, he says "may seek" a "very indefinite response," from others. But is there not something very different between creating an object exclusively for one's private enjoyment and creating something that others may delight in? There are artists who insist they make art only for themselves, but Oakeshott's account contradicts both common experience and much of aesthetic theory. In the *Critique of Judgment*, Kant wrote, "Someone abandoned on some desolate island would not, just for himself, adorn either his hut or himself; nor would he look for flowers, let alone grow them, to adorn himself with them" (1987, pp. 163-64). In the novel *The Map and the Territory*, Michel Houellebecq has his main character, an artist, articulate a similar sentiment: "You can work alone for years, it's actually the only way to work, truth be told; but there always comes a moment when you feel the need to show your work to the world, less to receive its judgment than to reassure yourself about the existence of this work, or even of your own existence" (Houellebecq 2012, p. 77). It may have been more reasonable for Oakeshott to say that the artist *does* seek a kind of response from others, but the response is not a substantive, i.e. practical, one: it is simply a kind of recognition.

The earlier essay "The Voice of Poetry" suffered from its inability to theorize the work of art itself as something separate from the internal aesthetic experience. Here, in OHC, Oakeshott seems to have compromised by entertaining the concept of the work of art, but only, it seems, in order to preserve it from the domain of practical conduct which he is busy theorizing. But as we advance in OHC, we see more familiar Oakeshottian language which he uses to describe both poetry and practice. When he takes up the concept of self-enactment, for instance, Oakeshott employs language that parallels his older discussions of poetry and religion. Self-enactment is "choosing the sentiments in which to act," and is distinguished from the more mercantile category of conduct, self-disclosure, which is "choosing satisfactions to pursue and pursuing them" (OHC 76). In self-enactment, "conduct is released from its character as a response to a contingent situation and is emancipated from liability to the frustration of adverse circumstances. . . . In these encounters with himself, an agent's conduct is not an interminable succession of actions and utterances inexorably opening out of one another. . . . Here, doing is delivered, at least in part, from the deadliness of doing, a deliverance gracefully enjoyed in the quiet of a religious faith" (OHC 73-74). What Oakeshott is describing is a kind of escape from the ceaseless anxiety of practical life, a description nearly identical with his characterization of poetry at the end of "The Voice of Poetry." Here is his language from the 1959 essay:

> Practical activity is an endless battle for noble or for squalid but always for illusory ends, a struggle from which the practical self cannot escape and in which victory is impossible because desire can never be satisfied: every attainment is recognized to be imperfect, and every imperfection has value only as an incipient perfection which is itself an illusion. . . . Poetic activity has no part in this struggle and it has no power to control, to modify, or to terminate it. If it imitates the voice of practice its utterance is counterfeit. To listen to the voice of poetry is to enjoy, not a victory, but a momentary release, a brief enchantment (RP 540).

Should we be surprised to find this parallel language describing both self-enactment and poetic experience as an escape from practical life? No, if we consider Oakeshott's earlier comment in "The Voice of Poetry" to the effect that certain elements of practical life may contain intimations of poetry, most notably friendship and love. In OHC, we have an even broader conception of the conduct that intimates poetry. It is no longer just love or friendship, but self-enactment more generally. Oakeshott writes, "We readily admire noble self-enactment when we discern it," (OHC 77) and this recognition, when it does not rise to the level of friendship, nonetheless intimates that communication and enjoyment of "the uniqueness of a self" that he refers to in "The Voice of Poetry" (RP 537). The common thread between the two, it appears,

is a capacity for individuality and a disposition to enjoy things, including the individuality of others, in a non-instrumental way.

In the third essay of OHC, this connection between poetic intimation and the virtue of individual self-enactment in conduct becomes even clearer. Oakeshott preserves most of the details of the individual and individual manqué from his earlier essay, "The Masses in Representative Democracy," and now explicitly links poetry to the development of individuality. He lists the Provençal poets as examples of early individuals in late medieval Europe and writes that poetry was a vehicle for the development of individuality, a quality celebrated in vernacular poetry and songs such as the *Song of Roland* (OHC 239-40). He writes that non-individuals, in contrast, "are disposed to prefer substantive satisfaction to the adventure and the risk of self-enactment" (OHC 276). The individual manqué wants to see in others only a replica of himself; he is not disposed to enjoy "the uniqueness of a self." The individual manqué can only conceive of leisure as therapeutic, as a response to his immediate felt needs and wants. Though Oakeshott is not here concerned with poetic experience, all of these characterizations seem to exclude the individual manqué from access to poetry and its intimations, whether they be found in friendship or a work of art. (It is worth remembering that mankind is not neatly sorted into individuals and non-individuals, as Oakeshott recognizes; the two dispositions are present in some combination in everyone, just as some people have a greater or lesser capacity to enjoy poetry).

In summary, OHC contains several modifications of Oakeshott's theory of poetry, explicit or otherwise. Poetic creation is no longer simply about imagining and moving among images. Oakeshott is now talking about the work of art as an object, whereas he was previously concerned only with imagining and aesthetic experience as an internal event. Artistic creation now belongs to a category called fabrication, which is distinguished from other human actions in that it produces an artifact. The use of "artifact" as opposed to "image" suggests a certain durability or permanence as well as a capacity for the work to exist for other people and not just for the artist. Works of art, as fabrications, are exhibitions of human intelligence, as distinguished from natural processes. In Oakeshott's new conception of understanding, we do not simply create images for ourselves: we have the capacity to recognize artifacts created by other human intelligences and to distinguish artistic artifacts from non-artistic artifacts. In the realm of human conduct, self-enactment is introduced as a type of activity that is concerned not with practical ends, but with choosing the sentiments in which one acts. Self-enactment is described in terms that almost exactly mirror Oakeshott's prior language on poetry: it is an escape from the deadliness of doing, the ceaseless pendulum movement of wants and satisfactions. The individual and individual manqué, which Oakeshott had already introduced in his 1958 Harvard lectures before the publication of "The Voice of Poetry," make a reappearance. The emergence of individuality is explicitly related to poetry and to a broadly non-instrumental disposition that fits in with Oakeshott's account of the conditions for poetic experience.

CONCLUSION

What have we uncovered about the development of Michael Oakeshott's poetics? First he drew on a great range of aesthetic sources, including philosophical idealism (Kant, Schopenhauer, Bosanquet, Croce, Collingwood, Bullough), Romanticism (Keats, Coleridge, Wordsworth), nineteenth-century cultural criticism (Arnold, Ruskin), aestheticism (Pater and the French Symbolists), and what we might call "practical criticism" (T. S. Eliot and the Cambridge scholars). Oakeshott's historical accounts of the emergence of art in late medieval Europe also owe a debt to the cultural historians Burckhardt and Huizinga. Oakeshott's poetic theory could broadly be called humanist, in contrast to the "anti-humanist" theories that emerged in the later twentieth century, including structuralism and deconstruction, which de-emphasize or deny the existence of the individual subject as writer or reader.

What was the general trend in Oakeshott's theory of poetry? Based on a chronological reading of Oakeshott's writings, and based on the wide variety of philosophical and poetic influences that were present in some combination at every stage in his life, I conclude that there is no single unidirectional

trend in Oakeshott's aesthetic thought over time. He did not move from Romanticism to classicism, or from aestheticism to some unambiguously moral conception of art. Rather, he took up, interrogated, and occasionally discarded certain ideas, such as Collingwood's expressive theory and the "corruption of consciousness." But, characteristically for a thinker of such independence, he did not start within one school of thought and move to another. Oakeshott was never a pure Romantic nor an aestheticist. He was too concerned with the relation of poetry to practice. In fact, the lingering ambiguity of the relation between poetry and practice is the central theme of Oakeshott's aesthetics. It was still clearly a problem at the time of OHC, when Oakeshott had to introduce a new category of fabrication to preserve poetry's independence. The most important development in his poetic theory was the introduction of a historical account of art, which came from Huizinga. But still, the question of poetry's historical status remained unanswered throughout Oakeshott's writing, and so we cannot say, either, that he moved from a non-historical to a fully historical conception of poetry. Oakeshott's historical account of art mirrors his historical account of individuality, but he never explicitly connects the two. It is up to us to further interrogate the relation of poetry to practice in light of this historical account, and in light of the concepts introduced in OHC: fabrication, self-enactment, and individuality.

In recent decades, literary studies have fallen into a crisis wherein the poetic qualities of literature are subordinated to present political concerns. To address the crisis of literature, we require a poetics that takes into account the characteristic individuality that has informed the entire modern European experience and its relation to art. The project of contemporary theorists has been to remove individuality from literature, to attribute all literature to systems and structures, or to reduce it to self-reflexive word games. This view of art is entirely destructive of poetry. Poetry is always the communication of a personality, the intimation of a self. "To love a book," writes the novelist Michel Houellebecq, "is, above all, to love its author: we wish to meet him again, we wish to spend our days with him" (Houellebecq 2015, p. 5). Without the possibility of intimating and enjoying a self, we lose access to poetry, and the works of the past fall silent for us. Oakeshott's poetic theory provides us with a starting point to theorize the development and enjoyment of poetry and its historical relation to the experience of human individuality.

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The Genesis of the Modern World: Oakeshott, Machiavelli and the Roots of Individualism

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I. INTRODUCTION

In this 50th anniversary year (2025) of the publication of Michael Oakeshott's *On Human Conduct* (OHC), we find ourselves with an opportunity to look back on the work itself and the immediate response of critics. A reader ought to be struck by how Oakeshott's trenchant insights better allow us to understand each of the philosophical issues explored in OHC. Of particular interest in what follows is Oakeshott's attempt to understand "the somewhat novel associations of human beings which came to be called states of modern Europe" (OHC 185). Slowly emerging in Europe, each state "was the outcome of human choices, but none was the product of a design" (Ibid.). In attempting to understand the arguments of OHC, we might pair Oakeshott with an unlikely companion—Niccolo Machiavelli. Machiavelli, the cunning savant of the dark arts and political manipulation, pursued a career in active politics, only turning to writing after being expelled from the ruling elite. In those writings, Machiavelli rejected a neutral inquiry in favor of propounding usable truths. By contrast, Oakeshott pursued a philosophical career, briefly interrupted by his service in World War II, avoiding baubles and accolades. Their personalities and dispositions suffuse their works and provide clues to the kind of interlocutor a reader finds when engaging with their works.

Oakeshott's gentlemanly attempt to understand the emergence of the modern European state, animated by an unresolved tension between two poles, serves as an exemplar of dispassionate philosophical inquiry. This is no mere 'intellectual history' doling out the labels 'hero' and 'villain,' but an attempt to make more coherent the muddle one faces in trying to understand the nature of the modern European state. Nor does Oakeshott impose upon his inquiry the obligation to generate a usable doctrine for altering the practical world. To ask, as so many of his critics did, how Oakeshott intended to generate a praxis to implement his ideas is to entirely miss the point.

Yet, we must also grapple with the deficiencies of the work. His insistence that the morality of the individual both preceded and generated the morality of the individual *manque* constitutes a real blemish and his attempt to include Machiavelli among the theorists of freedom demonstrates that flaw.

II. ON HUMAN CONDUCT

Although in this essay we are primarily focused on Oakeshott's schema set forth in OHC's third essay, to fully separate the three essays in OHC would do violence to Oakeshott's work. Oakeshott first lays out the nature of philosophical inquiry and human conduct to then consider the postulates of human conduct refracted through the lens of human association. Only after having plumbed the philosophical depths of the nature of his inquiry, human conduct and human association, did Oakeshott feel sufficiently armed to inquire into the nature of the modern European state. As we shall see, what is notable about Oakeshott's

posted dichotomies—self-disclosure vs. self-enactment and Civil Association vs. Enterprise Association—is the each is not related in some sort of unresolved Hegelian synthesis in the way he contrasts *societas* and *universitas*.

a. Essay I

The core of Oakeshott's inquiry may be said to be driven by a desire to avoid devolving from theorist to theoretician—to avoid suggesting to 'cave-dwellers' that in light of his exploration of the light outside the cave (here, somewhat humorously, in the philosophical exploration of horses) that he is a "more expert horse-man, horse-chandler, or stable boy" despite "his new learning [having] lost him the ability to tell one end of a horse from the other" (OHC 30). As Oakeshott recognized, "understanding is not such that we either enjoy it or lack it altogether" (OHC 1). Relatedly, theorizing about any topic is "an engagement to abate mystery rather than to achieve definitive understanding" (Ibid.). Oakeshott then listed the key features of this engagement:

> [1] a 'going-on' attended to; [2] a reflective consciousness attending to it and concerned to understand it, a theorist; [3] an inquiry designed and undertaken by a theorist in which he seeks to understand a 'going-on', theorizing; [4] and what emerges from this enterprise, a theorem (Ibid.).

Importantly, although the theorist takes a 'going-on' as an object of study, the conditional understanding that he begins the inquiry with is itself "an achievement in understanding and not therefore (in its distinctiveness) independent of reflective consciousness" (Ibid.). There are ever more layers to peel back on any 'going-on', but to forever ask for definitive understanding and definition hampers the inquiry. There are, however, "conditionally distinguishable gradations in a continuous and unconditional engagement of learning to understand which is well on its way in even the most exiguous acts of attention. Thus, there can be no absolute distinction between 'fact' and theorem'" (OHC 2). Is philosophical inquiry merely a futile, Sisyphean struggle? As Oakeshott recognized, "temporary platforms of conditional understanding are always being reached, and the theorist may turn aside to explore them. But each is an arrival, an enlightenment, and a point of departure. The notion of an unconditional or definitive understanding may hover in the background, but it has no part in the adventure" (OHC 2-3).

Here, we already see a playful element that suffuses Oakeshott's work. Here is a man who can wander in the woods and observe with wonder—observe a bird flitting about, building a nest, observe a species of tree with distinctive features, or simply see mountains through the canopy and contemplate nature's beauty. The purpose of theorizing is to better understand the world, not to change it. In trying to make any 'going-on' more intelligible, the theorist does not merely embrace its particularity but rather tries to understand the 'going-on' in terms of their postulates. Specifically, "a theorist is not provoked to this enterprise by his recognition of identities as compositions of characteristics (these he already understands, perhaps as well as they may be understood), but by what in such identities he does not yet understand; namely, their conditionality" (OHC 9). As a by-product, "[t]he irony of all theorizing is its propensity to generate, not an understanding, but a not-yet-understood" (OHC 11). Oakeshott then recognized that "the theorist who drops anchor here or there and puts out his equipment of theoretic hooks and nets in order to take the fish of the locality, interrupts but does not betray his calling" (Ibid.).

From here, Oakeshott casts his net to theorize on human conduct, shielding it from the imperium of the so-called 'social sciences.' In particular, Oakeshott notes that "psychological mechanisms cannot be the motives of actions or the reasons for beliefs. And so far from it being the case that a science of 'psychic processes is the only valid instrument we have for understanding human actions and utterances', such a science is categorically excluded from providing any such understanding." If psychology and sociology, with the reduction of 'goings-on' to mere processes unduly, fails to understand the 'goings-on' by neglecting the reflective intelligences that compose the agents who compose the 'going-on', what is a theorist to

do? According to Oakeshott, "[h]idden in the confusion, an unambiguous intellectual engagement is to be discerned; namely, the enterprise of theorizing conduct *inter homines* in terms of the conditions imposed upon it by the multiplicity of more or less durable relationships of human beings ('practices') and of theorizing these relationships in terms of their postulates" (OHC 23). By contrast, propounding illusions and myths to generate a stable practical achievement is decidedly not a philosophical engagement.

One must not confuse understanding these reflective consciousnesses engaged in conduct *inter homines*, particularly their subscription to practices, including moral practices, with understanding how to subscribe to a specific moral practice. Indeed, the ability to subscribe to a practice, though a conditional understanding of the world, is "indispensable in engagements of practical life" even if it is "not fully in command of itself because it is unaware of its conditionality" (OHC 27). Importantly, "to discover that a platform of understanding is conditional and to become acquainted with its proximate conditions is a notable step in the engagement of understanding, but it is not like exposing a fraud" (OHC 28). With those important reservations about theorizing set forth, Oakeshott sought to elucidate the key postulates of human conduct.

Oakeshott focuses on the ability of agents to intelligently elect to perform one action rather than another. Without such a postulate, agents' actions are merely reduced to processes. These actions are driven by the agents' understanding of the circumstances in which they act, including each agent's self-understanding. In acting, the agent both engages in both self-disclosure, where the agent acts anticipates a response from those the agent is interacting with, and self-enactment, where the agent's actions are expressive and inward-looking. This reflects both that the agent must have self-understanding and that the agent must interact with other reflective consciousnesses, not merely maneuver around the involuntary spasms of objects in a more or less deft manner. As the agents are reflective consciousnesses irreducible to a mere process, the:

> relationship postulated in conduct *inter homines* is an understood relationship, capable of being engaged in only in virtue of having been learned. And further, it must be a relationship which prescribes conditions for, but does not determine, the substantive choices and performances of agents. In short, what joins agents in conduct is to be recognized as a 'practice'; that is, a procedure proper or useful to be observed and therefore capable of being neglected or violated and capable, also, of being observed only in the chosen subscriptions of agents (OHC 55).

While these practices may provide moral or prudential 'adverbial conditions' to which an agent can subscribe to, no practice is "so definitively contrived or so securely insulated from circumstances as to become immune from modifications incidentally imposed upon it by the performances it qualifies" (OHC 56). Indeed, most practices emerge incidentally from agents' actions and remain forever incomplete. Among the practices that circumscribe agents' actions, without dictating a particular end, are moral practices. As Oakeshott recognized "a moral practice is not a prudential art concerned with the success of the enterprise of agents; it is not instrumental to the achievement of any substantive purpose or to the satisfaction of any substantive want" (OHC 60). Indeed, a "moral relationship is not association for the achievement of a common purpose (e.g. the greatest happiness of those associated); it is relationship solely in respect of conditions to be subscribed to in seeking the satisfaction of any want" (OHC 62). However we might wish to reduce moral practices to a rule book, there remains the individual, exhibiting a reflective consciousness, engaging in self-enactment and self-disclosure in the interminable interactions that constitute this life.

The transitory nature of all human conduct is moderated somewhat when considered as self-enactments, as "[t]here is at least the echo of an imperishable achievement when the valour of the agent and not the soon-to-vanish victory, when his loyalty and fortitude and not the evanescent defeat, are the considerations; and even an action in respect of its being dutiful is released from the transitory arbitrament of substantive inconclusion" (OHC 84). But only an echo. At last analysis, it is religion that intimates immor-

tality, of "the sharpness of death and the deadliness of doing overcome, and the transitory sweetness of a mortal affection, the tumult of a grief and the passing beauty of a May morning recognized neither as merely evanescent adventures nor as emblems of better things to come, but as *aventures*, themselves encounters with eternity" (OHC 85). Here, one cannot help but turn over Oakeshott' short reflection on the deadliness of doing and faith without feeling a certain frisson in one's soul and feel better equipped to face one's diurnal struggles. Not by wrapping oneself is a banner or cause, mimicking lost souls, but by understanding one's moral capacity to act.

Having established a framework for understanding human conduct that focuses on the individual, Oakeshott proceeded to analyze substantive performances (i.e. the choice to go skiing) without reducing the individual to his social circumstances. Importantly, Oakeshott reminded the would-be theorist that "he must bring to this understanding is a deep respect for the individual action, patience in exploring its connections, an exact appreciation of its provenance and circumstances, an eye for shades of difference between plausible likenesses, an ear for echoes and the imagination, not to conjecture what was likely, but to devise, recognize, entertain, and criticize a variety of contingent relationships, each sustained by a reading of the evidence" (OHC 106). Essential to the enterprise of theorizing human conduct is to understand the individual as they understand themselves through the lenses of self-disclosure and self-enactment.

b. Essay II

Building off his theoretical apparatus set forth in the first essay, Oakeshott focuses on durable, freely-chosen human associations—specifically Enterprise Associations and Civil Associations. Importantly, and as was repeatedly ignored by Oakeshott's critics, the essay is focused on exploring the postulates of the two separate ideal types, which might then be used in third essay to help demystify the historical record with which he grapples. Importantly, these ideal types are not 'ideal' "in the sense of being a wished-for perfect condition of things but in being abstracted from the contingencies and ambiguities of actual goings-on in the world" (OHC 109).

Perhaps the more easily understandable of the two associational types is Enterprise Association, an association of agents in terms of the pursuit of a substantive end. According to Oakeshott, an Enterprise Association's associates and associated rules have three key features:

1) "First, these rules do not even identify, much less define, such an association. If such associates are to give an intelligible account of their relationship they can do so only by specifying the object, the purpose, or the interest in terms of which they are related" (OHC 116).
2) "Secondly, these rules are contingently related to the purpose concerned" (Ibid.).
3) "[T]hirdly, although enterprise association may entail the recognition of the authority of such rules, and an associate who persistently failed to observe them might be deemed to be delinquent and even be asked to resign his membership, its purpose cannot be identified as that of observing these rules, nor could this purpose be pursued in conduct specified merely as the observance of them. Indeed, even a denial of the authority of these rules would not itself be an act of disassociation, as it would be if the terms of association were the rules themselves" (Ibid.).

The implications of the above are clear—since the purpose defines an Enterprise Association, adjustments to the rules are of a managerial quality, imposing specific performances upon the association's co-venturers. What Oakeshott recognized is that whereas enterprises formed in virtue of their common purpose have served as a mental map for theorists trying to understand the relationship of citizens in a state there exists an alternative ideal type—Civil Association. For, one cannot produce a durable explanation of the civil relationship by declaring it a "compulsory association in terms of any such common purpose or interest because compulsory enterprise association is a self-contradiction: enterprise association is necessarily constituted by the continuous choice of each associate to be related to others in terms of a common purpose, a choice from which he must be able to extricate himself. There is no such thing a

collective choice. If on the other hand, the common purpose is said to be the 'security' or the *tranquillitas* of the associates, or their 'peace' or moral virtue, then the identification again collapses. These are not substantive purposes and they do not specify enterprise association" (OHC 119). Having previously set forth 'practices' in the first essay as a manner in which agents may be related in terms of adverbial conditions, without imposing substantive ends, Oakeshott turns to that model for understanding more durable relationships like the state.

Importantly for Oakeshott, "to be related in terms of a practice is precisely not to be associated in the reciprocal satisfaction of wants or in making or acknowledging 'managerial' decisions in the pursuit of common purposes; it is relationship in respect of a common recognition of considerations such as uses or rules intelligently subscribed to in self-chosen performances. It is formal, not substantial relationship; that is, association in respect of a common language and not in respect of having the same beliefs, purposes, interests, etc., or in making the same utterance" (OHC 120). By not having to 'sing from the same hymnal,' individual's remain capable of engaging in actions of self-enactment in addition to self-disclosure. Further, Civil Association is a "self-contained association in virtue of not being relationship in terms of doing and of the pursuit of joint satisfactions exhausted in the enjoyment of them" (OHC 121). If a Civil Associations' relationships are defined in terms of the recognitions of rules to be intelligently subscribed to, are these merely prudential considerations or is it a moral relationship? According to Oakeshott, "since civil association is not enterprise association, and since an agent may be 'just' or 'civil' in all or any of his actions, civil relationship is to be identified as association in terms of moral considerations. This of course, does not mean that there is no moral relationship which is not civil relationship; it means only that the conditions of civil association are moral conditions in not being instrumental to the satisfaction of substantive wants" (OHC 122).

Understood in such a manner, Civil Associations have certain other key features. Unlike Enterprise Associations, where a flouting of specific rules is not a rejection of the association itself, as Civil Association is association in terms of rules, the rules must be recognized as authoritative. Agents subscribe to the rules as adverbial conditions but are not required to view the rules themselves as desirable. For instance, an agent may "choose not to conform his conduct to the rule, but to violate or to neglect a rule is neither to deny nor to revoke its status as a rule: rules assert norms of conduct, they do not determine or forecast what will be said or done" (OHC 126). From here, Oakeshott explores the contours of Civil Association, including what it means for the rules to be alterable and the nature of the process through which they may be altered—politics. In each case, and recall this is an ideal type, the revisions must not impose a substantive performance upon agents or impose beliefs upon the agents that would efface their ability to engage in self-enacting actions.

Civil Association also entails 'ruling', but it maintains a character distinct from the managerial decisions of Enterprise Association. Importantly, 'orders addressed to assignable persons and the enforcement of such orders which constitutes the engagement of ruling are not transactions in which rulers seek imagined and wished-for satisfaction of their contingent wants in the responses of other identified persons themselves seeking the satisfaction of their contingent wants; rulers are not persons with substantive wants, they are office-holders with powers and obligations concerned with the observance of a procedure" (OHC 144). Rulers seek to maintain order not impose a substantive end. Rulers' authority flows from agents' recognition of their relationship with each other in terms of rules, not as a result of the enterprise they pursue. Importantly, the "distinctive quality of civil freedom, recognition given in *civitas* to moral agency, springs from civil association being rule and relationship in terms of authority and obligation in contrast to the not less genuine, but wholly different, freedom which belongs to enterprise association" (OHC 157). In an Enterprise Association, where an agent is bound to a substantive purpose, "he is free because his situation is a choice of his own and because he can extricate himself from it by choosing to do so" (Ibid.). Such freedom could not exist where an Enterprise Association is identified with the state.

c. Essay III

Having set forth the ideal types, Enterprise Association and Civil Association, Oakeshott then sought to demystify the muddle that is the modern European state by identifying Enterprise Association and Civil Association as two unreconciled poles tugging at the European conscience. Just as important as the notions of association that drive European's analyses of the state are the rival forms of morality, that of the individual and the individual *manque* which underlie the rival forms of association.

In Oakeshott's telling, in the sixteenth century, "the word 'state' (and its equivalent in other languages) was added to the European vocabulary of association and began, after some hesitations, to be used for an association of human beings, it was not merely a synonym for what had earlier been called a 'realm' or, among the learned, a *regnum vel civitas*" (OHC 196). How then were Europeans to understand what this 'state' was and to what end, if any, was it designed to lead? Already in "the late Middle Ages the words *societas* and *universitas* were already in use to denote and to distinguish some actual associations and communities" (OHC 199). According to Oakeshott, *societas* and *universitas* roughly approximated Civil Association and Enterprise Association, respectively, and were used by thinkers and lawyers to provide coherence to their understanding of the emerging state. The "ruler of a medieval realm was not distinguished from his fellow landlords by the magnitude of his proprietary estate but by the occupation of an office of authority identified by a title, some conditions of legitimate succession to it, a ceremony of induction, some expectations about his conduct, and some beliefs about the source of its authority" (OHC 206). As such, the incipient rulers sought to transcend their status as military ruler into "a ruler and the supreme dispenser of justice among his subjects, however exalted or however distant from him they might be" (OHC 207). Necessarily, the ruler was no mere owner of the territory, but related to his subjects in terms of law. This process was further complicated by the agglomeration of sacramental powers to the incipient states and the concomitant decline in the authority of the Roman Catholic Church.

On the individual moral level, there arose a "disposition to cultivate the 'freedom' inherent in agency, to enjoy individuality, and added to this the disposition readily to concede virtue to the exercise of personal autonomy acquired in self-understanding" (OHC 239). Unsurprisingly, this individual disposition intimated to theorists and lawyers that *societas* provided the correct model for understanding the state. Yet there were storm clouds on the horizon. For, in response to the emergence of the individual appeared the individual *manque*. According to Oakeshott, the individual *manque* "is a historic and derivative character, the victim not only of the dissolution of familiar beliefs and relationships but also of another's more lively response to this dissolution. And hidden in his character was a small seed of resentment" (OHC 277). To be sure, Oakeshott also recognized the discovery of the New World and the vast domains obtained by European states and providing a domain upon which a *universitas* would seemingly be appropriate to impose—royal trading companies for instance. Further Oakeshott recognized that in "war itself, the latent or not so latent ingredient of managerial lordship in the office of government of a modern state comes decisively to the surface and is magnified, and what had hitherto been no more than contrivances for collecting revenue, for safeguarding the sources of revenue, or for maintaining civil order becomes devices for controlling the use of resources and for removing substantive choice from the conduct of subjects" (OHC 273). For Oakeshott though, the real driver of the state's impositions upon and degradation of Civil Association comes from the individual *manque*. For such individuals undermine the moral basis of an order based on free agents engaging in their own pursuits, subject to adverbial conditions.

The reaction to On Human Conduct helps clarify certain points in Oakeshott's thought. Interestingly, one critic, Hanna Pitkin, unfavorably contrast Oakeshott with Machiavelli, a theorist of true insight who seeks to achieve 'greatness.' Why is it that Oakeshott's work in so defective? It is so because "all of theorists in [a skeptical, non-utilitarian] tradition other than Oakeshott are led by such concerns to problems of founding, to questions of how such an arena can be created among men and how, once created it can be maintained" (Pitkin 1973, p. 519). In particular, Oakeshott lacks an artistic vision necessary to see that conflict and action, imbedded in active citizenship, are what sustain a successful political system.

Ultimately, Pitkin alleges that Oakeshott fails because "he never seriously considers the possibility of freedom as collective self-determination. Despite his allusion to adventure and risk, Oakeshott is as hostile to heroism and public action as he is to private selfishness in politics" (Ibid., p. 311). Cannot Oakeshott understand the primacy of tumults and transitions? Of our capacity for greatness? Oakeshott eschews an inquiry into human greatness because such an inquiry would then require him to determine a standard that would nullify other agent's notions in self-enactment. Further, generating such a standard would decidedly not be a philosophical inquiry in Oakeshott's eyes. Regardless, the focus on Machiavelli is interesting given the place Oakeshott gives Machiavelli among his theorists of *societas*.

III. OAKESHOTT ON MACHIAVELLI

Unlike his inspirations, Hobbes or Hegel, or his bête noire, Francis Bacon, Oakeshott never dealt systematically with Machiavelli's thought. Indeed, Oakeshott reveals a somewhat equivocal regard for Machiavelli. In OHC, Oakeshott makes two references to Machiavelli. First, in ticking through a whole host of prominent Western thinkers, Oakeshott places Machiavelli among those thinkers whose thought largely conforms to the *societas* notion of the state. Oakeshott makes further reference to Machiavelli as someone who feared the threat the poor posed to a *societas* inflected state. As we shall see, in our analysis of Machiavelli, it's fair to suggest that Oakeshott was too willing to conclude thinkers conformed to Oakeshott's *societas* vision. In particular, Oakeshott's Hegelian historical understanding, which understands the individual manque, the persona underlying the *universitas* vision of the state, as a reaction to the emergence of the individual, results in Oakeshott occasionally simplifying thinkers and the dynamic that resulted in the bifurcated moral poles tugging at the consciences of modern men as they engage in politics. Oakeshott's misstep should baffle us somewhat given his more nuanced understanding of Machiavelli shown elsewhere.

In the 'first draft' of OHC, represented by the posthumously published manuscript entitled *The Politics of Faith and The Politics of Skepticism*, Oakeshott noted that "[t]here were, of course, many before Bacon who understood the activity of governing as the exercise of power: Machiavelli, for example." But unlike Bacon, Machiavelli was not an adherent to the "Politics of Faith" and was not interested in perfecting man (Oakeshott 1996, p. 53). In that work, Oakeshott had proposed a conceptual division, utilizing the categories of the Politics of Skepticism, the analogue to *societas*, and the Politics of Faith, the analogue to *universitas*, to interpret the modern state. In that context, where Oakeshott had not as deeply explored the postulates of the two poles, it does make sense to class Machiavelli as among the skeptics. Yet even there, one would only have to look at Machiavelli's Art of War to have some reservations about Oakeshott's contention. In that work, Machiavelli proposes a rationalistic plan to remodel men's characters to create an elite fighting force to protect republics. While Machiavelli might be skeptical of being able to straightforwardly engage in projects of moral reformation, he certainly believed religion, war and deception could be used to accomplish the goal. Indeed, Oakeshott recognized Machiavelli's significance in altering the course of politics theory. As Oakeshott noted, "in the dawn of the modern European state there appeared a writer who gave the discussion of these questions [questions about the nature of politics and political deliberation] a profoundly new direction; namely, Machiavelli" (2004, p. 400). For "neither an art nor a science can be imparted in a set of directions; to acquire mastery in either is to acquire an appropriate connoisseurship. But what can be imparted in this way is a technique, and it is with the technique of politics that Machiavelli, as a writer, is concerned" (RP, *Rationalism in Politics* 29). It then became common for thinkers to propose their own technique detached from concrete political experience.

Oakeshott recognized that "[t]he Italy of which Machiavelli wrote in the early sixteenth century was, politically, not very different from the Italy of the ninth century: a battlefield of contending 'lords', mostly foreign invaders" (2004, p. 263). In this, Oakeshott might have queried whether, given the context, Machiavelli's thought would have been orthogonal to the moral concerns underlying *societas* and *universitas*. While Oakeshott was keen to "distinguish between, for example, a writer like Machiavelli or Locke

and a writer like Hobbes or Hegel" (2004, p. 43). Oakeshott occasionally neglects the thrust of the writer's analysis. Oakeshott rightly posits that "Machiavelli, for example, is very apt to take the view that a 'state' is a collection of people who owe allegiance to a ruler. But even he believed that even the most authoritative, the most powerful, and the most energetic ruler would be incapable of imposing unity upon his subjects if they were not already a community of some sort. The bond of common allegiance could not be the only bond" (2004, p. 404). This would suggest a broader conception of the state, compatible with either *societas* or *universitas*. Yet, Oakeshott also recognized that where the state was considered a work of human art, those like Machiavelli believed that the ruler was the artist. It is not surprising then that combined with Machiavelli's rationalistic project, that the ruler, particularly a new ruler, would seek to turn the state into an enterprise to help create solidarity and control the people.

On the level of philosophy or the disinterested practice of history, Oakeshott seemed to recognize the teleological mind of Machiavelli. For instance, in *On History* (1991b, pp. 41-44), Oakeshott readily apprehends that Machiavelli's *Discourses on Livy* are not history. There, Machiavelli sought to elicit lessons from historical vignettes, or to purposively misrepresent the past, in order to produce a 'practical history' that can be used by political actors. Machiavelli eschewed an open-ended inquiry, instead preferring to produce works that he believed put forth his lessons utilizing misrepresentations of the past or present to will others into following his vision. In that way, Machiavelli is not one whom we can converse with on his terms, but with whom we have skeptically disentangle fact from fiction and against whom we must deflect his attempt to instrumentalize others, to gain adherents to his 'moral' vision. Even in his plays, Machiavelli, seemingly self-aware, puts forth disreputable miscreants, such as Davo in the *Woman from Andros* or Ligurio in *The Mandrake*, as the masters of the situation who use half-truth and deception to manipulate others into acceding to their visions for a stable future. In both *The Woman from Andros* and *The Mandrake*, Machiavelli invites the audience (and the reader) to bemusedly laugh at the seemingly happy endings, aware the stable equilibrium is naught but a fraud. While these scenarios may elicit humor, and while Machiavelli may display individuality and undeniable charm, it is a stretch to class Machiavelli, as Oakeshott does, as a devotee of *societas*.

IV. MACHIAVELLI AND HIS INTERPRETERS THROUGH AN OAKESHOTTIAN LENS

No man wholly transcends his context. For instance, we might class Giotto as an 'early' Renaissance painter, but in the brush strokes and perspective, we can still detect the perspective of a Western European painter of medieval extraction. This is not to reject categorization, so much as to be cognizant of the fact that "[b]y marking someone as a precursor one lifts him out of the framework of his own time, within which he should be understood, and in doing so one distorts history" (Huizinga 1959, p. 260). In approaching any Renaissance figure, such as Machiavelli, a writer feels tempted to port the person into contemporary life, denuding them of their context. Yet, "beneath the glory of the Renaissance genuinely medieval popular life continued in Italy in the same forms as in France and the Germanic countries had escaped him just as much as that new life whose advent he hailed in Italy was also emerging in other lands where he could detect nothing but age-old repression and barbarism" (Ibid.). Much as we can see the medieval influence in Giotto's paint strokes, we can see the largely medieval political context's influence on Machiavelli's thought. While Machiavelli sits at the dawning of the new political epoch Oakeshott posits, as with any line drawing, we can readily see that the line is both too early and too late, that it begins in a search for 'precursors' and ceases to be history. But further, it does unravel somewhat Oakeshott's posited place for the individual *manque* in the unsynthesized Hegelian unfolding of modern history torn between *societas* and *universitas*.

How then are we to understand Machiavelli's political thought? Putting aside Machiavelli's personal correspondence, political dispatches and plays, Machiavelli's work is composed of four main texts—*The Prince*, *The Discourses on Livy*, *Art of War*, and *The Florentine Histories*. His political maturity primarily occurred after the Medicis had been expelled from Florence in 1494, having aligned themselves with King

Charles VIII of France during his invasion of Italy, only to see King Charles find himself outmaneuvered and forced to retreat (Unger 2011). But the expulsion of the Medicis was mere prologue for the coming era of Florentine politics. Into the whirling vortex ascended one Girolamo Savonarola, a Dominican friar with a penchant for prophecy, seeking to cleanse the Florentines' souls through the bonfire of the vanities. Near the end Savonarola's reign of fervor in 1498, Machiavelli first stepped forth into Florentine politics, spying upon a Savonarola sermon and preparing a secret report to opponents of Savonarola. It is rather fitting that Machiavelli's first political act was one of intrigue and conspiracy (Ibid., p. 42).

Savonarola soon overplayed his hand and was executed. Shortly thereafter, Machiavelli obtained power, becoming Second Chancellor, a bureaucratic role assisting the head of state, Piero Soderini (Ibid., p. 72). For the purposes of providing context to Machiavelli's thought, both from the narrow perspective of understanding Machiavelli as a historical actor and the broader perspective of understanding European politics around the dawning of the modern age, we will briefly focus on two aspects of Machiavelli's tenure as Second Chancellor—his diplomatic missions to larger, more powerful states and his reforming efforts regarding Florence's military.

Cesare Borgia, a ruthless and violent illegitimate son of the then Pope Alexander VI, descended upon Northern Italy like a plague of locusts from his resignation from the cardinalate in 1498 until his violent death in 1507 at the ripe age of 31. In part enabled by the protection of his father the Pope, Duke Valentino, as Cesare Borgia was known, violently seized land and sought to establish his own domain. Among Borgia's most common companions during his rise were deception, cruelty, and malice. As has been recognized, the impact of Machiavelli first meeting with Borgia "can be judged by the amount of space in Machiavelli's writings devoted to the career of Valentino, out of all proportion to his actual achievement. It is no exaggeration to say that Valentino was his muse, the mythical exemplar of the will to power that to Machiavelli was the engine driving all human history" (Ibid., p. 115). Such an elevated status may seem peculiar, given that upon the death of his father, Borgia soon found himself easily outmaneuvered, jailed and executed by the new pope, Julius II. Yet, in Borgia's actions, Machiavelli undoubtedly found room to fantasize about what dash and daring could accomplish. Given the diminished status of Florence during Machiavelli's service, Machiavelli had solely experienced contempt and disregard during his time spent with the major powers of Europe's courts. We can find Machiavelli, in his dispatches back to Florence, stating that "[t]he French are blinded by their own power, and only think those who are armed or ready to give money worthy of their esteem. They see that these two qualities are wanting in you, so they look upon you as Sir Nihil" (Ibid., p. 93).

Machiavelli regarded such lack of arms as a constant threat to his beloved Florence. Indeed, Machiavelli believed that should Florence "reopen the temple of Mars" (ibid., p. 158) it would reclaim its greatness. For Machiavelli, martial vigor not only would dissuade covetous neighbors from attacking, but would unite and revitalize the city, allow Florence to dominate fortuna and unlock true greatness (Pocock 2016, p. 203). The renewed military strength, however, was not to be obtained by an external force of mercenaries, but by training a citizen army. Indeed, as has been recognized, "Machiavelli's faith in a citizen army went beyond empirical observation; he had an almost mystical belief in the virtue of the citizen soldier and a visceral hatred for the hired gun—a conviction that a man who refused to fight on behalf of his own country was no man at all, and that a nation that relied on its purse rather than its people would soon be reduced to slavery" (Unger 2011, p. 160). We cannot separate Machiavelli's mystical vision for the militia from his concept of virtù—translatable into virtue, but not intended to contain moral scruples. Machiavelli considered virtù to be a manly, impetuous characteristic that would enable a man to bend the world to his will.

Faced with the failure of mercenaries to recapture neighboring Pisa, traditionally a Florentine vassal, Machiavelli sought to exercise virtù with a bold vision for a new military endeavor. Machiavelli presented a plan "to defeat Pisa not by use of brute force but by diverting the Arno…thereby starving the rebellious city of subsistence and commerce" (Ibid., p. 144). Machiavelli had engaged Leonardo da Vinci to complete this daring and bold project. In the end, the sober minds in the Florentine government acceded to Machiavelli's

plan. It was not to be. After construction began, "a violent storm damaged the Florentine fleet guarding the mouth of the river and flooded the ditches [being used to reroute the river]. A few days later the emboldened Pisans emerged from their defensive works and set about punching holes in the weirs. The labor of months was destroyed in a matter of hours, and the entire project collapsed amidst the usual finger-pointing and recrimination." The bold diversion aside, Machiavelli took great pride in the Florentine militia he was charged with forming in 1506. Machiavelli's militia achieved initial success, finally taking Pisa in 1509. Yet, it was the Florentine militia's failure of nerve in 1512, snatching defeat from the jaws of victory, that led to the restoration of the Medici and Machiavelli's expulsion from public service (Ibid., pp. 193-214).

a. The Prince

Machiavelli wrote *The Prince* in the shadow of his failures, in a desperate attempt to ingratiate himself with the Medici and successor regime in Florence. *The Prince* (P) is a work focused on giving rationalistic advice to a new prince (Pocock 2016, p. 160).[1] Given our brief summary of Machiavelli's career, we should be unsurprised to find him declaring that "the main foundations of all States, whether new, old, or mixed, are good laws and good arms. But since you cannot have the former without the latter, and where you have the latter, are likely to have the former, I shall here omit all discussion on the subject of laws, and speak only of arms" (Machiavelli 1992, p. 31, ch. XII). Given Oakeshott's recognition that war posed one of the greatest threats to *societas* in the 20th Century, it is odd that a man like Machiavelli, so focused on war, would have been classed among the defenders of *societas*. Then again, perhaps we might see that while Machiavelli sees the need for force in transitions to *societas*, but that within established polities, strength and violence do not predominate. This potential defense is certainly consistent with Machiavelli's contention in P that "without national arms no Princedom is safe, but on the contrary is wholly dependent on Fortune, being without the strength that could defend it in adversity" (P 37, ch. XIV). Yet, threats to a state would not merely be present in war, but as a result of internal dissension.

How might such threats be contained? Machiavelli asserts that "Fortune is a woman who to be kept under must be beaten and roughly handled; and we see that she suffers herself to be more readily mastered by those who so treat her than by those who are more timid in their approaches" (P 68, ch. XXV). Machiavelli's successful political actor bends the world to his enterprise with the manly exercise of virtù. Machiavelli's princes recognize 'distempers of state' while yet inchoate and manfully rectify the situations. Among the causes of these distempers in the body politic are "the demands of the nobles cannot be satisfied with credit to the Prince, nor without injury to others, while those of the people well may, the aim of the people being more honorable than that of the nobles, the latter seeking to oppress, the former not to be oppressed" (P 24, ch. IX). Here then, we can see Machiavelli's polity is riven with divisions among the classes. Yet, the people, seeking to avoid oppression, might be the sort of citizens interested in a state governed by rules rather than a particular enterprise. In this, P proves interesting in both shading the people as being more virtuous and seemingly endorsing their participation in politics. For as Machiavelli notes, "we may draw another notable lesson, namely, that Princes should devolve on others those matters that entail responsibility" (P 50, Ch. XIX). Evidently not responsibility for all matters, as Machiavelli ends his short tract by exhorting Medici to engage in a grand enterprise to expel the barbarians and unite all of Italy, not merely reform the Florentine state.

b. The Discourses on Livy

Simultaneous with P, Machiavelli began work on *The Discourses* (D), a work ostensibly on the first ten books of Livy's *History of Rome*. Unlike *The Prince*, which is a grasping attempt to regain political influence, Machiavelli humbly dedicated *The Discourses* to "not those who are princes but those who for their infinite good parts deserve to be" (D 3). Machiavelli, title aside, writes with an attempt to set forth general principles for actions in the political domain, both in principalities and republics. We can find certain

passages that readily contradict Oakeshott's understanding of Machiavelli. For, while Oakeshott presents Machiavelli as one concerned with the threat posed by the poor to *societas*, we find Machiavelli proposing two key remedies to enhance and protect a state—"one, to maintain the citizens poor so that they cannot corrupt either themselves or others with riches and without virtue; the other, to be ordered for war so that one can always make war…." (D 255, book 111.16). Rationalism aside, perhaps we might propose that the enterprise to inculcate and preserve virtue and to avoid periods of transition might be consistent with a *societas* vision.

Machiavelli proposes that the disorder in Italy is a product of Italians' confusion about the nature of politics. According to Machiavelli, "[t]his arises, I believe, not so much from the weakness into which the present religion has led the world, or from the evil that an ambitious idleness has done to many Christian provinces and cities, as from not having a true knowledge of histories, through not getting from reading them that sense nor tasting that flavor that they have in themselves" (D 5, book 1). In this dense quote, we can acquaint ourselves with Machiavelli's preoccupations and his method. Christianity has weakened men, who might otherwise shape the world with their will. Further, Machiavelli's attempt to 'taste the flavors' imbedded in ancient histories becomes revealed in his regular misrepresentation of past events to allow him to present his preferred principles for action. How then might the Florentine's shed their weakness and inculcate virtù?

According to Machiavelli, in each of monarchy, aristocracy and democracy—the three forms of government—there are laws which result in the regime degenerating, "so those who prudently order laws having recognized this defect, avoiding each of these modes by itself, chose one that shared in all, judging it firmer and more stable; for the one guards the other, since in one and the same city there are the principality, the aristocrats, and the popular government" (D 13, book 1.2). Taking a step back, we might note that Machiavelli is here focused on the form of government, rather than the nature of its authority, and therefore this work should not be relevant to understanding Oakeshott historical frame put forth in the third essay. But by reading Machiavelli closely, we can see the 'moral' virtues underlying his works and the uncomfortable questions such virtues pose for Oakeshott's schema.

Looking at the underlying individuals' natures, Machiavelli posit that "it is necessary to whoever disposes a republic and orders laws in it to presuppose that all men are bad, and that they always have to use malignity of their spirit whenever they have a free opportunity for it" (D 15, book 1.3). Instead of assuming a moral frame in establishing a state, Machiavelli actually seeks to counter interest against interest to provide stability. In particular, Machiavelli presents the counterintuitive principle "that to me it appears that those who damn the tumults between the nobles and the plebs blame those things that were the first cause of keeping Rome free, and that they consider the noises and the cries that would arise in such tumults more than the good effects that they engendered" (D 16, book 1.4). This dynamism is a product of a broader principle that "all things of men are in motion and cannot stay steady, they must either rise or fall; and to many things that reason does not bring you, necessity brings you" (D 23, book 1.6). Here, we can see the zero sum game mentality that typifies Machiavelli's thought.

Outside of first principles, we find Machiavelli musing "that it never or rarely happens that any republic or kingdom is ordered well from the beginning or reformed altogether anew outside its old orders unless it is ordered by one individual" (D 29, book 1.9). Machiavelli's proposal evinces the influence of the medieval political world, composed of men that had not experienced a depersonalized state. We do see Machiavelli's rationalist tendencies in his proposal that "whoever wished to make a republic in the present times would find it easier among mountain men, where there is no civilization, than among those who are used to living in cities, where civilization is corrupt; and a sculptor will get a beautiful statue more easily from coarse marble than from one badly blocked out by another" (D 35, book 1.11). Yet further, a man seeking to demonstrate the greatest level of virtù "ought to desire to possess a corrupt city—not to spoil it entirely as did Caesar but to reorder it as did Romulus" (D 33, book I.10). Indeed, what could be a greater enterprise?

In pursuing this project, Machiavelli proposes that laws may not be enough, and instead a kingly state might need to be imposed to check the insolence of a state's citizens "by an almost kingly power" (D 51, book 1.18). Even in a republic, princes must "keep the public rich and their citizens poor" because "so great is the ambition of the great that it soon brings that city to its ruin if it is not beaten down in a city by various ways and various modes" (D 80, book 1.37). Indeed, Machiavelli asserts that stable republics refuse to allow "any citizens of theirs either be or live in the usage of a gentleman; indeed, they maintain among themselves an even equality, and to the lords and gentlemen who are in that province they are very hostile" (D 111, book 1.55). Here, we cannot help but wonder whether Machiavelli sees citizens as reflective consciousness making their own choices, or chess pieces to be maneuvered.

Machiavelli does graciously concede that "[i]f princes are superior to the peoples in ordering laws, forming civil lives, and ordering new statutes and order, peoples are so much superior in maintaining things ordered that without doubt they attain the glory of those who order them" (D 118, book 1.58). Yet, one cannot help getting the sense that Machiavelli views the people as pliable clay for his own endeavors. For now, the people have become beholden to Christianity. Machiavelli avers that "[o]ur religion has glorified humble and contemplative more than active men. It has then placed the highest good in humility, abjectness, and contempt of things human; the other placed it in greatness of spirit, strength of body, and all other things capable of making men very strong" (D 131, book II.2). Is such humility a prerequisite for a respect for the expression of idiosyncrasies and typify the sorts of individuals drawn to a moral order based on adverbial conditions? Certainly, Machiavelli viewed Christianity as eviscerating virtù and impeding his endeavor.

Oakeshott recognized that while at war, the state reaches its closest approximation to *universitas*. Yet, it is not just the state of war, but the mentality associated with war that leads thinkers to reaching for *universitas* as the model for the state. Machiavelli is preoccupied with the belief that if a state will not "molest others, it will be molested, and from being molested will arise the wish and the necessity to acquire; and if it does not have an enemy outside, it will find one at home, as it appears necessarily happens to all great cities" (D 173, book II.19). Thus, for Machiavelli, war can be instrumentalized to maintain cohesion in a state and without this grand enterprise, the state will be riven with internal tensions. Most importantly, to revitalize the state, a single man must rebaptize the citizenry in fire "without depending on any law that stimulates [the citizens] to any execution; nonetheless, [the radical leader is] of such reputation and so much example that good men desire to imitate [him] and the wicked are ashamed to hold to a life contrary to [him]" (D 211, book III.1). Here, we come to Machiavelli's great preoccupation—glory. Blazing virtù aimed at bending others to one's will shall propel the select few to glory. But Machiavelli, seemingly aware of his own failures, notes further that "glory can be acquired in any action whatever, because in victory it is acquired ordinarily; in loss, it is acquired either by showing that such a loss did not come by your fault or through doing at once some virtuous action that cancels it" (D 302, book III.43). So much for the intimation of the eternal in a reflective consciousness's self-enactment. Seeking to obtain glory, Machiavelli wrote the *Art of War*, to absolve himself of his own failures.

c. Art of War

No longer a social pariah, as Machiavelli had been while writing P and D, we find Machiavelli in *Art of War* (AW) attempting to justify the failure of his militia and preaching the lessons learned to his beholden audience at the Orti Oricellari. Again, we see Machiavelli asserting that "[f]or all the arts that are ordered in a city for the sake of the common good of men, all the orders made there for living in fear of the laws and of God, would be in vain if their defenses were not prepared" (AW 4). Further, we find Machiavelli's acknowledgment of his militia's failure in his admonition that "these wise men of yours must not gauge this uselessness from its having lost one time; rather, [they must] believe that just as one loses, so can one win and remedy the cause of the loss" (AW 23). Underscoring the essential role a militarized citizenry plays in Machiavelli's thought, we find him noting that the ancients esteemed nothing to be happier "in a

republic than for there to be many men in it trained in arms; for the splendor of gems and gold does not make your enemies submit themselves to you, but only the fear of arms" (AW 44). These true gems remain out of reach because "today's mode of living, on account of the Christian religion, does not impose that necessity to defend oneself that there was in antiquity. For then, men conquered in war were either killed or remained in perpetual slavery, where they led their lives miserably" (AW 59). Christianity has atrophied the modern man's ability to violent dominate others in service of the glory of his country and his own glory. Greedily imbibing Machiavelli's strong brew, the young men of the Orti Oricellari sought to put such theoretical boldness into action and overthrow the Medici rule. All participants in the conspiracy were either killed or exiled. With their disappearance, Machiavelli once again found himself alone (Unger 2011, p. 307).

d. The Florentine Histories

The Florentine Histories (FH) was Machiavelli's last work, containing most of the major themes we have addressed thus far, but with great dexterity, wrapped in an engaging narrative. Despite the name, Machiavelli was not engaged in history understood as the attempt for dispassionate analysis of cause and effect. Instead, one should approach FH as engaging historical fiction. In most sections, Machiavelli starts by setting forth a 'truth' and then demonstrates it in the remaining chapters, 'finding' the truth in history, often torturing the narrative to fit his point. In some ways, being constrained to loosely follow a historical narrative forces Machiavelli to be clearer in his description of Fortuna.

In FH, we find Machiavelli positing that after the collapse of the Roman Empire, "[t]he arms of Italy, therefore, were in the hands either of lesser princes or of men without a state; for the lesser princes, unmoved by any glory, wore them so as to live either more rich or more secure, and the others, nurtured in them since childhood and not knowing any other art, sought to be honored for them by having them or power" (FH 50). Unsurprisingly, we find Machiavelli asserting that "because the pontiffs always feared one whose power had become great in Italy, even though it has grown through the favors of the Church, and because they sought to bring down the power, there arose those frequent tumults and frequent changes that occurred in Italy" (FH 63). Interestingly though for the supposedly republican Machiavelli, we find him reflecting on the ruin of the nobility and concluding that "[t]he ruin of the nobles was so great and afflicted their party so much that they never again dared to take up arms against the people, indeed, they became continually more humane and abject. This was the cause by which Florence was stripped not only of its arms but of its generosity" (FH 104). While we may ponder whether such a representation is colored by the specific audience of the work—the Medici pope who engaged Machiavelli to write the Florentine Histories—we see the recurrent focus on force and strength. Such a preference for force over cultivated leisure comes to a crescendo in Machiavelli's assertion that "[f]or, as good and ordered armies give birth to victories and victories to quiet, the strength of well-armed spirits cannot be corrupted by a more honorable leisure than that of letters, nor can leisure enter into well-instituted cities with a greater and more dangerous deceit than this one" (FH 185). Can one imagine a position more inimical to *societas* and free men engaging in self-enactment?

e. Enterpriser par Excellence

And so what? What if Oakeshott was wrong about Machiavelli being a defender of *societas*? After all, does not Oakeshott qualify his schema with a recognition that war has posed a great threat to *societas*? Oakeshott's schema self-consciously eschews any reliance on any concept of human nature. While Machiavelli's outlook remains medieval in believing the leader imprints his personality on the state, rather than theorizing about a depersonalized state, we can see a similarity to many of the features of the individual *manque* Oakeshott deplored. So, we must dig deeper and explore whether the individual *manque* is not merely a reaction to the emergence of the individual. Might there be some primordial aspects of

human nature that, much like practices, mold human conduct without reducing human conduct to a mere process?

As Oakeshott recognized, "[t]he notion of an unconditional or definitive understanding may hover in the background, but it has no part in the adventure" of philosophy. We must take up Oakeshott's adventure and delve into a more distant past to understand the roots of individualism and the anti-individual. In doing so, we must be grateful that Oakeshott illuminated the conditional platform of understanding from which we started and glory in the intellectual adventure.

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NOTES

1 "Il Principe is a study of the 'new prince'—we know this from Machiavelli's correspondence as well as from internal evidence—or rather of that class of political innovators to which he belongs."

Oakeshott on Corporations

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INTRODUCTION

Michael J. Oakeshott's work *On Human Conduct* (OHC) is a reflection on how humans engage with each other, and the character of human agency within those engagements. While beginning with the individual human agent in the first essay that makes up this work, Oakeshott is not a methodological individualist; instead the focus of the whole work is upon the different types of association humans have with each other, either theoretically and analytically in the first two essays of OHC or with a historical overview in the third essay, "On the Character of the Modern European State." Throughout the work, Oakeshott reflects upon the character of different types of associations and how they reflect human agency. Importantly, agents sometimes associate with others to pursue a common end or purpose; and at other times they associate to modify their various choices and actions according to common rules. The former he refers to as enterprise associations or examples of *universitas*; the latter he refers to variously as civil association, *societas*, or *respublica*. Each of these also offers more or less tempting visions of the state and the third essay examines the careers of each since the close of the medieval era. Yet, while he writes extensively about human associations, and he even occasionally discusses corporate agents, corporate associations, and corporate persons, he formally discusses corporations very little; that is to say, the modern business corporation receives little, almost no attention from Oakeshott. This essay will reflect on what Oakeshott has to say, especially in the third part of OHC about corporations and the implications and limits of Oakeshott's contention that corporations are best, perhaps only, understood, as enterprise associations, bearing the character of *universitas*. Further, the question that I will put to Oakeshott's theories is how we should understand corporations' engagements with each other or the rest of the members of the state. Even understood as *universitas*, can corporations engage as agents and as members of a *societas*, or even more, as *cives*, members of the *respublica*?

Corporations are, of course, a significant part of the life of the modern state. They are the primary form of economic organization, and they extend beyond that to familiar not-for-profit associations and corporations as well as public and semi-public corporations such as school boards and development authorities. Economic theorists explore the role and impact of corporations on commercial and financial life, business ethicists consider the social role of corporations, and legal theorists reflect on the very character of the corporation. Again, Oakeshott says very little about these explicitly, even while discussing so many forms of human association. Yet, he does, for instance, reflect how the medieval church, universities and guilds are the historical precedents for the enterprise association and *universitas*. Further, Oakeshott does make occasional observations about corporate agency and the corporate person. These infrequent references are tantalizing, because they imply a more comprehensive view of corporations within the modern state; however, they are so brief they we must look to his broader theory and its implications to understand

what Oakeshott might say about contemporary questions about corporations. Oakeshott writes much about the identities of agents, persons, and members of civil associations (*socii* and *societas*), yet very little about corporate persons or associations as institutions. Given the contemporary debates about political and social role of corporations traveling under titles like corporate citizenship and corporate social responsibility, we may ask of him, "can a corporation be a *civis* or a *socius*?" Can a corporation be part of a civil association or be understood as a citizen? Can a corporation be a member of a *societas* and have obligations beyond its corporate purpose? Can there be civil engagements between enterprise associations?

CORPORATIONS, *UNIVERSITAS* AND THE STATE

Perhaps the simplest place to start Oakeshott's discussion of corporations is with his definition, though this comes rather late in OHC. "A corporation," Oakeshott writes in the third essay, "is persons associated in respect of the pursuit of a common purpose, and it is specified not in terms of its 'constitution', but by the particular purpose jointly pursued" (OHC 286-87). To those familiar with Oakeshott's general critique of the idea of the state as a purposive association, it is no surprise to note that for him corporations are a poor model for understanding the character of the modern state, even though this model may be attractive to some. Put simply, a corporation is the premier example of an enterprise association, (*universitas*) and as such provides a model for the state that impairs the freedom in human agency as opposed to securing and enhancing it. This claim fits the patterns of Oakeshott's critique, and the explanation for it is straightforward on his terms.

The fundamental element to an enterprise association, and as reflected in *universitas,* its historical instantiation, is that human persons join together to create associations to seek common purposes or ends and sustain such associations to pursue these common goals. This type of association is distinguished from civil association, or *societas*, in which associates join together in the common recognition of a set of rules that modify their choices and actions. Enterprise association and *universitas* reflect one element of the freedom in human agency, which is the freedom to join with others to pursue their shared purpose, end or goal. "The 'freedom' inherent in purposive association is that of the choice to be associated" Oakeshott maintains, but he continues that the reverse is also true "and the consequent capacity to disassociate if the purpose or the management of its pursuit is disapproved" (OHC 316-17). Thus, freedom entails not only the choice to join with others to advance and seek a shared purpose but the ability to leave the association when that purpose or goal is no longer shared, or when an associate deems the association is no longer pursuing that end, or really for any reason whatsoever. Freedom is characterized both in the choice reflected by an agent in joining and also "by a choice to dissociate" (OHC 204). However, this reveals a fundamental problem of the state as *universitas*, because "where the association is a state" the capacity to dissociate "is excluded by the logic of its constitution" (OHC 317). To Oakeshott, unilateral exit or choice to disassociate from the state is simply out of keeping with a reading of the modern state because "a state, on any reading of its character, is a comprehensive, exclusive, and compulsory association" (OHC 242).

The distinction between purposive (enterprise) and non-purposive (civil) associations seems straightforward, and Oakeshott seems to imply that the different identities that reflect them, *universitas* and *societas,* are easy to see and understand, almost obvious to any observer. Yet he himself discusses how historically there has been a common and even understandable confusion about them. Oakeshott, for instance, observes that Marsilius of Padua uses the language of corporate or enterprise association as a way to discuss a princely realm (or state) and thus makes it sounds like he is discussing *universitas*, but what Marsilius expects in such a political realm is actually reflective of *societas*. "Thus, in spite of this parade of the language of corporate association, a realm for Marsilius turns out not to have the essential characteristic of a *universitas*. Unlike a gild [*sic*] of craftsmen, a school, a university, a monastic house or a military order, it [a realm] is not a many joined in the pursuit of a common satisfaction; and its ruler is not a manager. It is a 'multitude of men' formally associated in terms laws which they have made for themselves and which they have the authority to make in virtue of being incorporated to do so" (OHC 217-18). Marsilius

is just one of Oakeshott's examples of how the language and ideas of enterprise and corporate association, *societas* and *universitas* become easy to confuse and difficult to disentangle.

Similarly, Oakeshott observes an ambivalence in historical uses of the language of the contract theory of authorization. Initially he refers to Hobbes as an example of a theorist who understands the establishment of the authority of the state as a *societas*. "For example, the notion that civil authority derives from or may be explicated in terms of a compact or covenant is deliberately used by Hobbes in order to confirm that the association he is concerned with is a *societas*; the covenant here is to 'erect' and maintain 'sovereign' civil authority, not to unite the covenanters in pursuit of a common substantive enterprise" (OHC 232-33). Here Hobbes (like Marsilius) sees the establishment of a *societas* by means of creating a nonpurposive form of civil association. Here, contract and compact are what creates this character. Yet, Oakeshott also suggests, "But the idea of a compact or contract has also been used (and not less cogently) to describe the relation of a many united in a common enterprise and the person or persons they authorize to be the contingent manager of its pursuit" (OHC 233). No wonder Oakeshott asks, "Is a state to be understood in terms of *societas* or in terms of *universitas*, or is it an equivocal mixture of the two?" (OHC 231-32) The equivocation, however, seems not to be in the ideas of contrasting purposive and non-purposive associations. Instead, our language and thought about them get confused, while Oakeshott himself is, however, clear, that the corporation is purposive association at its core, while the state is not.

Fundamentally, then, Oakeshott's problem with the corporation as a model for the state is not that it reflects a capitalist form of organization or that it prizes efficiency or that it rewards private wealth accumulation over other public goods or that it reflects a neo-liberal mindset. In both Roman and medieval life, corporations preceded contemporary capitalism and even then, they reflected the character of *universitas*. Rather, central among the problems of all such examples for corporate association as a model for the state is the lack of exit. Again, Oakeshott maintains, "that when a state is understood as a purposive association, the analogy [to an enterprise] is fatally corrupted: association in terms of a common substantive purpose *must* spring from the choice of each associate to be thus joined with others, a choice which he must be able to revoke, and no modern European state has very been of this character" (OHC 319). However, again, it must be made clear that the problem is not with enterprise associations or corporations themselves. These associations can multiply and reflect the choice elements in human conduct. Whether it be a medieval guild, a modern publicly traded business corporation or a not-for profit hospital or even a church. All these share the features of *universitas*, whether organized to bring profit to their investors and payment to employees or to provide health to their clients or even salvation or comfort to souls.

A corporation then, any corporation, is an enterprise association which shares the purposive characteristics of *universitas*. We see above some of the problems that it creates as a model for the state. Yet, in the historical overview of the third essay of OHC Oakeshott's occasionally shares somewhat more ambivalence about the state as *universitas*. He notes that there is no history of the modern state that does not contain both *societas* and *universitas*. He can find historical examples that favor one over the other, but none is a pure expression. He does not argue that either is necessary for the other, or that they somehow complement each other. Instead, they live in a precarious relationship of mutual tension; "sweet enemies" he calls them (OHC 326). Yet, while he claims he attempts to restrain his judgment of these models, he makes clear in a variety of ways his negative view of the state as *universitas*; his discussion "reveals a state understood in terms of enterprise association to be a somewhat rickety moral construction, but that is a matter which I have refrained from exploring in order not to prejudice the investigation of its substantive character" (OHC 317). Readers of OHC can judge for themselves his level of restraint but he leaves little doubt about his critique of *universitas* as state.

Because corporations and corporate associations are understood as enterprise associations and *universitas* by Oakeshott, we know he is skeptical of understanding the state as a corporation or using the corporation as a model for understanding the state. Yet, there is much more to be said about corporations because they are significant institutions within the state. So, how does Oakeshott understand corporations and their relations, with each other, to other constituents of the state, and to the state?

CORPORATIONS AND CORPORATE PERSONS

The previous section discussed a definition of the corporation that focused on its character as a purpose association. Yet Oakeshott also reviews several other important elements that both reveal a more complete theory about the corporation and highlight other reasons for its limitations as a model for the state. Before examining these, it is worth noting that Oakeshott does not directly engage with the long history of debates in the field of jurisprudence about the character of the corporation. Undertaking a work in political philosophy in OHC, Oakeshott engages with Hegel and Hobbes, Marsilius and Montesquieu among many others. However, he does not similarly situate his understanding of the corporation with Fredrich Maitland or H. L. A. Hart, Hans Kelsen or Harold Laski. Oakeshott has not committed an error, but nevertheless, his choice to sidestep the debates about whether corporations are real or fiction, legal persons or real persons, natural or artificial entities, do they pre-exist legal recognition or are they creations of the law. Oakeshott does have views on several of these topics, as discussed below; however, he does not place himself in the flow of the discussion of them even though he does imply a familiarity with the contours of such debates.

Oakeshott lands himself in the middle of these questions in an examination of *universitas* as a form of a corporate association. Having first examined the initial historical understandings of *societas*, he then takes up the early history of the *universitas*, which he finds in its Roman inception as a corporate form. Oakeshott explains initially: "Analogically, *universitas* is not difficult to understand. It is persons associated in a manner such as to constitute them a natural person; a partnership of persons which is itself a Person [sic], or in some important respects like a person" (OHC 203). This language is intriguing and confusing. Of course, it is notable that he begins with a discussion of the corporate person invoking the lineage of legal discussion mentioned above. Yet such an approach leaves open the study of the entity constructed when natural persons join together in a durable manner. Or perhaps not, as he immediately retreats from the claim saying that what is created through the partnership is rather "like a person." So, is such an association a natural person or merely an analogy to a natural person? Oakeshott himself recognizes this confusion by explaining "The difficulty comes in trying to make sense of it in terms of a relationship between persons said to compose a one of the same character as each of themselves" (Ibid.). However, Oakeshott does not try to "make sense" of it; instead, he retreats a second time, next suggesting "The paradox may, however, be avoided if we do not insist on the idea of corporate personality and are content to understand the partnership in terms of more commonplace and easily identifiable characteristics" (Ibid.). For those "commonplace" characteristics, he turns initially to "Roman jurists [and how they] understood *universitas*, the corporate mode of association they invented. They assigned it to the law of Persons; and although they never equated it to a person, some of the qualities recognized to belong only to persons were attributed to it…" (Ibid.). Oakeshott's examination then becomes a historical-legal approach that still reveals an underlying theory that generally views corporations as, created, artificial, legal persons with no real claim to having an independent personality; though this explanation is somewhat compromised by his initial claim that *universitas* "is persons associated in a manner such as to constitute them a natural person."

Oakeshott then, even though he initially uses the term "natural person" to characterize *universitas*, comes to reject the idea that such enterprise associations, including corporations, are real persons, instead eventually characterizing them as "*persona ficta*" (OHC 204). In doing so Oakeshott aligns himself more directly against the sort of argument stemming from Maitland and Laski among many others that sees corporations as real entities that are recognized by law. This is even clearer when Oakeshott details the formal elements of a corporation, beginning with its medieval roots. All the formal qualities stem from the claim: "It [a corporate aggregate] was the creature of an act of authority (e.g. a royal, a ducal, or a papal charter) which endowed it with certain power and franchises known as *privilegium universitatis*" (OHC 203). From this, other elements grew:, among these: that it must have a minimum number of members (three); that it creates a perpetual association; that it could be dissolved; that it could create rules for itself;

that it might appoint administrators; "membership could be relinquished by choice to dissociate"; it could own, buy and sell property; it "was immune from charges of crime"; however "it was subject to visitation and inspection by the authority which created it" (OHC 204). It is after the recognition of these elements that Oakeshott claims that it was of no "great impropriety … when an association of this character was spoken of as a *persona ficta*" (Ibid.). That is, because this list of elements that are distinctive to corporations reveals that the legal practice of calling it a person is only an analogy, and thus no real person could be harmed or offended by it being labeled *ficta*. Oakeshott does note that "some fanciful medieval writers were disposed to understand corporate associations as in terms of a corporate 'mind' or 'will,'" but he maintains that "a *universitas* was not a 'one' but a many united in respect to a common purpose" (OHC 215).

It is partially in the elaboration of the elements of corporate association that arise from Roman and medieval jurisprudence into modern law that Oakeshott finds the limits to the idea of a corporation as a state. As already noted, the ability for exit, "even if there must be certain formalities observed" is one of its abiding elements, and so also the idea of an "inspection by the authority that created it"; and a state is not recognizable as a state if it is "the creature of an already superior legal authority" (OHC 204). The observations that reveal a hint of ambivalence about the status of corporations as being real or natural further strongly resolve against a corporate model for the state. He goes as far as to propose: "The character of a state suggested by analogy to a corporate aggregate … is not a many persons transformed into one Person" (OHC 205). When even an enterprise association is created, it is not a new "natural" unified person, but an association connected by one shared purpose. Here then, Oakeshott's commitment to a theory of corporations as artificial entities contributes to the larger political argument against seeing them as a model for the state.

Thus, while Oakeshott tips briefly in the direction of the corporate person as a "natural person," he redirects his energy almost entirely to the *persona ficta*, artificial entity idea of the corporation. Further, although his discussion focuses mostly on the generation of the idea of the corporate association from Roman and medieval law, there is nothing about his characterizations of these purposive associations that distinguishes them in theory from the modern business corporation. If anything, the modern corporation is even more clearly a case of an enterprise association than the medieval church or merchant guild.

We have learned some basic elements of Oakeshott's understanding of corporations. First, they are premier examples of enterprise associations or *universitas*; that is, they are purposive associations that agents join to pursue some common, substantive end. As such, they have been tempting models for the state, but as *universitas*, corporations are a lesser model for the state in Oakeshott eyes. That said, corporate association is a wholly appropriate form of association for human agents to pursue specific ends. Oakeshott writes, "Of course, there is nothing in the character of such [human] persons to stand in the way of their joining with others of their kind in pursuing agreed common substantive purposes and thus becoming members of a variety of enterprise associations in which they have chosen to invest a portion of their energies…. Indeed, chosen corporate association is so far from conflicting with their character that they may be confidently expected to undertake it as a device for satisfying common wants" (OHC 242). Further, such corporate associations can be understood as persons in some fashion, on analogy with human persons. They are bearers of rights and responsibilities as determined by whomever creates or authorizes them; though, for Oakeshott, some rights and responsibilities seem more appropriate (buying, owning and selling property) than others (being criminally liable). Thus, it is convenient for the purposes of law to treat corporations as persons.

CORPORATE PERSONS IN *SOCIETAS?*

Oakeshott spends a significant amount of time in the third essay of *OHC*examining these elements of *universitas* and corporate associations and contrasting them with the elements of *societas*, on their own terms and as models for the state. Yet for all the time he devotes to these two models, there are important relations between and among them that he does not explore as thoroughly. As a simple example, for Oakeshott it is clear that human agents can be members of both civil and enterprise associations, they have the capacity to engage with some other agents as followers of agreed upon rules and laws and with other agents as fellow members in an association pursuing a common goal (and perhaps the same agents in different endeavors reflecting different characters). However, Oakeshott discusses associations themselves, they are either wholly *societas* or *universitas*; well almost wholly since as we saw above that the state, the most significant human association, is in tension between expectations that its members will see it as an expression of both *societas* and *universitas*. So, if human agents can have more than one identity and manner of engaging, and the state itself is the reflection of "a polarized conscience," might not those *persona ficta* modelled on human persons have variable identities as well? (OHC 320).

Consider Oakeshott's understanding of church institutions as examples of *universitas*. Oakeshott comments on various stages of the development of the Catholic church and other churches throughout the history of Europe. For all their variety, all of those are reasonably consistent with his observation, "The Christian Church [sic] was understood to represent the continuing presence of Christ on upon earth, and persons in respect to belonging to it constituted a mystical corporation, a *universitas*, devoted to the worship of God and the performance of his will, and united in common enjoyment of his gifts and consolation of Grace" (OHC 220). Oakeshott focuses on the Catholic church and later Lutheran and Calvinist institutions, yet all sustain the feature of them being *universitas*, corporations organized for a common religious purpose. Without disputing this claim, we can ask whether different churches, even those of different faiths, can engage with each other civilly, as members of a civil association, sharing only the willingness to abide by common rules, not agreeing to pursue a common or shared end, for surely they might disagree about that, but agreeing in how to act in pursuing their different faith goals. For example, such *universitas* associations could recognize common rules regarding how to act toward members of different congregations or faiths. That is, these enterprise associations, marked as *universitas*, would create a *societas* based in the common recognition of rules. If churches, then also guilds, hospitals, other non-for-profit corporations even universities would seem capable of sustaining this complex character: *universitas* to their own associates and *societas* to other such organizations associations.

Now, what about modern industrial or commercial corporations? These seem to be prime examples of *universitas* associations, that is, literally for-profit enterprises. Oakeshott discusses these very little with the exception of corporations who have attempted to exert something like the governance of the state. He examines both the East India Company and the Hudson Bay Company to assure that they were not true examples of a state, but quasi state-like corporate associations. Thus "the 'government' dispensed by the East India Company was that of traders in the interests of their enterprise"; similarly, the Hudson Bay Company exercised its executive, judicial, and legislative authority … in the interests of the trading enterprise" (OHC 271). These rare examples of a discussion of trading companies are one more elaboration of the problem of seeing the state as *universitas* or corporate association. However, can such corporations engage with each other in terms of *societas*?

On its face this seems almost absurd if we follow Oakeshott's schema. His understanding of human conduct as elaborated in the first essay of OHC and throughout the remainder of the book clearly reflects human agents, not corporate persons. The expansive discussion of civil association in the second essay reveals how this unique type of association can allow a distinct form of human agency to flourish. It seems clear that Oakeshott is discussing human persons when discussing the agents that make up enterprise and civil associations. Yet, what counts as an agent is not necessarily so prescriptive. Oakeshott claims: "What is postulated of an agent is not 'free will' but intelligence. Conduct is specified as actions and utterance,

wise or foolish, which have reasons, adequate or inadequate, but not causes" (OHC 235). This passage comes after one in which Oakeshott works to pry agency from many distracting discussions that range from finding agency in "biological or other urges" and complications over the concept of "free will" (Ibid.). If it is perhaps too much to suggest that a corporation can be an agent, it is perhaps not too much to speculate that it might "have intelligence" or at least that it could undertake "Conduct specified as actions and utterance, wise or foolish, which have reasons, adequate or inadequate, but not causes."

With this openness about agency in mind, we return to Oakeshott's central claims in the third essay, that OHC is, among other things, an exploration of "that strand of modern European thought in which a state has been understood as an associations of persons (*cives*) in terms of law recognized as a system of prescriptive conditions (*respublica*)…" (OHC 243). This formal version of civil association requires "[p]ersons understanding themselves and understood in terms of this disposition postulate a state understood in terms of *societas*. If they are to be *cives* they must be *socii*; that is joined in the acknowledgement of the authority of a practice and not in respect of a common substantive purpose" (OHC 242). We have seen that the legal concept of person can be equivocal, and agency as intelligent conduct can share this ambivalence; then while not assuring it, nothing in this discussion rejects the idea that corporate persons could be included in the formative agents of *societas*. Put differently, Oakeshott undertakes no discussion one way or the other regarding corporations as *socii* or *cives*.

Again, Oakeshott's focus is on the human persons that make up civil associations, and thus *societas* and *respublica*, in adopting the identities of *socii* and *cives*; yet his ideas about these identities would seem to require that corporations be fitted into them as well. In his discussion of the earliest formations of the modern European state, for example, he writes, "Each was a many composed of persons recognized in terms of their legal status, of communities of varying antiquity and dimensions….and of corporations enjoying rights and 'liberties' and subject to obligations" (OHC 212). We can see that corporations, from the beginning, have been included in the membership of the state, and, of course, we know further that these are enterprise associations. To state the obvious, corporations exist within the state, embedded and pursuing their substantive purpose as examples of *universitas*. But they are also associations that must follow the law, not unlike *cives*. Not only must they follow the law, but they interact with other corporate associations; and while sometimes this may be to pursue their substantive purpose, Oakeshott has shown us no reason that they could not in theory engage with others as *socii*, members of a *societas*. In this way, the analogy to the natural person that Oakeshott reveals earlier sustains itself here. Just as human agents can identify as members of *universitas* associations at some moments and *societas* in others, so might corporate persons. They could not do so in ways that would change their substantive purpose, but as with other *cives*, they can join to sustain an agreement to follow rules.

CORPORATE ASSOCIATIONS AS *CIVES?*

We come again to the questions, can corporations engage with each other in terms of *societas*? can corporations be *cives* in *respublica*? In asking such questions we are beyond the text of OHC, but the text points us in directions that might help us understand activities of corporations that have been the source of controversy.

Above I speculated about an example of churches engaging with each other as members of civil association, *societas*, for example choosing together to abide by common rules such as of how to act toward members of different congregations or faiths. Such rules would not change the purpose of any church, though it might create considerations to bear in mind when pursuing those ends and limit or foreclose means of doing so. It is not difficult to imagine the same for industrial, commercial or other such business corporations. Again, human persons join both enterprise associations and civil associations, the first to pursue common purposes, the second "in the continuous acknowledgement of the authority of rules of conduct indifferent to the pursuit or the achievement of any purpose" (OHC 201). Corporations signing a purchase contract or joining a conglomerate to extend their reach or increase access to markets would be a

clear instance of their pursuing a common substantive purpose, thus corporations acting in their enterprise capacity. However, a pair or group of such corporations could also join together "not to act in concert but to acknowledge the authority of certain conditions in acting" (Ibid.). In this case they would abide by common rules, by which they will modify their behavior while pursuing whatever substantive end unites the corporation.

This is not difficult to imagine. Consider corporations entering a pact in which they agree to "support and respect the protection of internationally proclaimed human rights; and …make sure that they are not complicit in human rights abuses." Such a compact is not an agreement to promote a shared purpose instead, such a pact would reflect the idea of *societas* above, "to acknowledge the authority of certain conditions in acting." This type of compact might achieve the end of security or stability of the populations in states where corporations do business, but the matter at stake is not establishing what purpose a corporation will pursue, but under what conditions it will do so. This, indeed, is a justification that Oakeshott accepts for a state as *societas* to "impos[e] civil conditions upon industrial enterprises (similar to those designed to prevent fraud or the pollution of the atmosphere)" to increase the ability to enjoy civil association (OHC 305, note). The examples above are not fictional, instead they state the first two principles of the UN Global Compact. One can hardly imagine an institution that might be more anathema to Oakeshott than a United Nations program, but hold that aside for the moment. At first, the challenge here may sound like whether business corporations could join an association that is contrary to or dividing their common purpose. For Oakeshott, that would be a *felo de se*, the existence of the *universitas* or corporate association is to pursue a common purpose; entering into an association that would undermine that purpose would seem not possible. It may also be considered that in joining such a *societas*, a corporation would just be pursuing another means of achieving the common purpose; but that depends upon the character of the rules that make up the *societas*, which themselves are designed to be independent of any given purpose. Whatever outcomes might be hoped for in joining a civil association are uncertain and evanescent, but the actual conditions to be subscribed to are what make the *societas* give it presence over time. In this essay, Oakeshott has given us the language to understand the corporate person here acting as does a natural person, engaging simultaneously in both enterprise and civil associations for different reasons.

CORPORATIONS: *CIVES* IN *RESPUBLICA?*

Corporate associations, of course, are among the "persons" that are subject to the state's laws. It seems obvious that "corporations enjoying rights and 'liberties' and subject to obligations" is a regular part of the experience within the modern state. But how has Oakeshott helped us understand these associations, not only as opportunities for human agents to create and join to pursue their varying substantive purposes, but as persons themselves, institutions within the state that exercise "rights" and are "subject to obligations?" I suggested above that like human persons, corporations may have character of both *universitas*, as they carry out the shared purpose of their associates but also *societas*, as they also engage in non-purposive relations with other corporate associations. Again, to use his Latinate terms, a corporation can be a *socius*, a member of a *societas*, a civil association, joining with other such members in which the choice to be associated reflects a shared willingness to abide by rules that indifferent to the substantive purpose of any particular corporation. Put differently, and perhaps surprisingly, corporations can be engaged in a "moral relationship," for fundamentally, that is what Oakeshott claims *societas* to be (OHC 202). Thus we must be careful not to confuse what Oakeshott says about the state (mis)understood as an enterprise association, or *universitas*, and how enterprise associations may interact within the state.

We then take this a step further, and ask are corporations *cives*? Again, Oakeshott uses this term to refer to the persons in a state understood as *societas*, which he calls *respublica*. Can corporations be the "persons (*cives*) [associated] in terms of law recognized as a system of prescription conditions (*respublica*) indifferent (not merely impartial) to the satisfaction of substantive wants?" Are they citizens of the state understood in this fashion? Oakeshott discusses *cives* like *socii*, as human agents that create associations,

and he does not use this language to characterize aggregate persons, whether corporate associations or civil associations. Yet, corporate persons must be in Oakeshott's understanding of the state as *respublica* since he himself understands *respublica* to allow agents to pursuing their substantive interests, including by "becoming members of a variety of enterprise associations."

We return first Oakeshott's understanding of "corporations enjoying rights and 'liberties' and subject to obligations." Oakeshott is explicit about some elements of the list of these obligations and liberties, those are different in some regards, and the total is shorter than for human persons. Corporate associations are formed explicitly for a purpose, and while they have the capacity for non-purposive commitments, those are secondary. That purpose then also becomes its primary legal obligation. Oakeshott reviews a series of common rights and privileges of corporations, then notes "The corresponding obligation was that of adhering to its registered purpose (particularly in use of its funds) and to observe the special conditions of incorporation, if any" (OHC 215). This is a rather short list of obligations, and absent is much attention to any other following of law, recalling that previously we saw that Oakeshott claimed that a corporate association "(though not its members) was immune from charges of crime" (OHC 204). Here is not the place to engage in debate about corporate criminal liability, except perhaps to note that Oakeshott observes the following abilities of the corporate person: "It might own property, buy, sell, enter into agreements with others, employ servants, and otherwise act as if it were a person" (Ibid.). Any entity that can do these things, and also that has "the right to sue and be sued as an association" might also be capable of fraud, delinquency of payment, false representation as a corporation among other legal failures that reflect criminal liability (OHC 215). An entity that can "sue and be sued" further opens a vista of legal complications of civil liability that Oakeshott does not discuss.

These latter are the types of rights and obligations ("to sue and be sued") that overlap with those held by human persons and *cives*, but then there are those rights are unique to corporations. "The usual privileges of corporate status were the right to perpetual succession, … the right to make rules for itself, … the right to identify its corporate decisions with a common seal" (Ibid.). These are reminders that the idea of a corporate person is, for Oakeshott, a *persona ficta*, an analogy to the natural persons but not to be confused with them; corporate persons' rights and obligations may overlap those of natural persons and yet maybe be both broader and narrower. However, when we look at what a *cives* might expect in *respublica*, are they notably distinct?

Oakeshott does not provide a simple list of civic obligations and rights for a *cives* that we can compare to corporate liberties and obligations; however, he does offer statements about their expectations. "*Cives* and subjects are recognized and recognize themselves to be related in respect of their acknowledgement of the authority of a system of *lex* composed of conditions to be subscribed to in self-chosen conduct, conditions which are indifferent to the satisfactions sought in the actions and utterances they qualify" (OHC 263). Fitting corporate persons in that sentence may be awkward, especially in concepts like recognition and conduct that may seem uniquely human; however, Oakeshott has also suggested that a corporation is "persons associated in reaching joint conclusions which are decisions to speak or to act in relation to a common purpose," which seems more easily to fit into a decision to recognize and to choose and then to undertake a wide variety of actions in pursuit of its common purpose (OHC 214).

What of politics? Within a *respublica* we might expect *cives* to be the agents who undertake politics; can these activities be these of corporations? Once more, the language Oakeshott uses indicates the purview of all activities of *cives*, including politics, to be those of human persons. Yet, again, he does not exclude corporate persons even in the somewhat diminished conception of politics within *respublica*. Oakeshott is careful to be clear that in *societas*, obligation to follow the rules is not based upon their desirability or approval of the conditions they create and impose but only upon whether they are proper rules; and thus he also often seems to exclude debate about the desirability or approval of rules. But this is not the case. The rules of *societas* are not written in the heavens or etched in stone; instead, they are human creations and thus are subject to alteration. "Rules eligible to be deliberately altered are rules eligible to be approved or disapproved"; and "politics" is what he calls "[t]hinking and speaking about *lex* in respect of

the desirability what it prescribes …" (OHC 263). There is nothing in this discussion of politics that would of necessity exclude corporate persons from such discussions. Further, while Oakeshott accepts the possibility of circumscription of the activity of all *cives*, noting that politics, "like every activity of *cives*, may be subject to civil conditions, but in civil association *lex* cannot either proscribe or permit it" (Ibid.). The idea of politics, "thinking and speaking about lex," reflects a central deliberative understanding, and it may be a conditioned form of interaction in *societas*, but what does he mean that "*lex* cannot either proscribe or permit it?" Does he mean that *lex* could not have the authority to do so, or that it is unable to "proscribe or permit" the basic exercise of human conduct of deliberation? Oakeshott's text is not clear, but the same questions then attend for corporate persons as *cives*. Oakeshott does not undertake the question of whether corporate persons can think, but as we saw above, they are (or can be) deliberative entities; recall that he characterizes corporations as "persons associated in reaching joint conclusions which are decisions to speak or to act in relation to a common purpose." While awkward to conceive of corporations as "thinking," it is not difficult to imagine them deliberating upon what ways to speak and act. In the passage above, this is focused upon the "common purpose" but there is no reason Oakeshott gives why such could not also discussion the desirability of what the rules prescribe. In these central ways, in an Oakeshottian *respublica*, then a corporate person might be first a *socius* and then a *civis*, unexpected as that might be.

CORPORATIONS AND THE CHARACTER OF THE MODERN STATE

Throughout the twentieth and twenty-first centuries corporations have become ever more visible institutions not only within the economy but in the social and political world of the modern state. Some have advocated for them to play a greater role in providing social goods and providing leadership about pressing matters like the environment, while others have seen these sorts of activities by corporations as cynical attempts to misdirect the public from corporate malfeasance and still others have seen such engagements as missteps by corporations that distract from their core purpose. Finally, the impress of corporations on politics raises concerns for many about the ability of the state to reflect the concerns of its human citizens independent of the interests of corporations. When we ask whether in OHC, Michael Oakeshott provides ways to help sort through these conundrums, we do not find easy answers. Corporations are prime examples of enterprise associations and are thus well-suited to pursue their central common purpose; however, they are a problematic model for the state, and Oakeshott is critical of the idea of the state as an industrial enterprise, as well as attempts to use the state to serve corporate ends. Oakeshott's conceptions of civil association might seem to exclude corporations, but quite the opposite; civil association is what allows its associates to pursue their interests and desires, including in a corporate form, and this then means that corporations are themselves rules-recognizing members of the civil association. Corporations not only must follow the rules (*lex*) of the state as civil association (*respublica*) but provisionally maybe be deliberative partners like the human agents (*cives*) that make it up.

For Oakeshott, would corporations have social responsibilities to supplement any public goods provided by the state? Enterprise associations are distinct by their sole focus on their core purpose and such activities might divert from that; but who is to be the judge of whether a corporation is pursuing or distracted from its purpose? In the first instance, it is those to make up the enterprise who are to judge whether it is managed in a way that they find serves their interest; yet the state, as authorizer of the corporations retains the right to visit and inspect them and perhaps assess the corporation's obligation to adhere to its "registered purpose." The state as civil association would not have the authority to compel a corporation to a purpose that conflicts with its core purpose any more than it can compel a *civis* to an unchosen purpose. Yet Oakeshott does drop a small note indicating the state can create conditions that corporations must adhere to that might appear to serve a substantive end. In a note to the text, late in OHC, while discussing the eighteenth and nineteenth century demands for an enterprise state, Oakeshott observes: "great disparities of wealth were an impediment (though not a bar) to the enjoyment of civil association; and this

hindrance could and should be reduced by imposing civil conditions upon industrial enterprises (similar to those designed to prevent fraud or the pollution of the atmosphere)" (OHC 305, note).

Oakeshott surprises again. Preventing fraud or the pollution of the atmosphere are not substantive ends of the state in this view, but civil conditions that require industrial enterprises to conduct their activities modified by rules that mitigate fraud and pollution in the choices and activities they undertake. Further, models for conditions that can be civilly imposed on industrial enterprises to "reduce" "great disparities of wealth." Oakeshott does not expect business corporations to be eleemosynary institutions, but the civil conditions created in *respublica* can create rules that modify how they act in ways that protect the state itself.

Oakeshott is bracing in his clarity of the distinctions between civil and enterprise association and what they offer. Yet, *societas* and *universitas* are both "components of the ambivalent character of the state and the office of its government" (OHC 323). The corporation fits into this understanding of the state, reflecting its character as an enterprise association; but even as a *universitas* in a *respublica*, it may share in some of the characteristics of a *societas*. Perhaps this muddies the very clarity of the distinction he offers. In his closing sentence Oakeshott indicates that we might expect this because *societas* and *universitas* are "each a historical response to the ordeal of consciousness, which have emerged among the associates who compose the still-puzzling associations called modern European states and settled themselves there in ever changing proportions" (OHC 326). The corporation, as well, is one more "still-puzzling association" within these associations called the modern state.

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The Non-sceptical Oakeshott on the Ideal Regime

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Oakeshott is often portrayed simply as a sceptic, and he was indeed sceptical who take hubristic pride in the power of rationality and of the salvific conception of politics. What was called by him rationalism, was called by Edmund Burke radicalism and metaphysical madness.[1] On the other hand, however, he was quite sincere in his own project to understand human conduct and government, and he was not sceptical about the evaluation of human characters, ways of life, and forms of association.

The evaluative character of his scepticism and pluralism resembles that of Montaigne, who in spite of his scepticism rejected relativism or nihilism, and who appreciated his own way of life and the existing political arrangements. Besides the openly evaluative elements in Oakeshott's thinking, his scepticism was also qualified by the epistemologically and politically important notions of tradition and authority, the two Holy Grails of conservatives.

Oakeshott created several dichotomies assist his understanding of human conduct and associations, like many of his predecessors. Although the meanings of these antonyms and their theoretical positions may be ambiguous or debated, Oakeshott was consistent in valuing one pole of these oppositions. His magisterial late work *On Human Conduct* (OHC) is somewhat evaluative in describing two different kinds of association, which he calls civil association and enterprise association, and the connected categories like *societas*, nomocracy, the politics of scepticism and *universitas*, teleocracy, the politics of faith respectively (Mosley 2010; O'Sullivan 2012). Oakeshott was not sceptical about the value of civil association and the habit connected to it.

Oakeshott referred in various places to the futility of attempts to create an earthly paradise. He argued that "the outcome of trying to make the state a paradise has always been to turn it into a hell" (OHC 319). Later, he named this hell the *Tower of Babel* (Oakeshott 1999). While he appreciated one type of association, the rule of law, he openly criticized the other type, called teleocracy[2] or the managerial state. Obviously he was critical of contemporary enterprise associations like totalitarian states, but he traced them from the same root as the contemporary welfare state and liberal democracy, when he referred to it using such terms as "managed society", "economic democracy", "central planning", "distributive justice", "participation", "equality", "liberalism", "democracy", etc.

Although Oakeshott used a republican vocabulary—e.g. *res publica, cives* –, his idealized civil association was far from republican in nature, because he assigned the key notion of republican thinking, the public good, to enterprise association.

In his answer (Oakeshott 1976, p. 356.)[3] to Sheldon Wolin's criticism (Wolin 1976) he indignantly refuted the charge that his notion of civil association was a form of heavenly city, ideal society or anything of the kind. Indeed, St. Augustine *civitas Dei* is quite different from Oakeshott's civil association (Corey 2006, p. 33.). Still, in spite of the clear differences, Oakeshott's notion of civil association and the personality combined with it involve evaluative aspects. While he openly rejected the hope for *Cuciana (Cockaigne,*

Schlaraffenland, Luikkerland) a dream of consumers, the relationship he describes and the people living in civil society—the *cives*—takes after Arcadia, and is based upon virtues like noble pride and modesty, resembling Tolkien's Hobbiton—a world of piety. He described this mentality by Iustinian's sentence: *honeste vivere, alterum non laedere, suum cuique tribuere* (OHC 176). This modesty and righteousness—pointing to Aquinas' and Plato's phrase: *suum cuique*—does not refer to *Cuciana* in Oakeshott's understanding, still it is rather idealized or utopian habit. In general, it is a world where "the energy of pursuit is prudentially mixed with *nonchaloir* in respect of the outcome" (OHC 71) and where "what the agent chooses to think is related to his understanding and respect for himself, to the integrity of his character" (OHC 73).

1. INTELLECTUAL ROOTS, OR HINTS?

OHC contains the fundamental themes which had been with Oakeshott nearly as long as he could remember (OHC vii). Roughly speaking, these fundamental themes are individuality and the rule of law, which is allegedly the best environment for individuality to thrive. The civil association seems to be an ideal condition for individuals: "the *civitas peregrina*: an association, not of pilgrims travelling to a common destination, but of adventurers each responding as best he can to the ordeal of consciousness in a world composed of others of his kind, each the inheritor of the imaginative achievements (moral and intellectual) of those who have gone before and joined in a variety of prudential practices, but here partners in a practice of civility" (OHC 243).

Even if individuum is a rather late phenomenon, the rule of law does not seem to be a really new idea. Plato declared that the rule of law is the second best political regime, and Aristotle divided the innumerable types of regime into two basic categories: those based on the rule of law and corrupt regimes characterized by arbitrariness.

Oakeshott's distinction between constitutional shape (the government of one, few or the many) and governing purpose is drawn from Aristotle. The rule of law which Aristotle and Oakeshott referred to also meant a non-instrumental understanding of the political community: the polis or state is not seen as an instrument to achieve any particular substantial aim, apart from ensuring peace and individual and collective freedom.

Just like in Aristotle's model, Oakeshott's main point is that the rule of law, or as it called in the *On Human Conduct*, the civil association, is the best way to guarantee individual liberty and a certain type of civilisation. This civilisation was the Greek culture, for Aristotle, while for Oakeshott it was the Western-Christian culture. This culture, which was connected to a basically free individuality, emerged here. This individual sometimes seems natural, and sometimes is the result of historical development in the West in Oakeshott's works, I will return to the problem of Oakeshott's anthropology later, in the last section of this paper.

One may wonder whether the evaluative tone of Oakeshott's description of civil associations entails a normative foundation of this political association. Even if the civil association is formal and quite different from the pattern of *universitas fidelium*, that is, the church, Oakeshott still seems not to be a Hobbesian legalist, because of the emphasis on *Sittlichkeit* and *Lebenswelt*. That is, a civil association cannot exist without a specific civilization providing the numberless tacit mental habits called morality by Oakeshott. The moral "foundation" of civil association is moral conduct, which seems to be sometimes historical, sometimes ahistorical in his thinking (Oakeshott 1976, p. 365). Although moral conduct is universal, it became especially characteristic in certain places and historical periods in which the rule of law emerged. The two are mutually dependent:

> Generally speaking, then, human conduct discloses two categorially distinct modes of relationship: relationship in doing (transactional or co-operative) for the satisfaction of substantive wants, and relationship in terms of obligation to subscribe to moral conditions in doing… no action,

> want, purpose, or substantive interest can itself be right or wrong, or can be right or wrong in respect of the number of agents who take it to be their common purpose, in respect of their devotion to it, or in respect of the substantive benefits they, or anyone else, derive from pursuing it; it is right or wrong in respect of its subscription to independent moral considerations (Ibid., p. 366).

A moral practice is not a prudential art concerned with the success of the enterprises of agent, it is not instrumental to the achievement of imagined or wished-for satisfaction (OHC 60). According to Oakeshott, moral practice does not attend to effectiveness or success. The distinction between moral and instrumental practice sometimes appears as a distinction between two types of action, but more often as two aspects of action, like Cicero's pairing of *honestum* and *utile* (Cicero 2016). And just as Cicero does not accept the relegation of the moral aspect (*honestum*) in situations of emergency or exception, so too does Oakeshott reject it. These two types—or aspects—of action provides the foundation for two types of political association. In his theory of conduct, Oakeshott adopted Cicero's opposition between *utile* and *honestum*, together with the horizon of meanings associated with *decorum*, the appropriate. More generally, he aligned himself with Cicero, as have many Anglo-Saxon conservatives since Burke. Although Oakeshott employed a republican vocabulary—for example, *res publica* and *cives*—his idealized civil association was not unambiguously republican in character, since he assigned the central concept of republican thought, the common good, to enterprise association.

In spite of their similarities, one can easily identify the difference between Aristotle's and Oakeshott's categories. The teleocracy/enterprise association is not arbitrariness, and is not without law. For Oakeshott, the main difference between the two columns of antonyms is not the rule of law as such. For him, what matters far more is whether law is understood instrumentally or in a "moral" sense: whether political association and its laws are conceived as instruments for the pursuit of substantive ends, or are observed for their own sake, independently of their substantive utility. What is far more important for him are whether the law is understood in an instrumental or "moral" sense. The rule of law is a non-instrumental relationship, the law in general is non-instrumental relationship (Oakeshott 1999, p. 137).

A tempting parallel antonym would be St. Augustine's opposition between *civitas Dei* and *civitas terrena*. No doubt, some similarities are evident. For example, these categories refer not only to regimes but also to personal character types, and the *civitas Dei* is obviously idealized, while the *civitas terrena* is rejected by St. Augustine. It is important to recognise, however, that the character of St. Augustine's *civitas Dei* is quite different from Oakeshott's civil association. It seems to me rather odd to connect the civil association to the *Leviathan* while at the same time comparing it to the *civitas Dei*. The former is an unpleasant yet necessary consequence of o man's imperfect nature, while the latter is a state of grace, i.e. liberation from the consequences of original sin. If anything, *civitas terrena* is closer to the view of civil association involving the law, a judicial system, enforcement and worldly magistrates in general. Because of the presence of the effects of original sin, in the *civitas terrena* the rule is based on pure enforcement. The people are assumed to be rebellious, which is just the opposite of the *cives* of civil association described by Oakeshott. According to him, *cives* act morally and dutifully by taking the laws and rules into considerations.

While Oakeshott seldom mentioned Marsilius of Padua, the meaning of the key categories of the OHC—civil association and enterprise association—echoes Marsilius's book, *Defensor Pacis*.

Marsilius wrote in the aftermath of the Investiture controversy, criticising the Pope's jurisdictional claim—based on his knowledge of the true and good. Knowledge of the truth, moreover, is more important than anything else, since it is necessary for salvation. Secular authority, like a church, should serves a substantive end: salvation. A physician and Aristotelian, Marsiglio argued—without any overt scepticism—on behalf of the worldly magistrates (the Emperor) by referring to peace as the utmost value in worldly life (Marsiglio of Padua 1956). In this context, peace did not mean a kind of Platonist or Christian peace of soul, but simply referred to ending wars, which needed a final judge to settle the emerging conflicts between people. Marsilius argued that it was not the promotion of salvation which constituted the main task of worldly magistrates, but keeping the peace. This meant that searching for salvation could be a pri-

vate project, and that the magistrate did not necessarily know the truth, and was unable to help people to attain salvation, but this was not necessary for keeping the peace. This argument was continued by Hobbes' *Leviathan*, in which the truth claim of the Puritans' conscience replaced the truth claim of the Papal seat.

It is worth noting that the contrasts Oakeshott draws are not parallel with those of Hobbes. Oakeshott described two different kinds of government, while Hobbes described the only viable version of the "civil state", the Leviathan, in opposition to civil war, the Behemoth. Hobbes never described an unpleasant type of regime. On the choice between monarchy, aristocracy and democracy, he argued that: "of the three sorts, which is the best is not to be disputed where any one of them is already established; but the present ought always to be preferred, maintained, and accounted best, because it is against both the law of nature and the divine positive law to do anything tending to the subversion thereof" (*Leviathan*). For Hobbes, there was only one version of civil peace and government.

While in the 16th and 17th centuries several regimes of protestant princes emerged, the most successful regimes of the 17th-18th centuries were the absolute monarchies following Marsilius's, Bodin's and Hobbes' arguments for the worldly magistrate. Later, political modernity—through enlightened absolutists, revolutionaries, reformists, progressives, etc.—made substantive—moral, philosophical, social, economic—projects the main task of government. Oakeshott's criticism of enterprise association is a thinly veiled criticism of modern politics.

In general, it may be concluded that humans tend to bifurcate, to understand the world in terms of opposites. Accordingly, Oakeshott's commentators cannot resist the temptation of connecting his antonyms to those of his noble predecessors. Searching for the intellectual ancestors of the notion of civil association, it may be argued that the meanings of Oakeshott's categories are, in fact, rather *sui generis* (Smith 1996).

In Oakeshott's concept of civil association, the *cives* are referred to "solely in terms of their common recognition of the rules which constitute a practice of civility" (OHC 128). The civil association is a moral relationship due to its formal and non-substantive character, and the rules or laws are taken into consideration because of their authority, and not because of their hoped-for substantive results. The civil association is a "unity-in-authority" (Bhuta 2015, p. 21). Civil association contains not only morality but ruling and authority and compulsion, too (OHC 142; 1999, p. 160).

The notion of authority in general does not fulfil the moral-political requirements of modernist political thinking, that is, it is not founded on reasoning or particular arguments, i.e. consent. However, this does not make this order more vulnerable than a reasoned one. On the contrary, it is the modernists' requirement for reasoned justification makes their order fragile. The laws have authority because they are laws. That is all. As Montaigne described the rule of law, the law is not obeyed out of a desire to achieve some substantive outcome. This, according to Oakeshott, is moral action: "Now laws remain respected not because they are just but because they are laws. That is the mystical basis of their authority. They have no other" (Montaigne 1991, p. 1216).

Authority has a pre-theoretical legitimacy, as with Weber's *Herrschaft*. Civil association is based on moral conduct; it is a moral relationship, even if its aim is not to fulfil overt moral requirements.

2. THE METHODOLOGICAL STATUS OF CIVIL AND ENTERPRISE ASSOCIATION

If "all knowledge is elusive, never complete, always imperfect" as Oakeshott wrote, how should we interpret Oakeshott's typification of associations? In general, Oakeshott seems to open consciously a wide range for the interpretation of his thought, writing that "a philosophical essay leaves much to the reader, often saying too little for fear of saying too much" (OHC vii).

There are many different interpretations of the methodological meaning of the civil and the enterprise association. This uncertainty arises mainly because Oakeshott's view on it changed and was ambiguous. He politely acknowledged criticism directed at his ambiguities, writing somewhat regretfully that: "when

I look back upon the path my footprints make in the snow I wish that it might have been less rambling" (OHC viii).

Consistency or inconsistency poses a problem for anyone who wrote more than one work during his life. Moreover, it seems to me that Oakeshott's view on the methodological status of his antonyms changed over time, or at least that Oakeshott was rather ambiguous about it. The task of understanding can be rendered more difficult if the author used metaphors, especially the favourite metaphor of philosophers, that of the cave. The introductory part of the first chapter of the OHC is built on Plato's cave metaphor, although there are numerous diversions from Plato in the text. In Plato's case the philosopher—becoming irrelevant for the cave dwellers—speaks about the reality of ideas, but Oakeshott addresses the myth or shadow of the cave-dwellers, discussing their presuppositions of government, called "conditional understanding" (OHC 9; Frohnen 1990). He declared that his aim is not to dismiss but to understand the "shadows" or myths of the cave-dwellers, rather than seeking ideas about the sunshine. Obviously, Oakeshott was sceptical about Plato's understanding of the philosopher's task, while Plato was not concerned with understanding the shadows in the cave.

However, Oakeshott was not really interested in the hermeneutic tradition; for him, understanding, in accordance with his nominalist interpretation of associations, meant the investigation of the tacit presuppositions and unreflected mental habits of individual actors in understanding human conduct. By understanding, he did not mean the search for "meaning."

Our methodological dilemma concerns whether the model of civil and enterprise associations and the other antonyms is supposed to be real—as far as any institution, like government, can be "real" in the nominalist imaginary used by Oakeshott—or is it a working fiction, a myth or a hermeneutical device like an ideal type?

In some places, for example, in his *Lectures in the History of Political Thought* (2004a, p. 471) he wrote about this antonym as different kinds of *either-or* thoughts or beliefs about government. In so far as people understand the world in categories, their beliefs are real because the effect of these beliefs is real. This is even true if these beliefs are shadows on the wall or myths. Hence, any working fiction can be regarded as a part of reality. It may fit the nominalist and sceptical worldview to understand all the elements of historical reality—the state, warfare, enlightened absolutism, nation state, welfare state, communism, etc.—as simply the history of shadows, that is, of beliefs, presuppositions and biases.

However, even if this were so, can the people make a choice between these two sets of beliefs concerning the proper role of government (Corey 2006, p. 177) or, for historical and prudential reasons—like emergency situations, wars, etc.—is it wiser to search for a balance or a middle way between the opposites? But in Oakeshott's case there is no sign that he would have regarded balancing or finding a middle way between the two extremes as desirable, following Lord Halifax.

Or are these two types of association hermeneutical devices? Thus, when attempting to understanding the human condition, one is always between the two poles. The government, it can be argued, is always in between two opposites, sometimes closer to the pole of civil associations and sometimes to that of the enterprise association as it responds to the various challenges it faces, while the civil association itself can be found in its pure forms but rarely, solely under peaceful and stabile conditions. It is "preeminently suitable for a complex but relatively static condition of society" (Oakeshott 1996, p. 107). In any other condition, when it faces challenges from within or without, the form of government may shift towards that of the enterprise association. In general, one cannot find the ideal of Oakeshott as a "trimmer",[4] but in practice this activity is somehow presupposed by him. Although civil and enterprise associations seem to be ahistorical types, mainly in the *On Human Conduct*, in history one may find shifting balances between them, the last one of which, the teleocracy has become dominant mainly in modern times (Oakeshott 2004a, p. 473).

It seems that if there are challenges which make effectiveness all important—evidently, in case of wars, etc.—and morality, or indeed individual freedom, less important, and, in such situations, the association becomes more of a teleocracy/enterprise association. Oakeshott was not, however, interested in such

emergency situations, when the proper conduct is not modesty and the appropriacy of the rule of law is questioned even by its advocates (see Aquinas).

On several occasions, however, these antonyms seem to be simple hermeneutical instruments, or ideal types. Indeed, Oakeshott called them "ideal characters" in *On Human Conduct* (OHC 4, 108-9, 175, 180.). The utility of the ideal type as a hermeneutical device is evident if one recalls Weber's ideal type of the "rational bureaucracy" or the "Protestant ethic". These are hermeneutic devices, rather than "representations of the real", created by Weber to understand historical phenomena. Beside their hermeneutic role, these are also evaluative in nature. Weberian ideal types are abstractions, not real types, like geometrical forms (the pattern for ideas for Plato). As Oakeshott wrote: It is "ideal not in the sense of being a wished for perfect condition of things but in being abstracted from the contingencies and ambiguities of actual goings-on in the world" (OHC p. 109). Reality can be understood with the help of ideal types: comparing reality to ideal types, both similarities and differences may help us in understanding it. An example of such thinking can be found in our perception of the tyre: it is not actually circle, and the perfect circle cannot be found anywhere in reality, but the ideal type of the circle can help us in understanding a tyre: its deviation from the shape of a circle may help focus our attention on its production process as well as on its use by a particular car and its driver, while its similarity to a circle may help us in understanding why tyres are used for vehicles.

The interpretation of Oakeshott's antonyms, especially the civil and enterprise associations as ideal types, might be intellectually convenient and satisfying, and such a reading would make these categories waterproof against any empirical criticism, just like Weber's ideal types are. However, Oakeshott was not a "user friendly" thinker. The first critics of the *On Human Conduct*, Sheldon Wolin (1976) and Hanna Pitkin (1976), and many commentators since interpreted Oakeshott's civil and enterprise associations as ideal types, but Oakeshott himself refuted them in rather mocking terms. Indeed, he stated categorically that "It is no more an ideal type than the kitchen sink" (Oakeshott 1976, p. 356). He refuted the idea that he was concerned only with "ideal types" of association which were "totally remote from anything that has ever existed, thought to exist, or thought to be desirable" (Ibid., p. 360). His reaction suggests that he understood the "ideal type" as something idealized. Even if there are numerous hints in Oakeshott's works about the desirability of the nomocracy/civil association and other connected categories, Oakeshott rejected the explicit evaluation of these categories.

It is likely that he did not know the hermeneutical meaning of the ideal type, while Wolin used the category of ideal type in this sense. Therefore, in spite of Oakeshott's rejection of Wolin's interpretation of Oakeshott's categories, I suggest that this interpretation is perhaps the most meaningful, if one use the ideal type in the sense of a hermeneutical device.

3. HUMAN NATURE AND HISTORICISM

Ever since Plato's time, political reflections have combined the character of a regime and its anthropology. Thus, the ideal state has its ideal man, democracy has a democratic man, or Cicero's *res publica* consists of *cives* while St. Augustine's two cities are populated by their particular citizens, and so on. It has been a common presupposition in Western culture that there is strong mutual interconnection between the character of the citizens of a place or regime and their political order, which is why the conflicts about the people's education have been so passionate.

Those authors who were important for Oakeshott, such as St. Augustine and Hobbes, employed a well-known and emphatic anthropology, explaining the source of conflicts and suggesting the worldly magistrate as the possible solution for these conflicts.

In the thinking of St. Augustine and Hobbes, the source of conflicts, which made some form of authority necessary is clear and well defined, i.e. original sin or its consequences (like pride or ROMA—*radix malorum omnium avaritia*), Aristotle in contrast identified a rather long list of sources of conflicts, including vanity, desire for profit, the arrogance of office holders, mistrust, elections, the eminence of

someone or of a group, concern about injustice or punishment, the shift of the balance of power in the politeia, the enemies of the politeia, ethnic differences and biases. While it was obvious for Oakeshott that there are innumerable conflicts, it seems to me that he was not especially interested in the sources of "the confusion and anarchical tendencies of current thought and conduct". What is more, he declared openly that he did not believe in the existence of human nature.[5] Instead, people's conduct can be interpreted in terms of their *ideas*, because they answer to challenges which they understand in a certain way in situations similarly understood.

At first glance, Oakeshott *seems to be a historicist,* that is, he is interested in the history of myths or shadows. He believed that man "has a 'history', but not 'nature" (OHC 41). Ideas are learnt (OHC 37, 41) "agents as historic persons composed of acquire beliefs, understandings, sentiments, imaginings, aptitudes, arts, skills" (OHC 59). In spite of such historicist hints, what is more or less inescapable if one is interested in the history of ideas in the wider sense, Oakeshott's reaction to modernity had a premodern origin. He used premodern notions when reflecting upon modernity. For example, the modern myth—contrasting or reconciling welfarism and consumerism—also has a premodern origin. (See Cocaigne, a land flowing with milk and honey, or Exodus 3:8). As noted above, the dichotomies Oakeshott sets up, are connected to premodern authors and Oakeshott frequently understood them ahistorically. He notes that:

> a disposition to cultivate the 'freedom' inherent in agency, to enjoy individuality, and added to this the disposition readily to concede virtue to this exercise of personal autonomy acquired in self-understanding. And we are concerned with them because this is an historic disposition notable not only in the moeurs of modern Europe but also reflected in the character attributed to states and the offices attributed to governments (OHC 239).

Despite Oakeshott's historicist pronouncements, his thought tacitly ascribed a timeless meaning and value to a range of premodern authors; likewise, he treated the paired categories that facilitate the understanding of action and political association as universal and ahistorical.

However, at the beginning of the OHC, where he openly refuted the notion of "human nature" (OHC 41), he nevertheless conducts an analysis of human conduct, as Hannah Arendt did with scholastic casuistry. I would suggest that here, as elsewhere, one can find an implicitly presupposed human nature in Oakeshott. He can thus be said to have had an implicitly non-historicist anthropology.

In our intellectual tradition the problem of coming to an understanding of action has a long past in both moral and legal practice, just as it has in Greek philosophical and Jewish religious thinking. Focusing on the motivational aspects of action, different authors emphasized different aspects. St. Agustine, Hobbes, the Scottish moral philosophers and others emphasized *human nature* while the Scholastic tracts on religion and politics—mainly after the battles of Reformation, and increasingly after the Enlightenment—and casuistry added the importance of *ideas*, while several authors in the 20th century—such as the French Annales school, Michael Polányi, etc.—emphasized *implicit knowledge* or *mental habit*. For Oakeshott, understanding meant reflection on non-conscious presupposition, that is, drawing upon implicit or practical knowledge. As we know well, he criticized the thinking of his age because of its rationalist overemphasis on ideas at the expense of practical knowledge. In the everyday Lebenswelt, however, the differences between them are not clear-cut.

Oakeshott's anthropology is idealist in the sense that human beings understand themselves, their world and its challenges in terms of ideas and tacit presupposition. To the extent that ideas and tacit presuppositions change over the course of history, Oakeshott can be called a historicist. On the other, he had an implicit anthropology which distinguished his thought from true historicism. With regard to the contrasts Oakeshott drew, one can find this ambiguity or oscillation between historicism and ahistoricism.

One should be somewhat wary when considering human nature in Oakeshott's thinking. First of all, he used Schopenhauer's famous metaphor of the colony of porcupines in his essay "Talking Politics":

> There was once, so Schopenhauer tells us, a colony of porcupines. They were wont to huddle together on a cold winter's day and, thus wrapped in communal warmth, escape being frozen. But plagued with the pricks of each other's quills, they drew apart. And every time the desire for warmth brought them together again, the same calamity overtook them. Thus, they remained, distracted between two misfortunes, able neither to tolerate nor to do without one another, until they discovered that when they stood at a certain distance from one another they could both delight in one another's individuality and enjoy one another's company (RP 460).

From this metaphor it is clear that humans, like porcupines, have a nature, and because of that they mutually need each other, while not being able to satisfy their common needs because of their "spikes". Thus, there is a human nature which both makes humans associate and makes them keep their distance from each other at the same time. This, then, is indeed a human nature. Oakeshott and Schopenhauer continued the Hobbesian spirit: human beings are condemned to live together with those who are their competitors, their adversaries, and who can harm them in countless ways.

There seem to be three elements in Oakeshott's implicit anthropology. First, the human is "intelligent agent" (1999, p. 130) and second, he is free, and finally, he is searching for satisfaction, but he is insatiable. We have already seen that human beings interpret their situations and the challenges that confront them and act accordingly; they are not "celestial bodies" obedient to impersonal forces, as Comte, Marx, and their present-day disciples would have us believe:

> What "intelligence" means here is the ability and the propensity not merely to accept what the world happens to offer in satisfaction of needs but to seek for what it does not immediately offer, to adapt, to use, to appropriate, and to invent: it is the propensity to choose and to determine for ourselves what our relationship to the world shall be. And in this process, needs are replaced by wants. Indeed, to be "intelligent" means to be a creature not merely of needs that must be satisfied, but of wants that are imagined, chosen, and pursued. Needs are limited and are related to some notion of bare existence. Wants are inexhaustible because they are related to no fixed condition of things. Human beings, then, are distinguished as creatures of wants (Oakeshott 2004b, pp. 303-304).

The Hobbesian elements in Oakeshott's mind are widely discussed by his commentators, but Elizabeth Corey turned our attention in her seminal work towards Oakeshott Christian pessimist anthropology. (Because of his anthropology he cannot be unproblematically integrated into the liberal canon, and, maybe, that is why his anthropology seems to be missing from the commentaries on his work).

Although Oakeshott considered Hobbes' *Leviathan* to be a myth, that is, a shadow for the cave dwellers, he could not escape from this Augustinian[6] tradition of vanity and rapacity when he wrote about the understanding of human action. The public mind of Hobbes' age was dominated by the theme of vanity, of which the best known commentator was St. Augustine. He wrote about human insatiability in his commentary on Ecclesiastes 1:2 ("Vanity of vanities, says the Preacher, vanity of vanities; all is vanity") lending a moral tone to this element of human nature. The satisfaction of desires, and especially of vanity, is always fleeting and temporary, as indicated by the Hebrew *hevel* (הֶבֶל).

The theme of human insatiability was the basis of practical experience in *Experience and its Modes* (EM), although it did not make any reference to its political or moral consequences. Actually, insatiability is the essential characteristic of practice. That is why, practice cannot be permanently suspended, it inevitably must intrude into whatever flight of fancy or detached contemplation. The world of practice involves actions meant to change things, to achieve a wished state. Practice consists of the continuous and never-ending adjustment of the "here and now" to correspond with the "what ought to be" (EM 256-73). So, people can never be satisfied.

Oakeshott's essay on *Work and Play* expresses insatiableness: "Every success, every want satisfied in this enterprise, must be only a prelude to a new adventure." Moreover, "a creature composed entirely of wants, who understands the world merely as the means of satisfying those wants and whose satisfactions generate new wants endlessly, is a creature of unavoidable anxieties" (Oakeshott 2004b, p. 304). EM emphasizes that frustration, then, is an essential part of human life, and leading a practical life is futile. The eternal dissatisfaction is the core of practice: "The judgments that 'This is valuable' and that 'This is here and now', are never identical" (EM 283, 290-91). "The problem has been postponed, not solved" (EM 266). This frustration is the source of action what is always for change (EM 290). It should be emphasized, however, that insatiability—Augustinian *avaritia*—and, with it, enterprise association became dominant only in the modern era (Oakeshott 2004b, p. 305).

Describing humans, Oakeshott's view is remarkably similar to Schopenhauer's, who concluded, like Hobbes, that *homo homini lupus* (Schopenhauer 2011, p. 642). He expanded on this theme as follows:

> Awakened to life from out of the night of unconsciousness, will finds itself as an individual, in an endless and boundless world, among countless individuals, all striving, suffering, erring, and as if through a troubled dream, it hurries back to its old unconsciousness.—Up to this point, however, its desires are limitless, its demands inexhaustible, and every satisfied desire gives birth to a new one. No possible satisfaction in the world could suffice to still its craving, to set a final goal to its desiring and fill its heart's bottomless abyss (Ibid., p. 637).

Beside continuous frustration, another important element of Oakeshott's implicit anthropology is the presence of individual freedom in intelligent understanding. He set freedom against the managerial type of government or the teleocracy, as well as against scientistic determinism. It may be that he rejected the notion of "human nature" because of his disdain for determinism—whether moral-theological (original sin) or economic, social or biological (OHC 112, 122). The reasons, and not the causes, behind any action are inextricably linked to this free exercise of human intelligence. For Oakeshott, intelligence and freedom are inseparably tangled. Even here, though, he was ambiguous. In part, human actors as actors interpret the world around themselves and permanently make decisions during this interpretation, so freedom seems to be an ahistorical characteristic of humans, while this free and self-creating individual is also partly an historical achievement of post-Renaissance Europe. Although freedom arising from understanding is an inherent element of action, this freedom is cultivated by individualism and civil association, whereas enterprise association diminishes it, or perhaps even extinguishes it. The mass individual of our age, as he described, is far from intelligent freedom. Perhaps it is not ahistorical after all.

NO CONCLUSION

The ideal of the rule of law in the Antiquity was connected to the natural law tradition and its optimistic view of man: human nature contains at least the spark of reason, so human being can realize the benefits of the rule of law. Hobbes connected the ideal of rule of law to the pessimistic anthropology, but he referred to human reason which may lead people to the realization of the utility of authority and the rule of law (date/ref). However, in Oakeshott one cannot find any reference to reason. Instead, he trusted rather civility, a habit which may emerge locally in history.

Even if one cannot find overt reference to the idea of original sin in case of Oakeshott, one can find hints of it in his works. For example, OHC speaks about the piety which kept barbarism at bay (OHC 66). What on earth can be the source of barbarism? The uncivilized people are barbaric?

The problem with this implicit anthropology is that—just like in case of St. Augustine and Hobbes—it may explain the sources of conflicts and prove the necessity of worldly magistrates, but it struggles to confirm the plausibility of the civil association. As I mentioned above, civil association is a moral relationship, and its habitants seem to be rather idealized, virtuous people. It is clear that pious and cooperative

people do not need law and authority, but why do antagonistic people, meanwhile, accept limiting laws and authority, thus increasing their insatiability? St. Augustine's answer is clear: they accept it due to enforcement. But if human nature is a given, could we imagine that humans could be able to liberate themselves from that unpleasant human condition by an intelligent choice as the historical creation of the culture of rule of law? (According to Saint Augustine, human beings are saved from their fissiparous nature by divine grace. According to Oakeshott, it is civilization—formed through a fortunate historical constellation—that can save human beings from their barbaric, conflict-ridden nature.) After all, could it be a safe harbour (even if, the moderns have already lost it)?

If "civil association is a moral condition, it is not concerned with the satisfaction of wants and with substantive outcomes but with the terms upon which the satisfaction of wants may be sought" (OHC 174). How then can it emerge and exist in the context of the human insatiability? Why would people accept the limits of moral relationship? Is the emergence of moral relationship, i.e., the rule of law, a simple historical accident?

Human insatiability has become a moral and political problem in OHC. Because of this, pious morality, noble pride (magnanimity), and modesty are fragile things, and therefore the rule of law and authority are fragile, too. So, "there is a radical conflict between the nature of man and the natural condition of mankind: what the one urges with hope of achievement, the other makes impossible . . . and it is neither sin nor depravity that creates the predicament; nature itself is the author of his ruin" (OHC 36). Does not this permanent frustration and dissatisfaction always results in rebels, resistance and efforts to demolish or reconstruct laws? Obviously, yes. So, the rule of law can be only an ideal, and it may exist for very short periods. And these periods may be called "historical achievements" which necessarily eventually collapse. The rule of law requires the limitation of substantive aims—interests, effectivity, etc.—, some ascetic moral self-discipline. Ressentiment always has to be dealt with.

Oakeshott's answer is that civil association is a historical result, so we may arrive in Arcadia or into a safe harbour from the impositions of the enterprisers. Civil association presupposes a "system of behaviour, dispositions and beliefs that develops over time". That is, civil association is a mental habit, a type of tacit knowledge, and not a reflective idea. It thus also contains *sui generis* authority, a sense of obligation and the *cives* (somehow ameliorated, not so passionate and wilful, but intelligent and decent actors).[7]

A civil association and civil intercourse are historical practices, produced during the history, its author is the *Volkgeist*, the local human intelligence (OHC 177-80). The rules of civil intercourse arose in practice, they are not universal, at all. In general, it seems that moral or non-instrumental practice—religion, civility and civil association—, is a lucky historical development indeed which is able to liberate humans from the yoke of their insatiable nature and its unpleasant consequences. Or, at least, it may conceal the combative nature of humans.

In the idealized case of the rule of law, people accept laws not because of fear or some hoped gain, but because of the authority of law. But, why do they need laws? Or are the laws are necessary because of those that require force? It is as if Oakeshott supposed tacitly—following St. Augustine—a *civitas permixtae* in which the characters of *universita*s and *civitas* can be found together. The *cives* who accepts authority and the law does not need to be constrained, because they act morally; however, with the support of law and authority, they are able to compel those who act instrumentally to observe the limits of laws.

Human nature needs a ruling authority, but this nature corrodes and destroy authority continuously. Oakeshott writes that "since the need for authority springs from the passions of men, the authority itself must be commensurate with what it has to remedy" (OHC 63-64). Every description of the rule of law involves humans at once being the problem and the solution to the inherent difficulties of the rule of law.

Oakeshott learnt from Plato that even in the ideal state a myth, a white lie (in Plato's republic different metals mixed in blood) is needed to make people accept the world around them. Oakeshott followed this approach by naming the Leviathan a myth. Could this habit, civility, developed over the course of history and tacitly learnt, change or defeat human nature?[8] Is the possibility of overcoming human nature not itself

a part of the modernist myth, a shadow in the cave? The rule of law and the connected habit developed in history seem to be a pleasant myth.

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NOTES

1 "A statesman differs from a professor in an university: the latter has only the general view of society; the former, the statesman, has a number of circumstances to combine with those general ideas, and to take into his consideration. Circumstances are infinite, are infinitely combined, are variable and transient: he who does not take them into consideration is not erroneous, but stark mad; dat operam ut cum ratione insaniat; he is *metaphysically mad*" (Burke 1887, p. 41.).

2 Oakeshott used this phrase in two forms: telocracy and teleocracy.

3 Wolin "should have supposed me here to be constructing "an ideal society," a "heavenly city," so far superior to all other modes of human association that they must be considered of no account beside it, is ridiculous. This was not a "city," there was nothing whatever "heavenly" about it, and it had no inherent superiority to other modes of association."

4 Halifax (1912, p. 48.): "This innocent word Trimmer signifieth no more than this, that if men are together in a boat, and one part of the company would weigh it down on one side, another would make it lean as much to the contrary"; and Burke (1987, p. 218.): "when the equipoise of the vessel in which he sails may be endangered by overloading it upon one side, is desirous of carrying the small weight of his reasons to that which may preserve its equipoise."

5 In spite of his rejection of the notion of "human nature", many commentaries read him this was. See Corey 2006, p. 24 and Wood 1959, p. 654.

6 "pursues one thing after another, and nothing remains permanently with him" (Augustine 1964, p. 37).

7 For Oakeshott as in general in the notion of authority, neither reason, nor reasoning can result in authority.

8 Peter Johnson (2007, p. 313) interpreted Schopenhauer's and Oakeshott's texts as implying the defeat of human nature: "We must be clear that in his re-telling of the story, Oakeshott does not picture porcupine-individuals as discovering a system of manners as Schopenhauer does. What Oakeshott's porcupine-individuals discover is civil association."

OAKESHOTT IN BRAZIL

PREFACE

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This issue of *Cosmos + Taxis* brings to its readers a representative sample of the research conducted on the work of Michael Oakeshott in Brazil by the Political Philosophy Research Group (*Núcleo de Filosofia Política*) of the Laboratory of Politics, Behavior and Media (Labô)—an academic initiative supported by FUNDASP, the governing foundation of the Pontifical Catholic University of São Paulo (PUC-SP).

Labô's primary mission is to produce high-quality academic knowledge and make it accessible to a broader audience. In keeping with this directive, our research group has sought to present its work in diverse formats. For several years now, the group has engaged deeply with Oakeshott's thought: beginning in 2020, we have organized public lectures, seminars, live reading and discussion sessions, edited books, and published numerous articles directly on Labô's platform. The articles presented here originate from an open-access publication developed by our group to explore the many facets of Oakeshott's philosophy. Our researchers have since translated these texts into English so that they might reach a wider international readership through *Cosmos + Taxis*.

Compared with the original Portuguese edition, this collection introduces a new article as well as an expanded, revised essay of my own, in which I offer a broader context for the current state of Oakeshott scholarship in Brazil. Our goal is to share with English-speaking readers some of the perspectives and avenues of inquiry developed by Brazilian scholars, thereby joining this extraordinary network of Oakeshott studies. In this regard, we cannot thank the editor of *Cosmos + Taxis* enough for opening its pages to our work and making this special collaboration possible.

Michael Oakeshott in Brazil: Building a Legacy

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THE BRAZILIAN LANDSCAPE AND THE RECEPTION OF MICHAEL OAKESHOTT

Political philosophy in Brazil has long enjoyed a serious and sophisticated tradition. Over the decades, Brazilian scholars have engaged deeply with the broad currents of Western thought, producing rigorous studies on classical authors, the historical evolution of political institutions, and the distinct dilemmas of our own national development. Yet, despite this intellectual vitality, the work of Michael Oakeshott remained neglected for far too long. The reasons for this omission are varied, reflecting the dominance of specific ideological and theoretical currents within Brazilian universities. The consequence, however, was plain: one of the twentieth century's most original political minds was largely absent from our academic curricula and public debates.

This state of affairs began to change steadily over the past decade, driven in large part by the gradual arrival of Oakeshott's writings in Portuguese. For years, the only translation available in Brazil was his historiographical collection *Sobre a História* (*On History*), published in 2003. A decade later, in 2014, a collection entitled *Conservadorismo* brought together three selected essays from his best-known work, *Rationalism in Politics and Other Essays*. Some time later, in 2018, the translation of *The Politics of Faith and the Politics of Scepticism* was published, an essential work that offered the public a necessary framework for understanding the historical tensions between interventionist and skeptical styles of governance. With these publications, commentators and intellectuals began to cite Oakeshott with greater frequency in public debate, though still somewhat occasionally, drawing on his concepts to try to understand some of the impasses of the national political moment.

At the academic level, an institutional turning point occurred in 2018 with the founding of the Laboratory of Politics, Behavior, and Media (Labô), created by FUNDASP, the governing foundation of the Pontifical Catholic University of São Paulo (PUC-SP). Labô was conceived to produce rigorous academic scholarship that engages directly with society, reaching beyond university walls. Within this framework, we established the Political Philosophy Research Group with the explicit purpose of researching the Anglo-Saxon political philosophy tradition, paying particular attention to its skeptical foundations, its appreciation for tradition, and its defense of pluralism.

From 2020 onward, the Research Group focused its attention systematically on Oakeshott's work, organizing seminars, debates, and conferences, including an address by Professor Timothy Fuller, one of the world's foremost authorities on the philosopher and editor of several of his foundational collections. To consolidate this initiative and facilitate access to the author, for researchers as well as the general reading public, we created the Michael Oakeshott Room (*Sala Michael Oakeshott*), a digital platform integrated into the Labô portal that gathers comprehensive bibliographical surveys, essays by Brazilian and international specialists, and the work of our own group members.

Our research trajectory followed a coherent path. We began with a close examination of the essays in *Rationalism in Politics* and Other essays, proceeding to the collections edited by Timothy Fuller, such as *The Voice of Liberal Learning* and *Religion, Politics and the Moral Life*, alongside *Morality and Politics in Modern Europe*, and culminating in a study of his mature systematic work, *On Human Conduct*. A core pillar of the group has always been the commitment to publish essays, studies, and translations on our portal, which culminated in December 2024 with the launch of the inaugural issue of the *Laboratory of Essays Review (Revista Laboratório de Ensaios)*, an open access online publication dedicated exclusively to Michael Oakeshott.

The maturation of these research efforts unfolded into books characterized by collective scholarly production. In 2025, we published *A Filosofia Política de Michael Oakeshott* (*The Political Philosophy of Michael Oakeshott*), bringing together contributions from Brazilian scholars as well as Portuguese scholars from the Institute for Political Studies at the Catholic University of Portugal, establishing an enriching dialogue between Brazil and Portugal on the English philosopher. In the same period, it published *Michael Oakeshott no Oceano Ilimitado da Política* (*Michael Oakeshott on the Boundless Ocean of Politics*), featuring contributions from several present and former researchers from the Group as well as university professors across the country. In 2026, the volume *Conversação: ensaios de Michael Oakeshott* (*Conversation: Michael Oakeshott´s Essays*) was published, bringing for the first time into Portuguese three essential articles by the author addressing conversation, a fundamental aspect of Oakeshott's mature thought. In its most recent stage, the Research Group has placed Oakeshott in critical dialogue with other major twentieth-century thinkers, such as Leo Strauss and Thomas Sowell, analyzing convergences and divergences among these thinkers regarding the foundations of political philosophical thought. This sustained work is already bearing clear fruit, inspiring master's dissertations and doctoral theses, and embedding Oakeshott clearly within Brazilian academic life.

TWO FUNDAMENTAL PILLARS FOR THE BRAZILIAN CONTEXT

Studying Oakeshott's vast body of work from a Brazilian perspective reveals that its value lies not only in the academic interest of his formulations, but in the singular capacity of his ideas to respond to concrete problems within our civic life. Among the many possible contributions, we consider two aspects absolutely fundamental for the national debate.

The first is his reflection on liberal learning and culture understood as a wide-ranging conversation composed of many voices. In a country marked by severe polarization and utilitarian immediacy, rediscovering the meaning of formative education is an urgent task. The second aspect is his principled defense of the limits of politics and his critique of the contemporary illusion that all dimensions of human existence must be subordinated to the struggle for power. Below, we examine each of these two points a bit more closely and consider their relevance for our time.

THE PLURALITY OF VOICES AND EDUCATION AS CONVERSATION

Our contemporary social life is marked by an enormous difficulty in dealing with differing worldviews and their forms of expression. In present-day Brazil, the digital environment and the interference of social media algorithms have exacerbated this condition, feeding opinion bubbles, tribalism, and mutual intolerance. Faced with this situation, we must ask how to confront this problem in a deep and lasting manner. Although there are no simple solutions, any consistent response necessarily involves conscious action in the field of education.

In a seminal 1975 essay entitled "A Place of Learning," Oakeshott develops his vision of learning, both within the university and in civic life itself. For him, learning is precisely what makes us human. The philosopher argues that our life in society is constituted by multiple cultural expressions accumulated by

humanity over centuries. He calls these expressions languages, each possessing its own voice. Thus we find the natural sciences, history, poetic and artistic imagination, practical daily life, and philosophy itself.

For Oakeshott, liberal education is the formal process through which the individual is initiated into this intellectual, moral, emotional, and imaginative heritage of civilization. It is called liberal precisely because it liberates the student from the urgencies of the present moment, from purely utilitarian pressures, and from the immediate necessity of satisfying contingent desires. From this perspective, culture is not a chaotic heap of opinions, but a harmonious variety of distinct languages of understanding, which represent the most mature expressions we have of human self-understanding.

Culture can therefore be conceived as a meeting of voices that unite in the only authentic and free way possible: in a conversation. Oakeshott describes conversation as an endless, unrehearsed intellectual adventure during which we gain access to different ways of looking at reality. In this conversation, the absence of a definitive conclusion or a single answer is not a weakness, but the very testament to the richness and diversity of human life.

Liberal education consists of educating the imagination and teaching the art of this conversation, enabling the individual to recognize each voice in its own dignity, without allowing any one of them to dominate or silence the others. It is through this learning that we develop the moral and intellectual habits required to live in society. The capacity to enter this conversation and respect the plurality of voices is the most powerful resource we have to overcome the authoritarianism and polarization that divide us today. This is, in the most authentic sense of the term, a true education for diversity.

THE LIMITS OF POLITICS AND THE FREEDOM OF CIVIL SOCIETY

While in the sphere of education Oakeshott's thought teaches us to value plurality, in the political realm it offers an indispensable warning: politics requires clear limits so as not to suffocate the other spheres of human life. The idea that "everything is political" has become a widespread dogma in our day, but we must ask whether this belief has been useful to society. Oakeshott firmly argued that it has not. In his essay "The Claims of Politics," he defended the view that political activity, to fulfill its role virtuously, must have a limited scope; otherwise, it risks compromising fundamental liberties.

Oakeshott was a skeptical thinker and rejected the easy solutions of what he called Rationalism. He saw rationalism as a mental habit that attempts to frame the complexity of human life into simplified theoretical schemes, treating society as a mechanism to be repaired by abstract projects of social engineering. This way of thinking fuels the so-called politics of faith, which turns government into an instrument designed to impose mandatory collective goals and ready-made visions of social perfection. Against this posture, Oakeshott set the politics of skepticism, which views the governing function with prudence and modesty, aimed at preserving peace and respecting the choices of each citizen.

This reflection achieves definitive clarity in the distinction the philosopher establishes between two models of human association: *universitas* and *societas*. An *universitas* is an enterprise association, in which people are brought together around a common collective purpose, and individuals end up being viewed merely as instruments for achieving that predetermined goal. In its most extreme expressions, this model opens the way for the cancellation and nullification of anyone who does not align with the common purpose imposed by central authority.

Conversely, *societas*, or civil association, is the model Oakeshott defended as the safeguard of freedom in the modern world. Within it, individuals are not compelled to pursue the same life objective. They live together peacefully under a body of general and impersonal laws that function as rules of conduct, allowing each individual to pursue their own purposes and vocations. The laws of a civil association are non-instrumental: they do not dictate what each person must do or produce, but merely establish the just conditions for all to act without frustrating one another.

In this context, government has a limited and sober role. Governing is not leading a crusade toward an obligatory destination, but providing a stable framework of rules so that manners of conduct are less prone

to result in destructive collisions. The government must act as an umpire that maintains order and resolves friction, respecting the multiplicity of individual purposes.

Furthermore, the idea that "everything is political" fails grievously by ignoring the richness of human experience. Civilization flourishes only when we recognize that art, friendship, spiritual seeking, family life, and disinterested reflection possess intrinsic value and require no ideological justification to exist. As Oakeshott pointed out in "The Voice of Poetry in the Conversation of Mankind," the attempt to politicize all areas of life is a true corruption of consciousness, destroying the autonomy of non-political activities. Rejecting the maxim that everything is political does not mean devaluing politics, but affirming our capacity for self-determination and preserving the spaces where life can be lived in its full and diverse expression.

It is striking to observe how Oakeshott's reflection anticipates with precision the phenomenon of the culture wars that dominate public debate today. We live in an environment in which ideological dispute has overflowed the institutional boundaries of politics and begun to colonize virtually every dimension of social existence. Personal relationships, moral values cultivated in daily life, religious beliefs and practices, artistic production, and even the intimacy of family life are under constant pressure to take sides and fit into the camps of a polarized struggle. When everything becomes a trench, mutual trust unravels, and common life loses its spontaneous warmth and delicacy.

Faced with this stifling environment, Oakeshott's thought offers far more than a refined diagnosis: it provides intellectual instruments essential for understanding what is being threatened and for constructing a balanced response. The concept of conversation restores our capacity to listen and live with different voices without attempting to silence them, while the idea of *societas* reminds us that a free society does not demand uniformity of purpose, but only respect for shared rules of civil coexistence. Together, these two concepts form a solid and serene foundation for any action aimed at defusing the dramatic polarization of our time, protecting society from its own fragmentation and preserving the spaces of liberty where real life takes place.

CONCLUSION: A HORIZON FOR THE BRAZILIAN DEBATE

The trajectory of research and dissemination developed by the Political Philosophy Research Group at Labô is not a purely academic exercise detached from our reality; it represents a living contribution to the renewal of ideas in Brazil. Over recent years, the work of producing and translating articles, editing books, organizing conferences, and training new researchers has allowed such sophisticated thought to take firm root within our intellectual and university environment.

This institutional construction takes on its full meaning when articulated with the two major themes we have examined. The defense of liberal education as an open conversation of many voices and the insistence on the necessity of limiting political power offer mature and balanced responses to the impasses of contemporary Brazil. At a moment marked by discursive extremism and the constant temptation to place society under guardianship, Michael Oakeshott emerges as a steady reference. He reminds us that true civility consists not in imposing absolute certainties, but in protecting individual liberties, preserving spaces of coexistence, and keeping alive that generous, unarmored conversation that defines the very best of human experience.

In his own words,

> *"In a conversation the participants are not engaged in an inquiry or a debate; there is no 'truth' to be discovered, no proposition to be proved, no conclusion sought. They are not concerned to inform, to persuade, or to refute one another (...); they may differ without disagreeing."* [1]

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NOTES

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The Notion of Law According to Michael Oakeshott and the Idealism in Brazilian Law

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1. THE NOTION OF LAW IN OAKESHOTT

In his book *On History and other essays*, there is a chapter entitled "The Rule of Law", regarding the implications of the Law as the ruler, supporter and conductor of a distinct and unique type of political arrangement observed in Western Europe since the Modern Era. Through rigorous analysis of the constituent and structuring elements of this specific associative mode, and anchored in the registers of human experience extracted from past events and artifacts that participated in the historical formation of social bond under the aegis of norms defined by agreements between existent groups in the Europe, Oakeshott explains and develops, within his perspective on Political Philosophy, an ideal notion of Law.

The essay evokes, initially, an explanation of Michael Oakeshott's view of models of human congregation, dividing them into two ideal and fundamentally non-reductive types. The first consists of a transactional association: when through plans and targets established and acknowledged by the participants in the association, the intent is the satisfaction of substantive interests. In the words of the author himself, there is:

> a relationship in terms of substantive needs and satisfactions that occupy time and look towards a future, in which the means employed may include instrumental rules, arrangements, and practices, but which is not subject to any considerations other than the power to achieve a purpose (Oakeshott 2003, p. 198).[1]

As an example, one may cite trade of goods or provision of services, which can take place through direct exchange between people or through cooperation of efforts with a view to the previously indicated end. In other words, there will only be "Purpose, Plans, Politics, and Power" (Ibid.).

The second type, despite the similarities in organization (there are active individuals and intelligently designed procedures), differs substantially from the other case because it lacks any desire to obtain a concrete substantive interest, either current or future. As the author establishes in this excerpt:

> The expression 'the rule of law' refers to human associations. It is meant to signify human beings associated through the recognition of certain conditions of association, namely 'laws': human beings gathered by an exclusive and specific mode of relationship (p. 191).

In another part of the essay, the explanation is reaffirmed:

> The expression 'the rule of law' accounts for a relationship whose unique and exclusive conditions are rules of a certain kind, namely laws. But these laws are not like the 'laws' of chemistry, psychology, or economics, which aim to predict what will likely happen or explain what has already happened; they are human inventions intended to declare the conditions of a human relationship (p. 193).

And also:

> The expression 'the rule of law,' in its precise sense, signifies a mode of moral association that is realized exclusively through the acknowledgment of the authority of known and non-instrumental rules (that is, laws), which impose upon all those who fall within their jurisdiction the obligation to submit themselves to adverbial conditions in the performance of voluntary actions (p. 213).

In this case, people follow a proposal that characterizes itself by the construction of common and mandatory objective rules capable of conditioning and validating behaviors, practices chosen by individuals or institutions. The ultimate purpose is not to create foundational elements to achieve the substantive goals that were elected, but rather to promote agreements that seek to delimit free movements and attitudes that would be acceptable, as long as the rules are respected, under the possibility of punishments to be imposed by adjudicative bodies. The interests of citizens belong to the private sphere, as each individual pursues his or her own desires. Any interventions would be restricted to guarantee that those agreed rules are respected, as violations would put the constructed association at risk. It will be this associative pattern subordinate to the legal dictates made public that will conduct the reflection proposed here. It remains to be seen, then, what the nature of the Law would be in this regard.

The definition of Law is presented by Oakeshott as "indeterminate prescriptions of generic adverbial obligations" (p. 222). The Law will be the prescription of "adverbial conditions" not concerning concrete cases, but constituting authoritative requirements for necessary compliance, with the possibility of having punishments because of the potential inadequacies. These conditions are understood in the pursuit of "substantive satisfactions" freely chosen by the agents affected by the authority of the jurisdiction. The Law will be, then, decomposed by Professor Oakeshott into two constituent elements, each dealing with a specific aspect of the Norm: *Lex* and *Jus*.

The concept of *Lex* addresses the behavioral prescription that conditions the individual that integrates society. This procedure transforms habitual practices and behaviors developed over the years, in an intelligent and voluntary manner, though not as the result of rational deliberation, into binding norms by the agents who have freely associated themselves in a context governed by contingency. These prescriptions become general rules that validate the means to consume the interests and needs elected by the individuals.

According to Oakeshott, the notion of *Lex* encompasses certain constituent aspects that imply in it the ideal character (typical, characteristic), namely, "non-instrumentality, indifference to persons and interests, the exclusion of *privilege* and marginality, and so on" (p. 241, italics in the original text).

The "non-instrumentality" relates to the content of the norm not constituting in itself something that should be a way to obtain some substantive good. Rather, the obligation just establishes the limits for the individual to choose the ways or measures that suit them in the pursuit of their interests. Therefore, the rule will not be a practical guide for purpose satisfaction.

The so-called "indifference" registered by Oakeshott relates to the general and broad character of the norm, whose scope encompasses everyone who belongs to the society during the period in which the norms remain in force. Even if it comes to the conclusion to merely regulate less common acts, the rule

approved by the Legislative does not provide a foundation for individual cases. Based on the analogy with a form of game, the norms apply to any matches or events of that type.

By "marginality" in the concept of *Lex*, Oakeshott treats the peripheral character of the norm. The reason is easy to understand: the book of rules or legal anchorage will never assume the protagonism in public sphere, which is built by free and intelligent action from the citizens. The rules would also exercise, while people are in that region, the role of foundations and surroundings that hold the power to remind those concerned that all their lives will be marked by the obligation to respect primary commitments that originated in the consolidations of that arrangement.

Another constituent basilar element in *Lex* formation is the notion of formal equality that underlies all legislative discussion. No one will receive powers or privileges to the detriment of another person, given that the balance of forces in society requires individuals to comprehend that the rules ignore prominent figures within that association. The prestige or certain relevance of arbitrators will stem from the typical functional exercise: preserving order, ensuring compliance with the law and setting legal procedures in force. Only in this hypothesis is it necessary to have a concession of power to some individuals and institutions.

Furthermore, the concept is inserted in the discussion of *Lex* identifying its real and effective source. The competence for that enterprise belongs to the legislative instance created, or acknowledged, by the associates. Because this organism will benefit from two powers: to promote the modifications in the set of rules (either through creation or through repeal) to control habits and behaviors of individuals; and conferring authentication on the dictates (a term used by Oakeshott for validity), because only rules submitted to the scrutiny of the Legislative Branch will have recognized coercive force and will form the instrumental basis in which adjudicative body may resort in situations of possible non-compliance with the "rules of the game".

The matter is complex and requires careful analysis because the formation of the law encompasses the so-called *Jus* criteria, namely the moral discussion that permeates the origin of the rules of positive law, interfering in the ultimate architecture of the normative set. People conceive rules of behavior taking into consideration values, precepts and traditions of diverse natures, for example religions, myths, philosophies, as long as they are familiar or close to them. To establish a parameter for action means giving it public legitimacy in society. Oakeshott addresses the issue as follows:

> the *jus* or *injus* of a law is composed of considerations by means of which a law may be recognized not only as something that has been appropriately approved, but as proper or improper to be - or to have been - approved; beliefs and opinions invoked when considering the propriety of the conditions prescribed by a particular law (p. 218).

The generic guidelines will be well defended when identified with the Notion of Justice present in the common morality of that specific group. For justice, and moral discourse that follows, Oakeshott works with the judgment of public approval of the rule, that is, this previous judgement seeks to imply the consent or confirmation of the agents to the Norm produced in ways of being incorporated to the "book of rules".

It's not enough for the Legislative to simply exercise its competence and bring to light random orders to that society in which sees itself included. It's imperative that the legislators are able to translate objectively and obey strictly the common morality that exists in the common and regular discourse observed in the community. The means to contemplate the concrete manifestation of this morality, and even to identify it, are the habits, customs, and rites incorporated into various social spheres, which give life to the moral imagination that will ensure legitimacy to the adverbial prescription that has become public law.

In another part of the chapter, Oakeshott writes:

> What this mode of association requires for determining the *jus* of a law is not a set of abstract criteria, but a form of appropriately argumentative discourse by which the matter is deliberated upon; that is, a form of moral discourse not concerned with the rightness and wrongness of human conduct generally, but intensely focused upon the kind of conditional obligations a law may impose, which is undiverted by consequential and prudential considerations and set apart from spurious claims of conscientious objection, of exceptional treatment for minorities and, so far as possible, of current moral idiocies (pp. 221-222).

Oakeshott's proposal clarifies that the legal regency system, if it is the predominant form of the great association, derives from another binding framework, but stems from the specific historical experience translated and verbalized into various rituals and procedures that embody common beliefs and values. The moral framework is informal by nature, with public norms being a step that succeeds a long period of agreements, deliberations regarding various purposes, such as commercial transactions. However, those norms were indirect manners of bringing to concrete reality what was considered "correct" or "right" by citizens.

To follow up with the proposal of this present reflection, however, it remains to bring to the discussion Oakeshott's notion of rationalism created in his own philosophical proposition, before we proceed with juridical discussion.

2. JURIDICAL IDEALISM AS AN EXPRESSION OF THE POLITICS OF FAITH

According to Oakeshott in his books *Rationalism in politics and other essays* (1991) and the posthumous *The Politics of Faith and the Politics of Skepticism* (2018), modern rationalism manifests itself in political arena through the belief in reason as an essential tool or "infallible guide" (1991, p. 8) for dealing with the formation and the internal dynamics of social arrangements, logically. There would be a principle or set of abstract and rational deliberations capable of guiding political actions towards the perfect, unequivocal formulation of human association. Rationalism represents the willingness to believe in and seek the consubstantiation of an idea of perfection of the political arrangements, according to the theory elaborated by intellectuals and researchers, such as philosophers themselves, for example.

This perspective was developed by free thinkers throughout the centuries and is not restricted to a determined historical period. On the other hand, Oakeshott clarifies it:

> Among these ideas there are several which carry an indelibly modernist appearance, and if these are the roots of the politics of faith it would be unwise to push their emergence back to the beginning of modern history. Nevertheless, these beliefs have had a much longer history than is commonly supposed, and although I have stated them, for the most part, in the confident and adult language of the eighteenth century, they came to bloom much earlier. (2018, p. 59).

The social vices and ills identified in the contingent reality by different individuals from modern era would be overcome (or surmounted) through useful and effective political and juridical instruments to reorder forms of popular and governmental/state participation. It would occur in view of the ideal society project which, if implemented, would guarantee freedom from failures and conflicts of any kind, or at least a significant reduction in them, with supposedly significant gains to the well-being of society. It was theorized by Oakeshott as "politics of faith", as observed in the following paragraph:

> In the politics of faith, the activity of governing is at the service of the perfection of humanity. There exists a doctrine of cosmic optimism that attributes an inevitable perfection to the universe,

> not through observation, but through the inference of the perfection of its creator. There is also a doctrine according to which human perfection emerges as a divine, assured gift, though unmerited. However, the idea of human perfection, characteristic of the politics of faith, far from deriving from either of these doctrines, in fact contradicts both. In the politics of faith, human perfection is pursued precisely because it is not already present; moreover, it is believed that we should not, and indeed cannot, depend on divine providence for the salvation of humanity. Human perfection must be achieved through human effort, and in this case, trust in the ephemerality of imperfection stems from faith in the power of man and not in divine providence. Perhaps we are encouraged to believe that our efforts count with approval and even support from perfection itself, and that we will inevitably reach it through our own unrelenting effort" (2018, pp. 57-58).

Based on the above, would it be possible to identify an idealistic notion of law based on the rationalist conception of law as evidence of a policy of faith in the juridical universe?

3. THE 1988 CONSTITUTION OF THE REPUBLIC AND THE IDEALISTIC FACE OF BRAZILIAN LAW

The main norm of the Brazilian state is the "*magna carta*" promulgated by the Constituent Assembly in 1988. This document structured the national legal framework, established the key aspects of the sociopolitical order that prevailed following the end of the military regime, and decreed the separation of powers and the obligations of the Branches of Government—Executive, Judiciary, and Legislative.

According to the third article of the Constitution:

> The fundamental objectives of the Brazilian Republic are: I—To construct a free, just and solidary society; II—To assure national development; III—To eradicate poverty and marginalization and to reduce regional and social inequalities; IV—To promote the well-being of all, without prejudices of origin, race, sex, color, age or any other form of discrimination.

In the highlighted sections we can identify, among the purposes of the original constitutional power, that the Brazilian state shall apply its entire juridical-bureaucratic organization in the pursuit of the goals that were constitutionalized. This behavior adopted by the framers of the new political pact submits the entire Brazilian society to the interests that this representative Assembly designated as priorities. Brazilian political arrangements may have other intentions in the activities they assign to themselves and to which they are dedicated, but they are obliged, by force of the current legislation, to consider the social project defined in article three of the Constitution as something at least minimally similar to their own particular plans.

This way, the methods used by official bureaucracy intrude into the architecture of associations to impose diverse goals upon them to be achieved, because society well-being idealized by the State would be so important that the national citizens would need to strive in consummation.

In light of Oakeshott's theoretical explanation, the presence of abstract idealism in the Constitution of the Republic configures, arguably, evidence of conjugation of what is named by him as "politics of faith" with the mutation in the basic meaning of the law. Instead of political and juridical action being anchored in historical experience, seeking to preserve the link between contemporary intentions and old movements and restricting juridical apparatus to what is common in the complex network of relations and moral language that shape social tissue, the State decided, with the consent of main political groups, but to the detriment of the plurality inherent in society, to list ideas that will guide Brazilian destiny.

Nowhere in the Political Charter, and much less in the vast, and contradictory, national legislation is there indicative data or general guidelines regarding what would be the definition of an "egalitarian and just society". What objective reality in the factual world does this plan refer to? What would be the

basis of the project in society, with the exception of notions shared by groups connected to ideologies? Would it be viable to sacrifice the broader interpersonal arrangement that forms the country, with a view to substituting it with something whose plausibility was never verified outside the universe of theoretical speculations? And in light of the totalitarian experience of the 20th century and its serious consequences would repeating this idealistic adventure not cause the social body to collapse again?

Political idealism can also be observed in the Constitution of the Republic, according to article 193: "the social order is based on the primacy of work and has as its objective social welfare and justice". Thanks to the content of this norm, located in Title VIII of the Political Charter, social order will be regulated by principles without legal definition (open-ended norms), therefore, who, then, will be entrusted with the task of defining the essence of the key concept contained in the article? It will be up, simultaneously, to judges that oversee normative arrangements and determine sanctions to proven offenders who will be tasked to "usurp" a prerogative traditionally belonging to the Legislative Branch, giving meaning to binding norms through sentences or appellate decisions made by judges who were not elected or appointed to represent interests, but rather must act impartially?

Beyond the social order and the potential conflicts that could arise in the exercise of political power, another issue that exemplifies the difficulties inherent to idealism lies in what is set forth in article 205: "education, a right for all and a duty of the State and the family, shall be promoted and encouraged with the collaboration of society, aiming at the full development of the person, their preparation for the exercise of citizenship, and their qualification for work". What would be the paradigm of "full human development" that grounds the constitutional text? Once endowed with obligatoriness and coerciveness, would any citizen or institutionalized group that devotes itself to a divergent or alternative view of the ethical perspective concerning the proper purpose of human existence constitute a threat to, or violate, national political unity?

Although lawful and factual, social plurality encounters a legal framework whose semantic limits, by their very nature, will never allow it to be as flexible as the social body. Moreover, the predictability necessary for the validity of norms would conflict with constant innovations or mutations.

4. FINAL CONSIDERATIONS

The role of the Law, from an Oakeshottian perspective, would be to regulate human behavior in order to guarantee juridical and social security for citizens when they seek to assert their interests in dealings with other people or institutions. By assuming a secondary role, Law remains in the shadows of factual reality, allowing human beings to assume the protagonism that is proper to them, through public actions that introduce innovations into the social order encompassed by a contingent universe.

The positive rules express a perennial moral conversation, consolidated over time in a society, bringing with them the peculiarities of the values and ideas that shape and singularize the human association situated in a specific region of the world. Legislative production also translates, for the juridical universe, the common morality that permeates the social fabric, and shall serve as a legitimate guide for regulating the conduct of citizens. This act, necessary for the validation of behaviors, would guarantee the pacification of society amid ordinary divergences and the imbalance arising from the discrepancies identified within the group.

On the other hand, the purported stability obtained through the model of human association governed by laws will gradually be undone as rules and obligations without factual grounding, or with only negligible presence in the language of organic morality, are introduced into the normative framework. We would then have at least two concurrent and divergent systems acting as public authorities: the legal and public system, combining the representative legislative center and the public judicial core; and the idealist system, which would not be held hostage to the laws in force, yet has the power to influence the functional exercise of the other Branches of Government and subject them to its political interests and abstract precepts. Thus, another nature or type of law would remain operative in society: a supralegal, coercive rule,

supported by a morality not shared collectively and capable of dominating society in the name of merely theorized interests. The broader and more vigorous system would lack, obviously, public legitimacy, since its authoritative power was not subjected to analysis and appraisal by the representative body responsible for the alteration of the status of norms observed by individuals.

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NOTES

1 The quotations in this article have been translated from the Brazilian Portuguese versions of Michael Oakeshott's work.

Conservatism Or Heterodoxy? The Political-Philosophical Legacy Of Michael Oakeshott

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Michael Oakeshott's intellectual work has stood out in recent decades for its philosophical depth, attracting growing academic interest to such an extent that he is considered by some to be the greatest conservative intellectual of the 20th century. In the political arena, he was labeled the éminence *grise* of Prime Minister Margaret Thatcher's government, as Paul Franco reports (2004, pp. 9-11) , which earned him a series of criticisms. However, some of his leading interpreters question this stigma, emphasizing the clear ideological distance between his philosophical writings and political practice, and even from the British Conservative Party itself. In addition, leading experts prefer to describe him as a proponent of classical liberalism.

This raises the question of the extent to which Oakeshott could be accurately described as a conservative thinker. We will briefly discuss this definition as a backdrop for an exposition on the scope and meaning of some of his main political concepts in the context of the aporia of contemporary conservatism itself. Finally, we will conclude by outlining what appears to be one of the greatest challenges to his philosophy today, as well as to the conservative perspective in general.

THE CONSERVATIVE FACE: RATIONALISM IN POLITICS AND CONSERVATIVE DISPOSITION

Michael Oakeshott's two best-known essays are probably "Rationalism in Politics" (1947) and "On Being Conservative" (1956), which cemented his reputation in public debate as a conservative intellectual.

In the first essay, Oakeshott harshly criticizes what he characterizes as political rationalism, understood as the modern tendency to reduce the complexity of political discussions to speculation or "rational calculation," disregarding other forms of knowledge, especially experience. This way of doing politics would discredit existing social institutions in the name of abstract, i.e., rational ideals, assuming the possibility of creating new political organizations from scratch, without concessions to the history of a nation or people.

The result of adherence to rationalism would be the visible expansion of modern state bureaucracies and a focus on central planning programs to the detriment of civil and political freedoms already achieved, insofar as individual rights would necessarily be the result of historical arrangements that precede them and guarantee their realization. Rationalism in politics would therefore be an incentive for despotism. With this, Oakeshott articulates the traditional conservative appreciation of society's habits and customs as legitimate and necessary sources of political stability. The rationalist, he reveals, is the natural enemy "of authority, prejudice, the merely traditional, customary, or habitual" in his effort to "live each day as if it were the first, believing that forming a habit is a kind of failure" (2016, p. 9). This conceptual

formulation has been widely used by conservatives ever since to criticize their ideological opponents, especially socialists.

In "On Being Conservative", Oakeshott introduces the concept of "conservative disposition," a kind of psychological inclination that leads individuals to desire to enjoy available and known goods rather than risk their assets in the name of even greater but uncertain future goods. It takes the form of a predilection for small, specific, and limited changes and is expressed through non-utilitarian activities, that is, activities that are ends in themselves. The author exemplifies this idea in the common attitude of children enjoying a game or in the disinterested relationship between good friends. In these relationships, there is no rational calculation aimed at gains, nor a critical stance. What there is is the pure pleasure of enjoying that activity or relationship without ulterior motives, that is, in a non-instrumental way—an idea reminiscent of the Kantian notion of aesthetic pleasure as disinterested interest.

It is in this essay that Oakeshott offers us his famous definition of conservatism:

> To be conservative, then, is to prefer the familiar to the unknown, the tried to the untried, fact to mystery, the real to the possible, the limited to the unlimited, the near to the far, the sufficient to the superabundant, the convenient to the perfect, present laughter to utopian happiness (1991, p. 408—free translation).

However, the tone throughout the text is, in general, more moderate than that of Rationalism in Politics, insofar as the author seeks to defend, rather than criticize, a particular set of political ideas and practices.

Thus, Oakeshott starts from general human experience to political activity, granting the conservative temperament an autonomous definition of the political universe. In addition, the author makes a point of differentiating the conservative disposition from a mere nostalgic and backward-looking attachment, emphasizing its usual expression as the appreciation of the present, not the past, differentiating it from reactionary and jusqu'aubutiste conservatism, an expression used to refer to a kind of extreme conservatism guided by the illusion of immutability.

Furthermore, Oakeshott refuses to appeal to any transcendental or metaphysical authority in search of justifications for the conservative stance. Instead, he presents the field of historical experience as the real source of political motivations and achievements:

> It is also said that conservatives in the political arena are so because they hold religious beliefs (...) It is true that many of these beliefs did indeed belong to many conservatives in politics, and it may also be true that many of these people believed that raising these banners was proof that they had a predisposition to be conservative; however, as I understand it, a conservative temperament does not imply that one has to believe in these truths or fight for them (...). To make my point clear before we move on to a more detailed elaboration, the lines that form the figure of conservative predisposition in politics have nothing to do with divine laws or natural order, nor with morality or religion; it is the observation of our current way of life combined with the paradigm that the activity of governing is specific and limited, providing and ensuring general rules of conduct, which are understood not as plans to impose substantive activities, but as enabling people to pursue their own interests with minimal frustration. All of this requires a conservative stance (2016, pp. 91, 92).

Thus, it is not surprising that On Being Conservative was initially poorly received by predominantly religious American conservatives, with its publication being rejected in the 1950s by Irving Kristol, then editor of the literary magazine Encounter. However, disagreements over the political-philosophical interpretation of Oakeshott's work are far from being an eccentricity of the American conservative public.

THE LIBERAL FACE: HUMAN ASSOCIATIONS AND THE INDIVIDUAL

Paul Franco, a former student and one of the most renowned interpreters of Oakeshott's work, classifies him as a liberal thinker. In his article *Michael Oakeshott as Liberal Theorist* (1990), Franco argues that Oakeshott's more conservative views in "Rationalism in Politics" and "On Being Conservative" are part of a renewed and broader defense of the liberal tradition itself, based on historicism and articulated through the combination of elements of the philosophy of the Englishman Thomas Hobbes and the German George Wilhelm Friedrich Hegel.

Franco argues that Thomas Hobbes' main influence on Oakeshott is through the skepticism represented by the break with the rationalism of Plato and Aristotle and the tradition of natural law, indispensable to the development of Hobbesian theory of the will as the basis of the social contract. Hobbes was the author to whom Oakeshott devoted most of his academic publications. The perspective he presented in his four essays collected under the title *Hobbes on Civil Association* (1975) contributed to the endorsement of a new interpretation of Hobbesian philosophy that challenges the traditional image of Thomas Hobbes as a defender of monarchical absolutism and considers him one of the first proto-liberal theorists in the history of political thought.

In this regard, Franco points out that in his article *Contemporary British Politics* (1948), Oakeshott makes a notable criticism of conservatives for their insistence on defending the doctrine of natural law. In it, Oakeshott argues that natural law theory is a defensive thesis that is useful only in safeguarding negative rights, but is philosophically questionable and insufficient as a guide for political practice. On this point, there is a clear distinction between the way the British philosopher and some other conservatives understand individual freedoms: for Oakeshott, they are fatally historical achievements. Unlike Burke and other "cosmic tories" (as Franco calls them), Oakeshott abandons any residual ambiguity toward the old idea of Nature or providential order and takes his historicist skepticism to its ultimate consequences.

For Franco, however, it is in the mature work of the English intellectual that his great philosophical achievement is found: *On Human Conduct* (1975). It is divided into three large volumes and is probably the most challenging text of his entire intellectual output. The first begins with an epistemological introduction, in which Oakeshott reconstructs certain points of the idealist theory first presented in *Experience and Its Modes* (1933). The second part of the book, the shortest of the three, is dedicated to defining the concepts of "civil condition" and the role played by non-instrumental moral rules in legal relations between citizens, exploring the ancient institutions of Roman law. Here, fundamental reflections on different human associations and their characteristics are also introduced. The third and final volume gives way to lengthy philosophical musings and expands on historical issues in an extremely thorough examination of European political relations and the contradictory tendencies existing within modern nation states. A special place is reserved for the emergence of the experience of individuality, considered an invaluable historical achievement. An in-depth analysis of this work is beyond the scope of this text. However, it is undeniable that this is an original philosophical work of the highest level of complexity, combining broad historical knowledge with authentic philosophical activity.

Another factor highlighted by Franco is Hegel's influence on Oakeshott in this book. This is evident in the argument used in *On Human Conduct* to defend the existence and authority of the state. Here, Oakeshott clearly distances himself from classical liberals, such as John Locke, who condition the legitimacy of political power on respect for natural law and the social contract. For Oakeshott, individual rights and freedoms are social artifacts guaranteed by a particular historical structure. Therefore, it would be illogical to challenge social structures in the name of a pre-state, pre-social, and abstract individual right. In practice, such a theory would lead to the unviability of all governments, as it would be impossible to perfectly fulfill all possible claims of natural law or any ideal social contract.

In this way, Oakeshott combines Hobbesian skepticism with Hegelian historicism to form his own perspective—a skeptical idealism—on the legitimacy of political power, the basis of individual rights, and the limits of state action.

This synthesis leads the pages of *On Human Conduct* to identify two very general forms of political organization in European history, called associations. The first of these, the *enterprise association*, is marked by the idea of human groups uniting for a common goal. All members of an enterprise association are subordinate to a single end, a collective project that dissolves individual identities into a large universal body. Historically, Oakeshott identifies this ideal type, among other examples, with the medieval theory of *communitas* perfecta—the Christian society perfectly ordered for the common good. However, he points out that this ideal never materialized during the Middle Ages due to strong political decentralization.

The multitude of small European kingdoms that existed at the time, with their territorial limitations, would have effectively demarcated a boundary between temporal power and religious authority, preventing the crystallization of a central authority. In this sense, the subsequent use of the idea of the perfect community by theorists of monarchical absolutism would be, fundamentally, a modern revision used for the political purpose of subjugating the clergy to the sovereigns. Oakeshott also links association by enterprise to all sorts of utopian and rationalist projects that abounded throughout the 20th century, especially those of Marxist inspiration and derivatives. Its main virtue, however, is collective integration and the incentive for social change.

The central idea of the enterprise association is captured in the famous poem *Ode an die Freude*[1] (Ode to Joy) by the German philosopher and poet Friedrich von Schiller:

> *Deine Zauber binden wieder*
> *Was die Mode streng geteilt;*
> *Alle Menschen werden Brüder*
> *Wo dein sanfter Flügel weilt.*[2]

In contrast, Oakeshott presents another paradigm of human association, which he calls *civil association*. In this type of association, there is no common and mandatory overall goal to be achieved by its members, who are bound only by rules that ensure the maintenance of that association. Each participant is a civitas and enjoys the right to determine their own personal goals, as long as they do not interfere with the freedom of other members to do the same. He refers to these general norms as "non-instrumental moral rules," as they serve no specific substantive purpose other than maintaining the association itself and the conditions of freedom that allow its members to conduct themselves. Their disadvantage is, in their extreme version, the atomization of members and consequent associative disintegration.

Despite the clear contrast between the two forms of association, Oakeshott stresses that these are ideal types, emphasizing that it is historically unlikely that any real political organization would embody either model in its pure form. In fact, he argues, different societies are generally mixed, oscillating between the two tendencies through the type of government they choose. Furthermore, neither should be identified a priori in a pejorative or laudatory manner. Nevertheless, Oakeshott points out that the history of modern European politics has been characterized by the prevalence of the negative side of enterprise association, embodied in teleological politics, that is, the desire of rulers to control the lives of their citizens toward a universal end. In this sense, finalistic enterprise should be understood as a potential ally of authoritarian forms of government. On the other hand, civil association is marked by respect for the rule of law that emerges from legal relations between individuals, with all its procedures and rites responsible for limiting power.

It is interesting to note that such criticisms are connected to Oakeshott's own personal experience, as he actively participated in World War II serving as a member of Phantom, a special reconnaissance unit of the British Army. Reflected in his philosophical work is, therefore, a visceral aversion to the various totalitarian variants experienced in the 20th century, from Nazi-fascism to Soviet communism.

Franco emphasizes the contrast between Oakeshott's perspective and that of other conservative theorists such as Quintin Hogg (1907–2001). In his review *Contemporary British Politics* (1948), Oakeshott (2014, pp. 1485-1507) criticizes Hogg's defense of natural law as the basis of conservatism in *The Case for*

Conservatism (1947), stating that modern natural law theory is, in fact, nothing more than a theoretical attempt to justify the importation of freedoms enshrined in Common Law by peoples outside England claiming a supposedly universal right—an obvious reference to both the American Constitution and Bill of Rights and the French Declaration of the Rights of Man and of the Citizen—echoing a kind of British exceptionalism.

Thus, Franco concludes that the key idea present in Oakeshott's various texts and fully expounded in his magnum opus best places him within the spectrum of classical liberalism, albeit stripped of the most controversial elements of the original liberal formulation, which relies excessively on natural law metaphysics.

However, the more liberal aspects evident in the mature work of the English philosopher should not necessarily be understood as contradictory to his earlier writings. In fact, this is what Franco himself suggests not only in "Michael Oakeshott as a Liberal Theorist" but also in his book *The Political Philosophy of Michael Oakeshott*. Both tendencies, conservative and liberal, are harmonized through a major thread running through Oakeshott's work: philosophical skepticism. It is from a deep mistrust of the human capacity to know and act correctly that social habits gain relevance. Customs are consolidated because they survive the test of time—an independent filter. Consequently, understanding innovation as an intrinsically ambivalent process, which brings together both negative and positive aspects, leads to the defense of a slow and gradual evolution of behavioral traditions. In the history of the United Kingdom, preserving British tradition means preserving political liberalism itself.

The Oakeshottian definition of conservatism, therefore, fits into what James Alexander (2015, pp. 215-232) classifies as "status quo conservatism," as opposed to "counterrevolutionary conservatism." The first form of conservatism refers to the attitude of protecting established power and values in society. The second form takes a more complex direction, through a reactive attitude that seeks to challenge and overcome a certain established power seen as illegitimate and contrary to a set of values and beliefs considered traditional, generally in search of restoring a previous status quo.

Alexander associates conservatism of the status quo with the acceptance of modern values and liberalism, articulated in the moderate defense of three fundamental pillars: secularism, equality, and universality. On the other hand, counterrevolutionary conservatism is characterized by a more critical view of modernity and support for the antagonistic triad: sacredness, hierarchy, and specificity.

OAKESHOTT AND THE TRADITION OF SECULAR CONSERVATISM

Another way of viewing the differences between Oakeshott and his conservative peers is through the lens presented by Anthony Quinton (1925-2010), Oakeshott's compatriot and contemporary, in his anthological work on political history and typology, *Politics of Imperfection* (1978). Quinton asserts the existence of two historical currents within British conservative thought: religious conservatism and secular conservatism. Although this differentiation is largely ignored by most scholars of the subject, the aforementioned study convincingly points out the contrasts underlying each of the two perspectives and offers good reasons for analyzing their impact on the formation of this political tradition.

Quinton dedicates the last chapter of the book to Michael Oakeshott, including him in the secular wing of 20th-century conservatism. According to him, Oakeshott represents a more flexible way of dealing with the natural intuitions of the conservative public, stripped of traditional appeals to the wisdom of ancestors in the style of Samuel Johnson or Edmund Burke, which would no longer resonate with modern generations. For him, Oakeshott continues, and even expands, the skeptical school within English conservatism that dates back to George Savile (Marquess of Halifax), Henry St. John (Viscount Bolingbroke), and David Hume. Unlike religious traditionalists, skeptical conservatives such as Hume and Oakeshott pay less attention to the moral deficiencies of human beings and more to their intellectual and cognitive limitations, focusing on the implications of this for political practice.

In Michael Oakeshott's case, this is even more evident because of the way philosophical skepticism structures his entire intellectual work, whose lyrical articulation is expressed in his passionate and entertaining paraphrase of the biblical anecdote *The Tower of Babel* (2003).[3]

Not coincidentally, in his review of Russell Kirk's memorable *The Conservative Mind*, Oakeshott states that Kirk should have paid more attention to Hume than to Burke:

> In fact, there is no inconsistency in being conservative in politics and "radical" in everything else. Mr. Kirk is not responsible for this confusion; Burke himself, more than anyone else, imprinted it on modern conservatism. And because of his speculative moderation and his clear recognition of politics as a specific activity, perhaps it would have been more fortunate if the modern conservative had paid more attention to Hume and less to Burke. [...] Burke's thoughts were composed of an appropriate selection of ancient and well-tested notions (2014, pp. 1815-1819. Free translation).

On the conservative disposition, Oakeshott concludes in "On Being Conservative":

> But what I hope I have made clear is that it is not inconsistent to be conservative with regard to government and radical with regard to all other activities. And, in my opinion, there is more to be learned about this disposition from Montaigne, Pascal, Hobbes, and Hume than from Burke and Bentham (1991, pp. 407-437. Free translation).

This intuition also guided Oakeshott's practical life, as he declined Margaret Thatcher's offer of a Companion of Honor, reaffirming his conviction that intellectuals should maintain a safe distance from politics—a stance subtly criticized by Roger Scruton (2013) in "No Mere Academic".

According to Quinton, the synthesis of Oakeshott's political thought is a reworking of secular English conservatism, which emphasizes that individuals have limited capacity for political knowledge; therefore, the government should have limited powers over society, respecting the natural evolution of social customs; it should stick to the administration of justice, enacting and enforcing laws in order to guarantee the minimum order necessary for citizens to live together without violating historically established freedoms, and leave individuals in charge of the most direct decisions about their lives and personal goals.

However, Quinton criticizes this view, describing it, "despite its elegance and distinction," as a "nostalgic illusion," insofar as respect for behavioral traditions, even stripped of the old reverential fear of ancestors, would no longer be able to sustain itself in the face of the continuous expansion of the powers and functions of the contemporary state and its welfare policies.

CONTEMPORARY CRISES AND OAKESHOTT'S CONSERVATISM

Beyond Quinton's arguments, there are other reasons why Oakeshott's thinking may be objectionable. First, his definition of conservatism can be seen as tending to empty it of its doctrinal and theoretical content, reducing it to a generic defense of the rule of law and limited government—banners that are not unique to conservatism.

In this regard, it is worth remembering that the historical emergence of conservative politics is associated with a specific episode in European intellectual and political life: the reaction to the French Revolution of the 18th century. It may be true that Edmund Burke, when writing his prescient conservative libel against the Jacobins, had in mind essentially the educated class of the British aristocracy, the politically dominant social base at the time and, consequently, primarily responsible for revolutionary containment. However, Burke's defense of English institutions was not made exclusively from the perspective of the high nobility, but above all from the values shared by ordinary people in a society in which the ideological distance between the elite and the people, in cultural and symbolic terms, was much smaller than in contemporary democracies. On the other hand, the rapid pace of social change, especially in the last two

centuries, has led to the gradual disappearance of the aristocracy as a social class and its replacement by the business class, resulting in greater cultural heterogeneity.

Thus, it is necessary to recognize that the current political reality exceeds the explanatory power of Oakeshott's definition of conservatism. The predominant ideological composition among Western cultural elites is not, *strictu sensu*, conservative and traditionalist, but liberal and progressive, as evidenced by the alignment of significant portions of the *intelligentsia*, artistic class, press, and other instruments of public thought with recognized progressive sectors and political parties. In such a scenario, it is difficult to envision space for articulation for a status quo conservatism such as that of the British philosopher. The trees of tradition have been cut down, perhaps even uprooted.

Thus, the categorical separation of conservatism in politics from conservatism in other areas of human and social life, such as art, public morality, culture, law, religion, etc., which Oakeshott believes to be coherent, raises serious doubts, for example, about how a society composed of deeply progressive citizens could compose and submit to a conservative government.

The current political crisis experienced by most Western countries, also identified as the "crisis of democracy", is related to the deep internal cleavage of their environment, which involves difficulties in dividing common values. The primary challenge, therefore, seems to be the minimum security of social consensus around basic convictions about, among other things, tolerance, pluralism, public morality, rule of law, limits of democratic legitimacy and individual freedoms, in short, a sense of belonging. In the language of *On Human Conduct*, perhaps it is necessary to temporarily resume some kind of unifying telos specific to the enterprise association, inspired by the very foundations of liberal democracy, instead of insisting on the atomizing solipsism of individuals—who, at best, find themselves momentarily unable to subscribe to common, non-instrumental rules.

Secondly, there is also the challenge posed by green policies aimed at combating climate change. As efforts in this direction must necessarily be global, given that this is a problem of universal scope, the center of political decisions moves from nation-states to the international level, a process subject to the gradual loss of legitimacy from a democratic point of view.

In this sense, climate change, or climate crisis as some prefer, reveals itself as a true political challenge to all conservative perspectives, as it brings together the conditions of something unprecedented and urgent, and is diametrically opposed to the already tested and gradual solutions of conservative predilection. Thus, it seems reasonable to suggest that the survival of political conservatism, and perhaps to a lesser extent of Michael Oakeshott's own philosophy, will depend on their ability to respond to these new medium and long-term problems, as well as on their ability to adapt to the evolution of increasingly severe conditions that the contemporary world imposes.

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NOTES

1 The lyrics of the aforementioned poem are best known for having been set to music in the fourth and final movement of the 9th Symphony in D minor, op. 125, by German composer Ludwig van Beethoven (1770-1827). Currently, the musical work is used as the official anthem of the European Union, which reveals the universalist vocation of its creators.

2 Your magic unites again/What custom has rigorously divided/All men become brothers/Where your gentle wings dwell.

3 The text cited refers to the second essay published by Oakeshott with the title "A Torre de Babel", included in *Michael Oakeshott: Sobre a História e Outros Ensaios* (2003). It should not be confused with the first essay, written in 1948 and published in *Rationalism and Other Essays* (1991), still untranslated in Brazil.

A Conservative Defense of Individuality: Michael Oakeshott's Skeptical Disposition

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Abstract: This paper examines Michael Oakeshott's reading of the inherent conflict found in the modern political condition, focusing on the historical tension between the "morality of individuality" and the "morality of the anti-individual." While the disposition towards individuality intends to protect the unpremeditated, spontaneous order (*cosmos*) which led to its emergence, its counterpart—the anti-individual disposition—fuels the persistent demand for centralized social engineering and purposeful collectivism (*taxis*). By contrasting Oakeshott's skeptical approach with Friedrich Hayek's classical liberalism, this study explores two distinct responses to the conflict threatening civil freedom in the modern West. Ultimately, the paper highlights a critical dilemma in Oakeshott's thought: his rigorous consistency with philosophical skepticism restrains him from offering an axiomatic or programmatic defense of individual liberty, potentially leaving the institutional framework of the modern West vulnerable to collectivist erosion in times of crisis.

Keywords: Michael Oakeshott; Friedrich Hayek; Anti-individual; Individuality; Cosmos; Taxis; Rationalism in Politics; Collectivism; Skepticism.

1. THE MORAL BATTLEGROUND OF THE MODERN WEST

When reflecting on the state of morality and politics in modern Europe, Oakeshott agrees with a broad range of philosophers on one central feature of these societies: the appearance of the free, self-determining individual. The aspiration to personal freedom is taken to be distinctly modern. It began to gather momentum in the late medieval period and, in time, came to be regarded as inseparable from human dignity. Circumstances made possible the emergence of this new disposition, which served as the foundation for a correspondingly new way of thinking about morality and politics.

Early-modern philosophers sought to elaborate a moral defense of the needs of the modern individual. From these efforts arose inquiries into the form of government most suitable to such a person—an undertaking visible in the works of Hobbes, Locke, Adam Smith and many others. Some of these thinkers ground individuality in reason, others in its utilitarian advantages, and still others in divine ordinance. For Oakeshott, however, it suffices to note that this development occurred as a historical fact in Western countries. Historical circumstances, he contends, allowed for the development of this peculiar disposition that valued personal freedom and agency; moral vocabularies and political discourse emerged afterwards. Moral and political arguments for individualism are thus best explained by the appearance of a people who had come to acquire both the capacity and the preference for self-determination.

Oakeshott's point of departure is the emergence of the modern individual, yet, for him, what truly characterizes modern Western societies is not simply the prevalence of a disposition towards individuality, but the persistent tension between two antagonistic moralities: the morality of individuality and the morality of the anti-individual. The defining feature of the modern West is, therefore, the ongoing conflict between those who commend individuality and those who resist it.

The development path for this antagonistic morality was the same; it started with the circumstances that led to the emergence of a particular disposition. The dissolution of the communal and religious ties characteristic of feudal society which permitted the emergence of the modern individual, was sorely regretted by others. The absence of such ties proved dispiriting to the anti-individual; freedom appeared less as a liberation than a burden, leaving them helpless and ill-at-ease. The anti-individual found himself amidst a society that prized individuality, where he could feel his insufficiency only too well. It was among these disoriented figures that support arose for a contrary constellation of values: the morality of anti-individualism.

> The collapse of communal ordering left me, not eager to exploit the opportunities of individuality, but lost, unprotected, leaderless and homeless. I have been deprived of the sense of belonging to a community but I have neither the intellectual nor the material resources to set up on my own. In these circumstances I come to understand the morality of individualism (which I cannot share) as a form of immorality; and I come to understand the view of government that corresponds with it as a false or inadequate view. The only escape seems to be to a morality which recognizes a 'common good' or a 'communal good' to which my activity and that of all others is subordinated, and to an understanding of government as the custodian and promoter of this 'common good' (Oakeshott 1993, p. 90).

This characterization of modernity as a battleground between individualistic and anti-individualistic values is not unique to Oakeshott. Thinkers on both sides of the divide have framed the modern condition in similar terms. The first writers who advocated for individuality belonged to the generation that observed this new disposition toward individuality, sought to understand its morality and then elaborated on the institutional arrangements that would be most appropriate to it. Writing later, the advocates of the anti-individual performed the symmetrical operation for this reactive disposition. In doing so, they gave voice to its resentments and designed a social order that would satisfy its demands. Oakeshott notes that the first elaborated argument from the anti-individual camp was made by Karl Marx and Friedrich Engels in the *Communist Manifesto*.

Oakeshott is emphasizing the fact that moral and political theories appear only after historical circumstances have allowed certain personal dispositions to emerge and flourish. His reading of how the modern context came to be is in accordance with his broader critique of rationalism—an approach that consistently points to the limits of reason and the difference between technical knowledge and practical knowledge. The conceptual sequence he proposes unfolds as follows:

Historical circumstances → Prevailing disposition → Dominant moral vocabulary → Formal political theory.

By acknowledging the unpremeditated way by which the modern condition came to be, Oakeshott is also suggesting a way to understand other human endeavors, one that is very similar to the arguments made by classical liberals to defend the value of uncontrolled endeavors, like the free market, for example. It is a recognition of the spontaneous, undesigned events and interactions that will always lead to the emergence of an unforeseen condition. Particularly, in the case of the modern West, it happened to lead to the emergence of the modern individual, who came to recognize that a similar undesigned, "voluntary and unhampered intercourse" arrangement of governance was necessary for his survival. Here we can discern

a first point of contact between the thought of Oakeshott and Hayek, specifically in their assessment of the importance of this undesigned order and the limitations of premeditated planning.

2. THE POLITICAL MOBILIZATION OF THE ANTI-INDIVIDUAL

Oakeshott also highlights how uncommon the celebration of individuality is. It was absent in pre-modernity, and even after the development of moral and political thinking to support it, there is no guarantee it shall endure. For him, the valuing of individuality is an acquired—and perhaps only transitory—disposition. He does not claim that individual freedom is inherently superior; rather, when discussing political theories grounded in individualism, he notes that they specify the form of government appropriate "under certain circumstances," implying that different circumstances may call for different procedures.

Here Oakeshott is carefully distancing himself from any teleological or determinist reading of history. The prize of individuality, which was the first distinct modern disposition, is not presented as a higher moral stage, but as a contingent historical achievement. One might, therefore, expect a measure of impartiality in his description of the two sides of the modern conflict. Yet, Oakeshott's language reveals a clear preference for the individualist disposition (and the limited government most suitable to it). In contrast, he characterizes the morality of the anti-individual as motivated by envy and speaks repeatedly of the "insufficiency" of those who fail to become autonomous selves. Nonetheless, he shows sympathy for their helplessness, acknowledging it as a genuine predicament; however, that sympathetic tone vanishes when he moves to describe what happens when this character becomes politically mobilized. A genuine danger emerges when those unable to enjoy the experience of individuality seek relief by surrendering their agency to another.

In addition to the modern individual and the anti-individual, there is a third character at play in the modern arena. Modern circumstances have also produced a distinctive leader-type: the *individual manqué*. This figure can be understood as someone who almost developed the disposition of the modern individual, but not quite—he is a "failed" or "defective" individual. He is not wholly incapable of individuality (and is therefore not identical to the anti-individual), yet he refuses the responsibility it entails. Instead of pursuing satisfaction through self-direction, he seeks it in directing others. This character played a central role in shifting the balance of morality to the side of the displaced anti-individual: "From the frustration of the 'individual manqué' there emerged the militant 'anti-individual,'" whose ultimate aim is to destroy the moral prestige of the individual."

In opposition to freedom and self-determination, the anti-individual morality advances two central ideals: "radical equality" (i.e. equality not merely before the law, but of conduct and outcomes) and "solidarity"—understood in terms of its etymology as something solid (a vision of perfect union within a single, homogeneous whole). At the core of this system of moral values lies the conviction that a universal "common good" is not only known but attainable—and individual freedom must be curtailed whenever it hinders the required uniformity. It is from this worldview that every anti-individualistic (collectivist) political theory ultimately arises.

But the anti-individual cares little about the content of the political program he is offered. His aim is to be relieved from the burden of self-determination; thus, he trades his freedom for security, reveling in a leader who promises direction. The *individual manqué*, in turn, converts the private resentment of the anti-individual into a public doctrine expressly hostile to individuality. In doing so, the *manqué* gathers those with anti-individual dispositions into a singular entity, which now can be more easily identified as the "mass man." The main feature of the mass man is that he willingly surrenders his agency to a leader. The morality of anti-individuality, of a "*solidarité commune*, began to be constructed in the sixteenth century," Oakeshott observes, but it was only later that "a momentous change occurred when the 'anti-individual' recognized himself as the 'mass man', and perceived the power that his numerical superiority gave him."

This assessment of the elevation of the mass man is another clear point of contact between Oakeshott's modern conservatism and the proposals of Friedrich Hayek, who unmistakably identified himself as a clas-

sical liberal—a position he also defined as that of an "Old Whig." Both thinkers identified the disposition of the masses as the fuel for administrative despotism, sharing a profound concern over the weaponization of democracy that could dismantle the rule of law in favor of a teleocracy.

3. CONVERGING EXTREMES: COLLECTIVISM AND TOTALITARIAN LOGIC

In political philosophy, the "horseshoe theory"—originally conceptualized by the French philosopher Jean-Pierre Faye in 1972—suggests that some apparently divergent political doctrines are best understood not as polar opposites on a scale (an image that often comes to mind when we think of the political right and left), but as occupying different parts of the same region on a graph. Political theories that ostensibly portray themselves as adversaries, like Nazism and Communism, can thus be best understood as approaching parallels, in the sense that they bend toward one another like the ends of a horseshoe, ultimately sharing a structural inclination for totalitarianism. From this point of view, their ideological rationales are less important that the centralized structural systems they seek to implement.

This similarity between totalitarian regimes can also be explained as the outcome of the interplay between the *individual manqué* and the mass man, where the yearning for salvation of the latter is the driving force which facilitates the implementation of a totalitarian regime. The recourse to imagery reflects Oakeshott's argument about the inherent sameness of the political theories of collectivism. It also helps to demonstrate that whatever system or theory Oakeshott and Hayek offer as a better alternative, it is unlike what is found in the extremes of the horseshoe. Both of them notoriously recognize that collectivism can indeed take many forms, but its internal logic remains the same: the creation and maintenance of a "heavenly city" in which the conduct of every subject is subordinated to a single "common good." At the heart of every collectivist doctrine lies the belief that we can conceive and implement a perfect model of behavior and social organization—one so superior to all others that it justifies being imposed universally. All human activity must, therefore, be directed toward constructing that ideal.

The list of thinkers who share this premise is long and eclectic: Calvin, Rousseau, Bacon, Descartes, Saint-Simon, Marx, and many others. What connects them is the conviction that a final, optimal state of affairs not only can be identified, but that it can be achieved—if only people would cooperate by surrendering their individual plans. Reflecting on the transition of this argument from a religious to a political stance, Oakeshott remarks that the French philosophes who shaped the Revolution merely replaced the notion of 'sin' with that of 'virtue'—a substitution that, in his own words, amounted to "a distinction without a difference."

In every version, collectivism argues that society must be purposefully organized and subjected to deliberate design. This belief carries the idea that a few minds have discovered hidden knowledge of reality, and that those in possession of this insight should guide society towards a redemptive transformation. The underlying dualism echoes religious views that recognize only one path to salvation. When transferred to politics, it supplies the very language of collectivist theory.

Another important characteristic of collectivism as a political discourse is its claim to be based on demonstrative truths, not axioms. This appeal to scientism is persuasive but doomed to fail. It was the project of Karl Marx to produce a theory that would signal the end of ideologies. Yet, Oakeshott shows that, if anything, it produced a modern and secular form of Gnosticism.

Communism was not the only theory claiming to have the support of scientific evidence; this same pretension was at play in Nazism and Fascism, for example. All three regimes tried to implement a centralized and planned economy, maintained an evolutionary understanding of history, and categorized individuals either by status or race. As Oakeshott observes: "The disappointment of the hope of achieving demonstrative political deliberation with the aid of an 'ideology' composed of explanatory 'laws' of social change or development" indeed can explain "one of the great traumatic experiences of the early twentieth century."

4. BEYOND TOTALITARIAN LOGIC: THE SPONTANEOUS ALTERNATIVE

Also using imagery to illustrate his point, in his postscript to *The Constitution of Liberty*, "Why I Am Not a Conservative", Hayek rejects the notion that classical liberalism is a position in between socialism and conservatism. He suggests that a diagram of the three positions would look more like a triangle, and later he recognizes that conservatism and socialism can unite against the classical liberal in favoring imperialist politics or controlled economic measures because both share the belief that planning is better than not planning. Hayek seems to be describing the same phenomenon as Oakeshott, but using different labels to define it. However, this difference might be more than accidental, and we can see their own arguments about this issue developed in their assessments of those labels.

Oakeshott puts liberalism in the same category as socialism: both belong to a theoretical effort that is ideological and therefore not truly philosophical. "An 'ideology'", he argues, is "a vocabulary of beliefs in terms of which to conduct political discourse," and his evaluation is that none of its variations have successfully emancipated their deliberations from opinion. For him, there is no reason to sustain any guiding principle in the abstract, since principles only come alive in conduct, and conduct is far too complex to be maintained by deliberate rational choice. That's why, ultimately, he believes conservatism, as a disposition, is different from an ideology and, therefore, preferable.

Hayek, in turn, portrays conservatism as the party whose distrust of ideas comes alive in a form of obscurantism and that lacks principles to orient the organization of society, besides the veneration for established authority. Regardless of how accurate these assertions may be, it is true that they do not align with Oakeshott's conservatism. His analyses of the modern condition alone make it evident that Oakeshott did not harbor "the fear of trusting uncontrolled social forces" nor any "fondness for authority" which Hayek accuses conservatives of having.

One key difference between Hayek and Oakeshott lies in their responses to the epistemic limits of the human mind—a starting point upon which both fundamentally agree. Hayek takes this consideration as the basis for promoting guiding principles that reflect this humility, most notably the classical liberal principle of minimizing government interference in individual lives. In contrast, Oakeshott remains silent on any such programmatic defense, suspicious that even a well-intentioned doctrinal defense of liberty carries the seeds of the very rationalism both seek to avoid. Indeed, both are consistent with the labels they take to describe themselves.

Unlike the conservative tradition, the heritage of British classical liberalism produced the most thoroughly articulated arguments for the defense of individual freedom, and many of its premises are still held by those who want to defend it today. But notably, one of these premises is the very same found in Oakeshott's skepticism toward rationalism in politics: the notion that human intention plays a limited role in the shaping of social reality. Put differently, it is the epistemological assertion that social order is an emergent *cosmos*—a complex, undesigned network of human actions—which cannot be reduced to, nor successfully managed by, the deliberate design of a centralized *taxis*.

This premise can work as a theoretical foundation from which to think about social organization. If one accepts that reason is limited, fallible, and only one minor element of human conduct, it follows that one will distrust any project that places excessive weight on deliberate social engineering. If, instead, one assumes that human reason can and should be the primary guide to individual and collective action, it becomes easier to justify redesigning society according to a rational plan. This is the foundational distinction between true individualism and its false counterpart.

The difference might appear self-evident, yet the task of remaining true to principles is made harder by the fact that both sides use the same words to mean different things. Both Oakeshott and Hayek repeatedly point out that terms such as "liberalism," "democracy," "capitalism," and "socialism" have become so ambiguous that they now obstruct rather than advance serious discussion.

Notably, to illustrate the confusion produced by the ambiguity of key political concepts, Oakeshott and Hayek resorted to the same example: the case of John Stuart Mill, who seemingly employed an indi-

vidualist vocabulary, yet reached conclusions typical of collectivism. He began by prizing individual freedom, largely because he shared the theoretical foundation regarding the limitations of the individual intellect thereby deeming that a larger group of people contributing with ideas and experiences would facilitate the betterment of society. Ultimately, this focus on societal betterment led him astray from what constitutes "true individualism." As Oakeshott noted: "The formality of Mill's notion of self-improvement invited the intrusion of notions which would deprive it of its individualist basis," and, "In the final analysis, the individual for Mill is not an end in himself: he is an instrument and a servant of racial progress."

In Oakeshott's view, Mill began by defending individual freedom, but transitioned to a collectivist logic when he assumed that some attitudes were nobler than others. By taking that logical step, Mill inevitably embraced the idea of perfection—the very premise of all collectivist ideologies. By positing that certain behaviors and values are superior and that self-improvement is possible and desirable, he ended up defending collectivism. Hayek would agree with this evaluation, since he understood that "the fundamental attitude of true individualism is one of humility toward the processes by which mankind has achieved things which have not been designed or understood by any individual." To assume that there is a nobler way of doing things is to eliminate this very process.

Both Hayek and Oakeshott agree on the essential flaw of Mill: he fell into the rationalistic trap. However, Hayek is not opposed to upholding the principles of classical liberalism, perhaps because he does not see them as values per se, but as a framework that permits the free expression of different values.

Oakeshott carefully avoids theoretical abstractions that cannot be proven (such as divine will or a fixed definition of human nature). He argues it is unnecessary to elevate individuality to a supreme value or to claim that this disposition best represents human nature in order to develop an adequate political theory for it. The refusal to attribute superior value to individuality (and to the morality and government that flow from it) seems to be tied to his skeptical outlook. As an heir to this tradition, he does not believe humans can propose or execute a perfect model of social organization. It would therefore be inconsistent for him to claim that the entire arrangement built around modern individuality is preferable to other possible arrangements. Indeed, one may argue that Oakeshott's insistence on maintaining an axiomatic neutrality allows him to remain rigorously consistent with the presuppositions of skepticism; yet, it also relativizes the value of the free exercise of individuality, thereby weakening his defense of it.

5. THE LIMITS OF A SKEPTICAL DEFENSE OF INDIVIDUALITY

As shown, Oakeshott relativizes the value of any political theory that promotes the modern individuality as he describes it, stating that they should be seen merely as attempts to elucidate the kind of government appropriate only "under certain circumstances." He even dismisses the efforts of Locke, Kant, Adam Smith, and Burke to demonstrate the fundamental, practical, or sacred importance of individuality. For Oakeshott, the valuing of the free individual is a historical fact that arose due to a series of circumstances but could, by the same token, cease to exist.

> Attempts have been made to show it [politics oriented toward the individual] as something essentially good, or the best possible situation; it has been argued that it represents unalterable 'human nature,' or a divine order, or an unfortunate lapse from God's design. But for the present all we need note is the belief that this situation is our current situation (Oakeshott 1993, p. 49).

When faced with the problem of defining moral values, philosophy cannot rely on theological assumptions, and a philosopher like Oakeshott also does not trust reason to discern good from bad or to orient our behavior. What is left is the empiricism of history. If we grant that reason is not reliable and revelation is impossible, then we can only take our moral clues from experience. Oakeshott's logic works quite well when he uses it to assess the emergence of the modern individual, but it does not seem capable of protecting this character from extinction. In other words, we could say that he produced an excellent descriptive

account of the situation that led to the emergence of individuality, but he fails to prescribe ways by which society can sustain it. Yet, this is not an inadvertent flaw, he believes it is a corruption to suggest "that we have not got to make choices, sometimes on little more than courage of our convictions." For Hayek, it seems, Oakeshott's argument is missing this exact point: the active defense of true individual freedom is the only way to counter those who want to impose a design upon society.

> After the experience of the last thirty years, there is perhaps not much need to emphasize that without principles we drift. The pragmatic attitude which has been dominant during that period, far from increasing our command over developments, has in fact led us to a state of affairs which nobody wanted, and the only result of our disregard of principles seems to be that we are governed by a logic of events which we are vainly attempting to ignore. The question now is not whether we need principles to guide us, but rather whether there still exists a body of principles capable of general application which we could follow if we wished (Hayek 1948, p. 3).

Eventually, the modern individual came to realize that *cosmos* from which he emerged was also essential for him to keep existing. This discovery implies that the spontaneous order must also be actively secured both in the constitutional arrangements and the office of government, if individual freedom is to endure. The modern individual may be a contingent achievement, but its survival may ultimately depend on a more positive defense of the conditions which gave rise to it.

This insistence on remaining true to his skepticism is particularly salient since Oakeshott's own account of modernity shows that even in somewhat stable societies, if the time comes when the majority is composed of anti-individuals who combine to form the masses, there is a great chance the situation will result in a totalitarian government. Indeed, all the collectivist experiments of the twentieth century proved this; it did not matter whether they were labeled as socialist, social democratic, or a people's republic.

Democracy may be recognized as one of the most nondespotic types of government, but its limits have concerned philosophers since antiquity, and the modern situation presents additional concerns. When anti-individual morality becomes dominant, the submissiveness of the mass man means that an authoritarian government no longer needs to impose itself by force; it gains, instead, popular support. Modern collectivism enjoys active mass support for an extensive government. Furthermore, the means available to ensure social conformity have expanded, both through the growth of state apparatuses and, more recently, through technological tools that allow for the unprecedented monitoring and shaping of citizens' habits and choices.

Oakeshott showed how democracy can serve as the vehicle by which collectivism gains control of government, utilizing the desires of the mass man. He noted that the mass man is not a homogeneous group, but a numerical majority composed of a multitude of anti-individuals—those who are willing to be led by the *individual manqué*, caring little for the party's program: "He is dangerous, not on account of his opinions or desires, for he has none: but on account of his submissiveness."

Oakeshott does not elaborate a defense of individualism in the same way as Hayek, but they agree on the diagnosis of its main threats. Like many other philosophers, Oakeshott has abandoned the teleological view of human life. However, since this non-teleological perspective is not universally shared, one must ponder what happens when those who support a teleological, collectivist view take the upper hand. Reflecting on the threat of a collectivist overthrow, Hayek concluded in 1946 that there was a real risk that modern societies would come to praise collectivism due to its appeal to rationality. Oakeshott, on the other hand, wrote in 1961 that there was no reason to believe that the anti-individual morality would inevitably prevail.

6. FINAL REMARKS

Oakeshott's genealogical approach provides a profound framework for understanding how the modern West became the battleground of competing dispositions. Yet, his philosophical premises restrained him from offering a programmatic orientation to deal with a situation where individuality is superseded by the political mobilization of the mass man. Throughout his writings, Oakeshott's preference for the self-determining individual remains clear; however, his commitment to political skepticism prevents him from launching a dogmatic defense of individuality.

To understand this restraint, one must look to Oakeshott's own distinction between the three levels of political analysis. The first level is purely practical, dealing with policy and constitutional modifications. The second level formulates general ideological principles—such as liberalism, socialism, or nationalism—to guide political action. The third, and rarest, level is political philosophy itself, which abandons prescriptive blueprints to ask a more fundamental question: what are we actually doing when we engage in governing? Because Oakeshott views liberalism as a second-level ideology that fails to emancipate itself from mere opinion, he treats it not as a universal philosophical truth, but as a historical artifact.

This insistence on philosophical neutrality is both the structural strength and the existential vulnerability of Oakeshott's thought. By treating individual freedom as a contingent historical achievement rather than an absolute moral imperative, his skepticism successfully avoids the traps of rationalist dogmatism. But this stance inevitably invites the threat of relativism. If moral vocabularies only emerge after historical circumstances change, experience alone cannot inherently generate the defensive tools required to protect the modern individual from extinction. Consequently, a critical dilemma emerges: while Oakeshott rightly warns that enforcing a single ideological doctrine risks overriding the limits of reason, the survival of the modern West may ultimately depend on upholding individual liberty not as a moral value imposed on all citizens, but as a non-negotiable governing principle that secures the framework of coexistence.

It is precisely at this junction that the contrast with Friedrich Hayek becomes most urgent. Where Oakeshott remains silent, suspicious that even a doctrinal defense of liberty carries the seeds of rationalism, Hayek insists that without clear, unyielding governing principles, free societies will inevitably drift toward centralized design. For Hayek, a proactive defense of the institutional framework is the only way to counter those who wish to impose a deliberate *taxis* upon society.

Ultimately, Oakeshott's dual concepts of the individual and the anti-individual serve as a vital diagnostic tool for our contemporary era—a time when criticisms of Western liberal orders increasingly outweigh praise. He accurately alerts us to the fact that when the anti-individual disposition achieves numerical superiority, an authoritarian government no longer needs to rely on external force; it secures total social power through popular, submissive consent. What Oakeshott rejects in Locke, Kant, Smith, and Burke is precisely what is missing from his own reflection: an ultimate, structural explanation of why the *cosmos* that allows for the emergence and maintenance of self-determining individuality must be actively defended against the forces that seek to suppress it. Between the extremes of moral absolutism and helpless relativism, Oakeshott leaves us with a fragile, inherited practice whose survival cannot rely on rational justification alone, but must be sustained through the courageous and continuous exercise of personal freedom.

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The Search for Suggestions and Evidence in the Field of Politics

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> Facts are stubborn things, and whatever our desires, inclinations, or the imperatives of our passions, they cannot alter the state of facts and evidence.
>
> — John Adams, *The Works of John Adams*

On March 6, 1951, philosopher Michael Oakeshott—recently appointed to the chair of Political Science at the London School of Economics and Political Science—delivered his inaugural lecture on ideologies and the proper understanding for a better comprehension of political activity. The text of the lecture became an article first published in 1951, later published under the title "Political Education" in his 1962 book *Rationalism in Politics*.

Oakeshott's lecture had a negative impact on the audience at the London School of Economics. They expected the new professor of political science to offer a normative prescription or rational criteria for analyzing contemporary political problems, as described by Kenneth Minogue (1979, pp.151-178) in his essay on Oakeshott:

> A political philosopher was expected to discuss some rational principle (such as freedom, justice, or equality) which, although duly removed from practical life, could still serve as a guiding star for the ship of state. This element of practical guidance from a distance was proposed by Plato in The Republic, and has since become the common specification of the political philosopher's task. Such expectations were frustrated by the speaker, who apologized for his skepticism and went on to describe political activity as "the hunt for suggestions." The speaker and the audience were on opposite sides, and subsequent criticism took the form of complaints that Oakeshott had offered no criteria for rational political judgment.

The harsh criticism of the article and the discontent of listeners forced Michael Oakeshott (1981, p. 89) to modify his original text and add notes to the essay "Political Education" in order to avoid misunderstandings, as stated in his notes in the latest version.

The distance in time since the essay was written in 1951, in a post-war context, shows that the intentional corruption and dissimulation of language denounced by the philosopher at the beginning of his lecture still persist today, when words or expressions derived from them are used, repeated exhaustively in the media and in academic circles, laden with ambiguities and eminently political meaning, and almost always ideological, on the Right or the Left, such as "democracy" and "defense of democracy," "social justice," "racial justice," "political education" and "political indoctrination," "fascism" and "fascists," "communism" and "communists," "ancestry" or "ancestral," "genocide," among many others.

Brazilian philosopher Mário Ferreira dos Santos (1907-1968) had also noted in 1953, with the publication of his book Análise Dialética do Marxismo (Dialectical Analysis of Marxism), the political use of words and related expressions with a precise method and an ideological purpose very well defined by Marxists since the 1917 revolution. In the same vein, Alain Besançon (2020, pp. 36-37) established his understanding of the political use of language in the following terms:

> Language transforms itself. It no longer serves to communicate or express, but rather to mask the solution of continuity between the system and reality. It assumes the magical role of subjecting reality to the worldview; it is a liturgical language, in which each formula indicates the speaker's adherence to the system and intimidates the interlocutor into adhering. Revealing words are then threats and figures of power. One cannot remain intelligent under ideology.

Therefore, intentional corruption and the concealment of our language for political purposes are perpetuated over time, as they are traits of politics and belong to the character of political and ideological activity. Michael Oakeshott (2018, pp. 47-48) devoted an entire chapter of his posthumous book *The Politics of Faith and the Politics of Skepticism* to addressing the identification of these ambiguities in political vocabulary:

> But it is an illusion to suppose that the expressions that make up our political vocabulary were ever "simple," or that they had an "original meaning" that has been lost, or that we will eliminate corruption if we resolve the ambiguity. There is no doubt that our vocabulary is corrupted and that its intrinsic ambiguity has been used to spread confusion and conceal unscrupulousness, and perhaps also hypocrisy (the tribute vice pays to virtue), which fuels some of the misconceptions in our political discourse.

In his essay "A Place of Learning", he also pointed out the inappropriate, false, and indiscriminate use of words: "This confusion is accompanied by a common distortion of our language in which the word 'social' has become the center of infinite ambiguity" (Oakeshott 2021, p. 70). In his inaugural lecture, the author attempted to rescue the expression "political education" from its indiscriminate and abusive use, and developed a thesis of inversion regarding the understanding of ideological activity in politics.

In his text, the philosopher critically exposed a proposition in which politics appears only as an empirical activity, and for this mode of activity to become a concrete activity, it would be necessary, according to common sense, to necessarily unite it with an ideological activity that precedes it and guides it to a desired end. This understanding of politics derived from common sense is completely mistaken, according to Oakeshott, not least because of the negative results that can derive from it.

In his lecture, Oakeshott (2021, p. 260) conceptualized political ideology as "an abstract principle or a set of abstract principles, correlated and premeditated independently. It offers, in advance of the activity of dealing with the arrangements of society, a formulated end to be pursued, and in doing so offers a means of distinguishing between desires that should be encouraged and those that should be suppressed or redirected."

In his essay, Michael Oakeshott deconstructed this common understanding of political activity and formulated the aforementioned reversal thesis regarding the interference of ideologies in this activity. The author understood that a comprehensive understanding of political activity, which is the activity of dealing with the general arrangements of a society, including the type of education involved in this practice, was necessary in order to improve politics itself and also the knowledge and education inherent in it. The philosopher's analysis focused specifically on two distinct modes of understanding politics, along with the type of knowledge and the type of education involved in these understandings.

The first is the understanding of politics as a purely empirical activity that requires prior ideological activity to guide it. According to Oakeshott, the simplest type of political ideology consists of a single

abstract idea, in which case political activity is understood as a project to bring about arrangements in society that conform to that abstract idea. There is then a plan to be executed. The professor also recognized the existence of more complex schemes of ideas, correlated in a set or system of abstract principles, and pointed out in his essay that their relevance lies in the fact that these principles were premeditated.

The type of knowledge required by this type of empirical political activity is prior knowledge of the ideology that provides a reliable guide and the goals to be pursued, before dealing with the general arrangements of society. And the type of education appropriate to this political activity, understood as pure empiricism, should enable people to expose, defend, implement, or even invent a political ideology, or new versions of the same ideology. In this essay, Oakeshott exemplifies behaviors that represent exactly the partisan and mistaken style of understanding politics as a purely empirical activity, resulting from an ideology, through statements by British Labour politician Ralph Norman Angell Lane (1872-1967) and historian Edward Hallett Carr (1892-1982).

Before beginning his lecture, the professor of political science gave a brief but important introduction—which is not included in the Brazilian version published in his book *A Voz da Educação Liberal*—where Okeshott (2021, p. 253) categorically stated his philosophical skepticism, in his own words: "someone who would do better if they knew how," or in another translation, "by someone who would do more if only they knew how to do I" (Oakeshott 1981, p. 71). Oakeshott's skepticism about understanding politics as a purely empirical activity was also evident in the third part of the essay, when the philosopher raised questions about the true nature of political ideology.

The philosopher also presented a second way of understanding politics, which, according to the professor, would be the most appropriate. The thesis defended by the theorist in this modality is the prior existence of a traditional way of behavior, embodied in political activity in the social environment, which precedes the emergence of political ideologies. For Oakeshott, ideology "rather than being a scheme premeditated independently of the ends to be pursued, is a system of ideas abstracted from the way people have become accustomed to dealing with the arrangements of their societies" (Oakeshott 2021, p. 264).

Based on these initial considerations on the topic of Political Education and the indiscriminate and ideological use of related words and expressions, we intend to briefly analyze the conduct of political activities in Brazil from a certain tradition of political behavior, taking as a starting point Oakeshott's thesis about the prior and already consolidated existence in society of "general arrangements" (laws, customs, institutions, political decisions, etc.) and a particular way of dealing with these arrangements that is characteristic of national rationalist thinking, as expounded by Oakeshott in his seminal 1947 essay "Rationalism in Politics".

By exploring the suggestions and evidence in the political sphere—as recommended by the philosopher in his essay—we can observe the national incursion into what we understand to be a type of rationalist and also traditional political behavior in Brazil, represented by influential interest groups and political parties.

We identified this particular type of traditional political behavior, already deeply rooted in Brazilian society, which ultimately guided the actions of state powers and political activity through the use of repeated words and expressions, full of ambiguities and ideological meaning, and also through the use of a "set of abstract, interrelated principles, independently premeditated" that offers "in advance of the activity of dealing with the arrangements of society, a formulated goal to be pursued."

Before ideological activity appears in a state power, there is traditional behavior crystallized in the social environment that provides a substrate for ideological action, and only by exploring nuances, suggestions, evidence, facts, and subtleties of national politics can we gain a better understanding of Brazilian reality.

Just as an example of this type of traditional political behavior, we analyzed Resolução **nº 492 of the** *Conselho Nacional de Justiça* (CNJ), which is quite representative of the political actions of this important body of the Judiciary, which is responsible for controlling the administrative and financial activities and compliance with the functional duties of judges, in addition to other constitutional powers.

We highlight the terms and expressions used in this Resolução that demonstrate the political use of keywords and related expressions with a well-defined ideological purpose. In March 2023, *Resolução* **nº 492**[3] was approved by the president of the Conselho Nacional de Justiça, and in its normative act established the so-called "Gender Perspective" in judgments throughout the national judiciary.[4]

The approval of the Resolução followed previous guidelines from the protocol approved by CNJ *Portaria* **nº 27/2021,**[5] which contributed to the implementation of national policies and established mandatory training for magistrates on human rights, gender, race, and ethnicity, with an emphasis on from an "intersectional perspective," and created the monitoring and training committee on "Judgment with a Gender Perspective" in the Judiciary, as well as the committee to encourage female institutional participation in the judiciary, as affirmative action policies of the State.

The working group established by the aforementioned Portaria of the Conselho Nacional de Justiça concluded its activities with the presentation of a booklet for the establishment of the "Protocol for gender-sensitive adjudication within the Judiciary." The aforementioned booklet clearly indicates, on pages 8 and 9, the work carried out by the CNJ and the Federal Supreme Court in this area, as transcribed here for a better understanding of the nuances, suggestions, and evidence in the political sphere:

> "At the national level, the work of the CNJ strengthens daily dialogue on the multiple intersections that shape the gender perspective. Judicial decisions by the Federal Supreme Court, supported by a strong commitment to the defense of human rights, also advance the agenda of recognizing minorities' right to substantive equality, such as decisions on same-sex unions, recognition of gender identity self-determination, granting house arrest for pregnant women and mothers, and excluding social security contributions from maternity pay, among other decisions."

The aforementioned protocol is a letter of intent with a "doctrine of ends to be pursued," according to the expression used by philosopher Michael Oakeshott in his essay Political Education (Oakeshott, 2021, p.269). Article 3 of Resolução nº 492 of the CNJ provides for the functions of the "Committee for Monitoring and Training on Gender Perspective Judgments" as follows:

> Art. 3—The Monitoring and Training Committee on Judgment with a Gender Perspective in the Judiciary is hereby established within the scope of the Conselho Nacional de Justiça, on a national and permanent basis.
>
> Art. 4—The Committee shall be responsible for:
> I—monitor compliance with this Resolução;
> II—prepare studies and propose concrete measures to improve the justice system regarding cases involving human rights, gender, race and ethnicity, from an intersectional perspective.[6]

Another relevant fact to be analyzed for a better understanding of national political activity and interest groups is the ongoing trial in the Federal Supreme Court of the *Arguição de Descumprimento de Preceito Fundamental*—ADPF nº 973,[7] in which seven political parties are calling for the adoption of "remedial measures" and "public policies in favor of the black population" and the implementation of a "National Plan to combat institutional racism and the policy of death against the black population," as described in the initial petition of the lawsuit.[8]

Political parties claim that the Brazilian black population experiences the denial of constitutional rights, being subjected to "permanent genocide" resulting from social and racial inequalities caused by the actions and omissions of the Brazilian State. The rhetorical arguments used by political parties and entities admitted to the proceedings employ various ambiguous words and derivative expressions that are generic and abstract, laden with eminently political and ideological meaning.

Another example of this traditional political behavior, which is deeply rooted in society, was noted by Professor Luiz Felipe Pondé—an enthusiast of Oakeshott's philosophy—who emphasized in his interview with journalist Andresa Boni on TV Cultura's Linhas Cruzadas program[9] the issue of gender identity and the political terms repeatedly used in the Brazilian media: "The truth is that for the vast majority of the population, this issue is not important."

Luiz Felipe Pondé addressed the issue of gender identity and the power of narratives in postmodernity, stating that these terms arise in academic circles and are repeated exhaustively by the national media and on social networks without any reflection in the vast majority of the population. According to Pondé, this is a topic restricted to only a tiny portion of the population, as the vast majority are unfamiliar with terms such as "cisgender," among others, and have no interest in the subject.

If we are dealing with the understanding of political activity as the object of Political Education—the main theme of philos Oakeshott's article—and if we consider that politics is the activity of dealing with the general arrangements present in society, political action under the ideological mantle could only exist and operate in national practice in the face of the prior existence of a "tradition of behavior," according to Oakeshott's thesis.

We must identify what this tradition of behavior is, which Oakeshott referred to in his lecture. The British philosopher teaches that the form taken by this tradition of behavior is merely the refinement of existing arrangements, such as customs, laws, institutions, and political decisions, among other arrangements present in society.

The facts and evidence show that the branches of government are dealing with the general arrangements present in Brazilian society based on traditional political behavior, represented by the actions of political parties. We infer that ideological behavior aimed at pursuing certain goals is already present in national political customs, in many Brazilian laws, in the three branches of government, and in institutions.

Following the direction of Oakeshott's thesis, we conclude that political activity comes first, and the ideological incursion present in state power comes second. It is a system of ideas abstracted from the way people have become accustomed to dealing with the general arrangements of Brazilian society, which is already immersed in a concrete way of behaving where specific goals and ends to be achieved are present, but are hidden in the aforementioned ambiguous words and expressions in common use, as well as in the suggestions and insinuations identified.

This scheme of goals to be pursued arises within an existing tradition of national political behavior. There is a political tradition in Brazilian society, accompanied by concrete political activity, that has given rise to this system of abstraction of ideas that is characteristic of our political experience.

According to Oakeshott, "In politics, the only concrete form of detectable activity is one in which empiricism and the ends to be pursued are recognized as dependent, both for their existence and for their operation, on a traditional manner of behavior" (Oakeshott 2021, p. 272). This short excerpt from the essay Political Education summarizes Oakeshott's thesis about the dependence of political ideologies on a traditional, pre-existing manner of behavior.

Oakeshott's skepticism leads us to question whether the application of an academic theory called "intersectionality" really contributes to the creation and implementation of public policies that effectively promote the constitutional guarantee that all people are equal before the law without distinction of any kind, according to Article 5 of the *Constituição Federal*,[10] aware that the duty of non-discrimination is one of the fundamental objectives of the Republic, expressed in Article 3, item IV, of the Constituição Federal, which aims to promote the welfare of all, without prejudice based on origin, race, sex, color, age, or any other forms of discrimination.

The political skepticism arising from the philosopher's lessons casts suspicion on the "intersectionality" devised in academia by a professor at UCLA Law School and Columbia Law School , imposed from the top down on those subject to jurisdiction and the general population, without the necessary parliamentary discussion and without the participation of intermediate groups in society, and makes us question wheth-

er the application of an academic theory in the social environment might not promote more unwanted inequalities.

In the words of the author of Intersectionality Theory herself, law professor Kimberlé Crenshaw, "Intersectionality is a lens through which you can see where power comes from and collides, where it intersects and crosses. It is not simply that there is a race problem here, a gender problem there, and a class or LGBTQ problem somewhere else."

On this subject, it is worth noting Oakeshott's pertinent critical understanding of the distortion of legal education today, to the detriment of a liberal education (based on the classical liberal arts): "The theory of law, until it became confused with a bland interest in so-called social and psychological needs and became part of the equipment of 'social engineers' was a profound philosophical inquiry, one of the oldest and most respected components of liberal education" (2021, pp. 71-72).

Based on these considerations and analysis of normative acts, we conclude that it is possible to identify an idealistic view of law, based on a rationalist conception of ends to be pursued ("lawfare" and the instrumentalization of law), which reflects the category developed by the philosopher regarding the "Politics of Faith" operating in the legal sphere. The facts and evidence clarify an important part of our political education and reveal the appearance and identity of a tradition of behavior reduced to an ideology that can elucidate passages still hidden in Brazilian political tradition. This is Michael Oakeshott's recommendation at the end of his essay, reiterating the need to explore suggestions, nuances, insinuations, and sympathies in the political sphere.

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NOTES

1 Literally translated as: National Council of Justice. It is an organ of the Judiciary with administrative functions similar to those of the Judicial Conference and disciplinary functions like the Judicial Councils in the USA.

2 Resolução: rule created by the administrative bodies like CNJ to regulate internal issues. It is an act of the Plenary (the 15 members that make up the CNJ). Mandatory for the all judges and courts of the country.

3 CNJ website with the Resolução available at: https://www.cnj.jus.br/programas-e-acoes/protocolo-para-julgamento-com-perspectiva-de-genero/.

4 Portaria: Rule with less regulatory and hierarchical power, restricted to matters of less relevance. Taken by monocratic decision of the Presidency of the CNJ.

5 Original text: "Art. 3º—Fica instituído, no âmbito do Conselho Nacional de Justiça, o Comitê de Acompanhamento e Capacitação sobre Julgamento com Perspectiva de Gênero no Poder Judiciário, em caráter nacional e permanente. Art. 4º—Caberá ao Comitê: I—acompanhar o cumprimento da presente Resolução; II—elaborar estudos e propor medidas concretas de aperfeiçoamento do sistema de justiça quanto às causas que envolvam direitos humanos, gênero, raça e etnia, em perspectiva interseccional."

6 ADPF: It is a legal instrument of Brazilian constitutionality control used in the Supremo Tribunal Federal (STF), the Supreme Court of Brazil, to avoid or repair injuries to fundamental precepts of the 1988 Federal Constitution resulting from acts of the Public Power.

7 STF website for access to the lawsuit of Argument of Non-compliance with Fundamental Precept—ADPF nº 973 and Process nº 0119591-95.2022.1.00.0000 available at: https://portal.stf.jus.br/processos/detalhe.asp?incidente=6404537.

8 Tv Cultura program of 18/07/2024 "Tudo é narrativa ?" available at: https://www.youtube.com/watch?v=nd2Lr_TJ6Ok&t=1110s.

9 Constituição Federal: The superior norm that heads the legal system. Federal Constituition.

10 Columbia Law School website available at: https://www.law.columbia.edu/faculty/kimberle-w-crenshaw.

Education, Skepticism, and Conversation in Michael Oakeshott

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A concern that has been faced for hundreds of years relates to education. How to educate, what capacity human beings have to learn, which methods are most effective, the position and condition of teacher and student in the educational relationship, what content should be taught, how education should deal with the speed of changes that have occurred in recent centuries, from the emergence of the printing press (Gutenberg) to the newest technologies, such as Artificial Intelligence, and all the other sciences that directly or indirectly contribute to education: psychology, psychoanalysis, physiology, nutrition, neuroscience, information and communication technology, etc?

Michael Oakeshott (1901-1990) helps us reflect on these questions from a standpoint we call a skeptical position, in this case modern skepticism. Influenced by thinkers such as Michel de Montaigne (1533-1592) and David Hume (1711-1776), his skepticism leads education to be viewed in a peculiar way. The object to be addressed here—education—is not, therefore, to present what an ideal education would be (nothing could be further from Oakeshottian thought); on the contrary: it is to offer a prudent perspective,[1] typical of skepticism; an education in its various domains, without any claim to exhaust the subject.

Therefore, it is important to understand that Oakeshott does not debate such themes from a metaphysical, teleological, partisan, or moral standpoint. Oakeshott seeks to assess, based on his essayistic reflections, the empirical data of reality and to deepen the inquiry in search of objective results, not necessarily a definitive solution to problems, but rather by indicating a direction: a liberal education.

Michael Oakeshott, born in England, was one of the greatest philosophers of the twentieth century, a political theorist and historian, well versed in a wide range of subjects. He presented his thought in a unique and distinctive manner, whether in philosophy, history, politics, education, religion, etc.[2] He taught at major institutions, including Cambridge and Oxford. Influenced by the events of the Second World War, Oakeshott devoted much of his time to philosophy and politics, which did not prevent him from addressing important themes such as education. One of his works translated into Portuguese is *The Voice of Liberal Learning*, in which Oakeshott presents education as he understands it to be liberal (self-consciousness), never losing sight of its skeptical foundation. Michael Oakeshott's philosophical and political position is often controversial: some see him as a conservative, others merely as a liberal (not in the progressive sense), and others still as a modern skeptic; producing various nuances in his thought.[3] What matters here is to recognize that, with regard to education, Michael Oakeshott (2021, p.10) holds a well-defined position:

> Liberal education as Oakeshott understands it has already been confused with, or replaced by, behavior modification in the minds of many: sex education, drug education, values clarification, peace studies, suicide prevention (education for death), consciousness-raising, and many other subjects that are currently fashionable",

Timothy Fuller[4] makes it quite clear that "for Oakeshott, the dialogue of liberal education is erroneously characterized when framed in terms of progress or of political programs and public policies" (2021, p. 15). This means that Michael Oakeshott understands education as something far more than educational practice, its methods, and its theory. He defends it as an intrinsic form of human existence itself: the development of language and its mode of use (motivation). For this reason, for Oakeshott, in Fuller's words, "no one will be surprised that educational institutions, both in England and in the United States, are becoming confused with pressure groups seeking to protect their own interests" (2021, p. 11),[5] since Oakeshott repudiates education as an anchoring of purely political and ideological interests.

The much-acclaimed scholars in the field of education increasingly restrict themselves to personal and institutional interests. They create closed groups (bubbles), which makes it a herculean task to present our ideas when they are based on facts and practical evidence. "It is therefore not surprising that professionals view without enthusiasm the philosopher's skepticism, which draws attention to the limits of a mode of experience." Unlike education professionals, the philosopher seeks to demonstrate to scholars not a judgment on their theses and works, but rather to "force the professional of an activity to become self-aware (…) of self-criticism" (Ibid., p. 23).

Returning to the initial point, thinking about education for the future, thinking about education in terms of its historical development and what we understand by education—is the fragile point of this exposition. It takes little effort to understand that education, in its methods, epistemological proposals, ideologies, objectives, effectiveness, and efficiency, is always chasing changes that occur before it namely—new technologies. Yes, education changes slowly when compared to technologies and the sciences as such. When we succeed or fail in the way we educate individuals, the effects appear in the long term, and the time required to correct them is also long. And it could not be different. Education is part of the human constitution, and, when considered historically, the manner in which we deal with education is relatively recent in comparison with what we understand as the history and evolution of humanity.

Education will never be an easy field for debate and assertiveness because, as Oakeshott himself maintains, education is intrinsic to the human being. Consequently, understanding human complexity constitutes the central challenge of education, which renders education itself complex. To speak of education is therefore to speak of what is "ontological" and "epistemological" in the human being.[6] With regard to education, Oakeshott takes a step back insofar as he understands that it is not possible for someone to be considered "human" if they are incapable of developing language,[7] that is, engaging in "conversation" (self-consciousness). Throughout his work, Oakeshott (1991, p. 5) consistently sought to present his skeptical thinking as epistemologically open to all possibilities, guided by prudence.

> The themes explored here have been with me for as long as I can remember; but I left the task of organizing my thoughts until very late, and the reader must forgive me if, as a result, I proceed slowly in order to avoid confusion.

The concern of Oakeshott is that "contemporary education is under strong pressure to distinguish formality and civility—the general rules of conversation…",[8] thereby confusing an education oriented toward goals with one aimed at the formation of the human being in its full breadth. Oakeshott identifies a serious problem when education is used as a form of individual and social improvement. Not that education does not enhance the human being in various respects; rather, for Oakeshott, the problem lies in understanding education as a type of engineering directed toward human perfectibility (nothing more antithetical), which would amount to mere utopias[9] and ideologies (the "politics of faith") in social and political terms, a disaster. This is even more so when education is viewed merely as a political lever and a means of pure economic gain, consequently leading to the mismanagement of resources that are already exceedingly high.[10]

This is why the concept of "conversation" is so frequently used by Oakeshott, since education should not be seen as a dogma, a set of concepts and rules from manuals to be memorized and mechanically applied, much less as an incentive to anarchy through the abandonment of basic standards of relationships,

purposes, and objectives. Education, above all, must be liberating.[11] It should allow the human being to expand all of their infinite potentialities. This expansion occurs primarily when education is oriented toward the questions of emergent reality, in consonance with the positive outcomes of the past (conservative), while looking to the future and acting with restraint. This is not in a merely pragmatic or utilitarian sense, but in the sense that reflection should be directed toward concrete needs, without losing itself in ideologizing theories. Experience and theory cannot constitute a duality in education—as in Cartesian thought[12]—but rather two sides of the same coin. There is no educational theory prior to experience, and human experience is of no value if there is no theoretical reflection upon it, which renders experience and reflection univocal.[13]

Oakeshott argues that human freedom lies in the subject's capacity to consider their own existence in a self-reflective manner. Education will be a consequence of this human capacity to perceive oneself as human (to reflect upon oneself in relation to the world). Paraphrasing the existentialist philosopher Jean-Paul Sartre (1970, p. 20), man is not born with an essence; man produces it. In other words:

> (…) nevertheless, it is history that makes individuals; it is their own history, from the moment they are conceived, that ensures individuals are not born and do not appear in a world that grants them an abstract condition, but rather emerge in a world of which they have always been a part, to which they are conditioned, and which they themselves help to condition (…)

It is through the capacity to reflect upon the world and upon oneself that human beings become human. "Human beings are what they learn to become in a world of existing ideas, discovering themselves immersed in them without having been solicited" (Oakeshott 2021, p. 18). If those who reflect on education lack the awareness that human beings are born free and becomes human insofar as they acquire knowledge of their reality and of what surrounds them, education will be nothing more than the mere reproduction of political and economic interests, whose purpose is not the development of the human being and society, but rather the immediate interests of private groups and individuals, even within public institutions. The individual "has a history, but not a nature; he is not what he becomes in conduct. His history is not an evolutionary or teleological process" (Oakeshott 1991, p. 40).

It is redundant to state that education is directly linked to human intelligence; however, how has this intelligence been shaped by those who claim responsibility for this matter? Oakeshott points to the problem that institutions create for education when they view it not as a means to freedom—a basic condition for individuals—but as an usurpation of political, social, ideological, and even moralistic power.

In line with these criticisms that Oakeshott directs at institutions and their agents,[14] he also extends them to those who should examine such matters in a more impartial or, at least, more fruitful manner. Philosophers, epistemologists, psychologists, historians, and many others who deal with issues related to the advancement of human knowledge should, at a minimum, adhere to the limits of their own conceptions of education, grounding them in concrete and lived reality. To claim knowledge of and to theorize about the entirety of human experience is a pretense and an arrogance that exceeds any reasonable limit for those who possess even a basic understanding of the foundations of skepticism. It is precisely this skepticism that permeates the critique Oakeshott directs at intellectuals, politicians, and others. Philosophy itself, as such, should not confine itself to moral, teleological, or ideological questions regarding education; rather, it should contribute to analyzing, explaining, conceptualizing, and problematizing the development of education itself, never placing itself in the position of a judge, but rather as an auxiliary to those who make the final decisions. For Oakeshott (2021, p. 23), philosophy must stand above and beyond these disputes.

> The philosopher potentially compels the professional (…) in such a way that he may submit himself to the same experience of perplexity as the philosopher". This stance that the philosopher

> must adopt in relation to the various areas of knowledge - education, is the "skeptical disease of the philosopher"[15]

What Oakeshott is telling us is that, if we wish to think about a well-grounded education, we must weigh everything that surrounds it: whether it is presented as a space for dialogue (conversation) or merely as a mode of social and individual control.[16] For Oakeshott (2021, p. 27), there is no single way of dealing with multiplicity and the possibilities that human life existentially proposes.

> It is the description of the experience to which he constantly returns. He does so because, regardless of which metaphysical basis one may use to explain experience, it is the recognition of experience in itself that can be shared and delimited through a dialogue among those who partake in it, despite disagreements that may arise concerning the origin of experience and where it may lead.

EDUCATION AND SKEPTICISM

"In practice, skepticism is never absolute: total doubt is simply a contradiction in itself (…) skepticism should not be identified either with anarchy or with radical individualism (…) " (Oakeshott 2018, p. 68). Oakeshott takes as a premise of his thought—regarding philosophy, politics, and education—that skepticism should manifest itself as a balance,[17] as a guiding light, a way of seeing, analyzing, and acting with regard to all practical conditions, favorable and unfavorable, involved in any decision-making process. Education, insofar as it is directly linked to the fact that the human being becomes human through an act of freedom, must be viewed through skeptical lenses in order to dispel the idea of perfect and utopian solutions. For this reason, "government should not be the architect of a perfect way of life" (2018, p. 69), even more so in the case of education, which is part of human constitution itself - imperfection. Education does not exist to make the human being perfect; it exists to explore their potentialities.

As the well-known phrase goes: "insanity is doing the same thing over and over again and expecting different results". In Oakeshott's view, especially in modern times, education has lost its real purpose, since there is an attempt to turn it into a prosperous science, treating it in the same way as bureaucracies, academicist theories, ideologies, politicking, and so forth.

In Oakeshott's conception, when education ceases to be in the hands of the Church—whether Catholic or Protestant (and other religions)—and becomes an arm of the State, it takes on a disposition that is no longer humanistic—aimed at understanding the human being - but rather one oriented toward merely "national"[18] interests, that is, toward the interests of local governments. He cites France as an example, referring to it as an "emblem of the central doctrine of enlightened government". By "enlightened", Oakeshott refers to an education for the nation, not for the individual, oriented toward "enterprise association"[19] (1991, p. 449), which is entirely associated with a "politics of faith".[20]

Oakeshott (2018, p. 139) identifies the error of what he calls the politics of faith when rulers make decisions grounded in theoretical abstractions, thereby directing the population toward the production of greater problems, in this case, in education.

> The politics of scepticism understood that its contemporary task must be: first, to detect what is happening; second, to understand how government can most economically perform its perennial function of preserving the order and balance appropriate to the condition and ongoing activities of society; and third, to ensure that political activity is directed toward this purpose and applies its creativity in that direction.

It means that, unlike a "politics of faith", Oakeshott understands that rulers, in their political actions, should act with restraint, especially when it comes to education. Even outside the European sphere, of which he was part when making these analyses, it is not difficult to perceive this problem as it occurs here on our South American continent, exclusively in Brazil. The idea of a "Brazil, an Educating Homeland"—a slogan of Dilma Rousseff's government—merely demonstrated the distance between political actions that are concrete and effective and the educational reality of our country in recent governments, regardless of their political or ideological spectrum. Brazilian national education has shown itself over recent years to be a set of empty bravado and propaganda, such as "School without Party".

For this reason, Oakeshott (1991, p. 489) understands that "conversation" is the best path for decision-making, even if such decisions later prove to be mistaken. "In a conversation, the participants are not engaged in an investigation or a debate; there is no truth to be discovered, no proposition to be proved, no conclusion to be sought". Oakeshott starts from the principle that improving the conditions in which we find ourselves, in this case, education, depends on a relinquishing by the parties in favor of the art of "conversation". At best, this leads to results that benefit everyone, not just one side, without losing sight of the individual. Discussing education policies depends on a "disposition"[21] toward open and broad dialogue. "Conversation is not an enterprise designed to generate extrinsic profit, a competition in which the winner receives a prize, nor is it an activity of exegesis; it is the space of freedom" (1991, p. 491).

Brazil is are not only one of the worst countries in the PISA ranking (Programme for International Student Assessment), but we have also regressed in recent statistics, especially in the post pandemic period.[22] That Brazil has had emerging problems in education for years is more than a recognized fact, including as a theme in political debates, especially during election periods. However, what kind of education are we talking about? What has been argued so far is that there is no way for governments to systematize education in a homogeneous and comprehensive manner based on purely political-ideological decisions (cabinet ideas), even more so at the national level.[23] This is especially clear when we understand that human beings need self-understanding, the development of language in all its aspects, and a dialogical relationship with others and with society. Education requires a moderate perspective that allows it to encompass past, present, and future based on the demands of the present.

> This is the most economical method of governing in the use of power: it involves an association between past and present, and between governors and governed, which leaves no room for arbitrariness; it encourages a tradition of moderation and resistance to the emergence of dangerous accumulations of power (…), freeing us from vain and dangerous expectations, as well as from exaggerated ambition (Oakeshott 2018, pp. 142-143).

The Brazilian Constitution of 1988 states:

> Art. 205. Education, the right of all and the duty of the State and the family, shall be promoted and encouraged with the collaboration of society, aiming at the full development of the person, preparation for the exercise of citizenship, and qualification for work (Federal Constitution 2008, p. 121, emphasis added).

The idea that education is both a "right" and a "duty" at the same time raises a question: what does this right encompass? And is this scope being contemplated by the duty? The various official documents and the different instances that comprise education in Brazil, as well as the federal, state, and municipal levels, would in a certain way claim that these rights and duties are being fulfilled. However, a quick look at national and international indices reveals that this is far from being true.[24]

Few would disagree that education is a duty of the State, families, and society; however, few know what states, municipalities, and the federal government have actually promoted in relation to education. And, as previously presented, a large part of education specialists move more toward educational policies of "faith"

than of "skepticism" (cf. Oakeshott 2018), that is, they place under an umbrella called education a series of demands that are impossible to put into practice. This is evident when we observe the various institutional Brazilian bodies that fall under this umbrella called the Constitution/LDBEN (Law of Guidelines and Bases of National Education). Here, education is not treated merely in an epistemological sense, as initially outlined, but as formal education (schooling), which should be concretized in the daily lives of families and in basic, technical, and higher education institutions. Concepts such as civic education, formation of the self, preparation for the world of work, continuing education, constructivist education, critical education, etc., become empty concepts when confronted with political actions and the reality of educational institutions, both public and private. "Individuals are not rational abstractions; they are historical personalities (…) " (Oakeshott 2021, p. 91).

Returning to the initial point, for Oakeshott (2021, p. 39) these forms of "politics of faith" are of no use if the human being is not understood in his or her "nature", which is freedom—an education for freedom.

> They postulate what I shall call the free human being. A human being may become free in many different respects, and I should suggest, moreover, that being educated is in itself an emancipation; and human beings may also achieve various other degrees of what may be called 'autonomy'. But I am concerned here with the 'freedom' (so to speak) from which a human being cannot alienate himself or be deprived without ceasing to be human, whether temporarily or permanently.

We can notice that the freedom invoked by Oakeshott is not simply freedom understood as free will, but the freedom to understand oneself. To understand that what makes one human is one's capacity to develop language, dialogue, and "conversation", and thus to understand the world, experiential manifestations, and oneself: "none of us is born human; each becomes what he learns to be" (2021, p. 44). The human being is the only one capable of this self-reflection and reflection upon the surrounding world; this is what makes one human and the author of one's own history, which makes us unique. Thus, education should follow this path: that of self-reflection inserted within the world of conversation—not defining what the human being is in a metaphysical or ontological sense, but the path by which one becomes human.

Thus, "a human being is not free because he has free will, but because he is, in himself, what he is for himself" (2021, p. 41). This human freedom entails a responsibility: learning—this is the (intrinsic) human condition. It means that the human being is free to learn, not merely to exist, unlike a stone, a plant, or an animal. Human learning is not the mere development of a living organism; it is self-awareness in the face of life. "Human learning is a self-reflective process"; it is not an adaptation to the world for the survival of the species, but rather "perceptions, ideas, beliefs, emotions, sensibilities, recognitions, discriminations, theorems, and everything that comes to constitute the human condition" (2021, p. 46).

However, we must not fall into the error of thinking that learning is a potential that develops naturally (Aristotle); learning requires effort. Jules Payot (2018, p. 174) states that without "will", education does not exist.

> It is first necessary to weaken or, if possible, destroy the forces that tend to undermine energy, and to give as much strength as possible to those that tend to increase it. The causes of the weakening of persevering will are numerous: (…) vague sentimentalism, so frequent among the young (…), the pernicious influence of companions who abandon all effort at self-improvement, life spent in bars and restaurants, sadness, discouragement, the terrible court of sophisms used by the lazy as excuses for idleness (…).

Regardless of any moralistic interpretation of this passage, the focus should be on the necessity that learning requires effort, and that this effort can only be achieved if those who claim responsibility for education demand that it occur in their students, individuals, and society. For a human being, then, learning is a task for an entire lifetime. For there to be such learning—leading to self-awareness and awareness of

the world through effort, "the school and the university are unmistakable; they are successive stages of this deliberate commitment to learning, and it is this that interests us". In these environments the subject must recognize himself as a learner, not an incidental learner of everyday occurrences, but a specific learner, recognized as engaged in a "specific task to be faced and pursued with attention, patience, and determination, with the learner being conscious of what he is doing" (Oakeshott 2018, pp. 49-50).

If we wish to develop the learning potential of each learner, schools and universities must not limit themselves to the dictates and local interests of individuals; they must go beyond them. Since each subject is limited by the geographical and cultural context in which they are situated, these institutions should be places of emancipation from ordinary routine life. And the more human beings associate with one another, the more this learning becomes vigorous, practical, and liberating. Schools and universities should not limit themselves to teaching repetitive manual practices, but should present the diverse human manifestations, "those identities transmitted from parents to children; until recently, schools and universities were the proper places for this, sufficiently protected from the demands of utility" (…).

This is the core of what came to be called liberal education—liberal in being free from the need to satisfy "contingent desires"—and it is for this reason that Oakeshott argues that the human being is not a mere specialist in some function or activity; rather, he is a "historical adventure" (Oakeshott, 2021, p. 56). The human being, even in his individual contingencies, is part of something ancient that seeks the new and that often returns to the old.

If we consider the present day, we may gain a certain perception that Oakeshott's ideas are almost utopian, if not outright so. On the other hand, Oakeshott is not telling us what educational methods should be, nor how each ruler ought to act,[25] much less presenting a manual or even a list of moral rules. Oakeshott invites us to understand that education is intrinsic to the human being: a being of language, dialogue, and constant learning that transcends contingencies without ignoring them. To educate a subject is to grasp what his free dimension is. The art of education is part of this process of making the human being what he ought to be: human.

On the other hand, a closer look shows that, in general, this is not the type of education we observe, including here in Brazil. Inger Enkvist (2019, p. 135) argues that "the old supporters of the new pedagogy continue to be 'neophytes', in the sense that they remain interested in what is 'new'".[26] And by "new," she means "technologies" intended to rescue "their ideas". For those who have had the opportunity to work in Basic Education, this is not difficult to perceive. Public and private schools attempt to compensate for the very poor results (previously demonstrated by PISA) of national education through the use of the most diverse technological devices possible. Indeed, many parents naively believe that their children are learning more and more effectively the more a school unit speaks about its technological paraphernalia. This does not mean that technology should be ignored or set aside; it simply means placing it in its proper place: as a means, not education itself, as we have observed from Michael Oakeshott thus far.

"The most frequent educational use of new technologies has come to be the use of the *internet*. At the same time, freer forms of work have been introduced, making an ordered classroom environment increasingly difficult" (2019, p. 136). This is what Oakeshott calls contingencies. Schools and universities increasingly open themselves to the individual, local, and immediate interests of students rather than to an education oriented toward human freedom and self-awareness.

> The global expression of this current of thought is related to postmodernism and is characterized precisely by the idea that reality as an objective fact does not exist, but rather that each of us constructs our own reality, a theory that has come to be called constructivism or constructionism (…). It is therefore not surprising that parents do not understand much of what is going on, since even teachers themselves do not fully understand what has happened. This philosophy has spread throughout the West despite its contradictions (2019, p. 13).

It is enough to observe the daily life of a public or even a private school to see that words such as effort, learning, self-awareness, and formation are far removed from what Oakeshott understands as the recognition of an education oriented toward freedom. Inger Enkvist argues that the school has lost its formal aspect. Even if this concept may involve ambiguities, what she means is that the school should present to students that which will enable them to grow by equipping them to "better understand the world and make better decisions", when in fact they "divert the discussion of learning toward the social use of school certificates" (2019, p. 14). "Learning is the comprehensive activity through which we come to know ourselves and to know the world around us" (Oakeshott 2021, p. 83).

The psychiatrist and writer Theodore Dalrymple is another incisive commentator on education.[27] "In the past, ignorance was purely passive: a mere absence of knowledge. Recently, however, it has taken on a more positive and malignant quality: a profound aversion to anything that smells of intelligence, education, or culture". Drawing on his experiences in prisons and in his psychiatric practice, Dalrymple witnessed various situations, including that of a young man who took an overdose for feeling morally harassed in "secondary education" (upper secondary school), when he was told: "you are stupid because you are inteligente". No, this is not, as previously stated, an experience unique to Dalrymple. In Brazilian schools, many students are morally and physically harassed because they study or make an effort. They are even told: that if they do not correct their ways and join the group, we will beat you".

> What did they mean by this apparent paradox? To suggest that anyone who makes an effort to learn and performs well at school is wasting time, when they could instead be engaged in the true things of life, such as skipping classes in the park or wandering around the city center (Dalrymple 2014, pp. 91-92).

In the case mentioned above, "skipping classes" (not entering the school) in public schools takes the form of not entering the classroom. Yes! Many students go to school because it has become a meeting point: *the point*. Schools, especially in peripheral areas, are surrounded by drug trafficking in their immediate surroundings. Children, adolescents, and young people are seen as the perfect clientele, easily seduced. Others attend for basic social reasons: access to food that is lacking at home, escaping family violence, loneliness, access to the internet, etc. Speaking about violence in schools is more than well known. Education professionals, outsourced workers, and students all suffer, directly or indirectly, from school violence, which has been growing at an alarming frequency. Is this the environment Oakeshott had in mind when speaking of education for freedom and space for dialogue?

As in Brazil, what Dalrymple (2014, p. 95) denounced also occurs in Europe:

> simple semi-literacy and ignorance do not necessarily prevent these young people from passing public examinations, at least at the lower levels. Since failure is now seen as inevitably harmful to self-esteem, anyone who presents themselves to take the exams will probably leave with a diploma.

What is being reported here concerns the diplomas of those who graduate from schools and universities. The number of graduates who lack skills and competencies in their training is alarming.[28]

Many will, as they already do, diagnose the various reasons why education in Brazil, and elsewhere, is in poor condition. However, most remain confined to the well-known "cabinet theses": methodological changes, investments in so-called innovative areas, salary increases, and so on. Yet what continues to happen in real life is that education and learning have declined in quality over recent decades.

> Unfortunately, it is very difficult to overturn these pedagogical (or anti-pedagogical) innovations even today, when the central government has belatedly realized their disastrous consequences. Why? First, teachers and teacher educators in faculties of education are deeply imbued with the educational ideas that brought us to this point. Second, a vast educational bureaucracy has grown

> in England (one bureaucrat per teacher, leaping about like an admiral in South American navies), which uses every subterfuge to prevent change—from falsifying statistics to deliberate misinterpretation of government policy (Dalrymple 2014, p. 97).

Any resemblance is purely coincidental. This is the bureaucracy that Oakeshott denounces in his book *The Politics of Faith and the Politics of Skepticism* (Cf. Oakeshott 2018), in which he draws a contrast with a form of politics (bureaucracy) based on theoretical, political, and academic inventions that, year after year, prove ineffective, in this case, in relation to education.

> Therefore, the activity of governing persists not because it is good, but because it is necessary. Its primary function is to reduce the severity of human conflict by reducing the occasions on which it occurs (…). In the skeptical understanding, strong government should not be seen as a step toward the politics of faith, for it is not a meticulous government: its power is always limited by the narrow field of its activity. Nevertheless, it is clearly an attribute of the skeptical disposition to consider economy in the use of power in governing, and most of our practices and ideas on this matter originate from this style of politics (2018, p. 70).

The "politics of faith" does not lead individuals to promote their freedom or learning beyond contingencies and specificities, on the contrary, it leads each individual to submit to a government of abstract ideas that assault lived reality and the human condition itself. There is no conversation in the politics of faith, only submission to academic manuals and occasional political actions, which often become confused with one another. For Oakeshott, the government's primary function is to maintain order, improving systems of rights and duties. The problem is that a government guided by the politics of faith believes it will improve people, subjects, students, by making use of the most absurd educational theories. The skeptic, by contrast, is more concerned with the actions that rulers may take to the point of harming society and education. Actions arising from ambitious, arrogant men who believe in their own enlightened wisdom. It takes little effort to recall what such "enlightened minds" were capable of doing in modernity, bringing about all kinds of calamities despite great scientific advances.

UNIVERSITIES

Oakeshott understands that, in every problem surrounding education, universities are those that suffer most from the politics of faith, this is because, while in basic education there is a failure to initiate students into the world of formality, removing them from the immediacy of everyday life, in other words, enabling students to contemplate forms of knowledge that go far beyond their local contexts; universities, on the other hand, fail precisely through an excess of formalism, bureaucracy, and technicality. This excess prevents, as previously noted, conversation, debate, contradiction, discovery, and knowledge that is "uncommitted" to ideological agendas and, as he puts it, to prescriptive handbooks.

In this case, universities should approach knowledge and science not as the "pursuit of a predetermined end; no one knows or can imagine where it will lead" (Oakeshott 2021, p. 179). However, in general, this is not what Oakeshott perceived in European universities, and the same can be said of Brazilian universities. When examining curricula, syllabi, research proposals, and the like, one observes a flood of research that largely departs from Oakeshott's idea of what a university should be. With some exceptions (professors, students, institutions), the majority merely seek to comply with bureaucratic guidelines that come nowhere near what Oakeshott understands as the production of science. "A university is a group of people participating in a particular kind of activity: in the Middle Ages this was called *Studium*, we may call it the pursuit of learning" (2021, p. 181). This is the same criticism Dalrymple makes when denouncing the interests of educational bureaucracy in his own country and in many others. Education is treated as "rapid and superficial movements of exciting images on television; these young people discover that sustai-

ned interest in anything is beyond their reach" (Dalrymple 2014, pp. 96-97). In other words, the education offered is increasingly oriented toward entertainment disguised as "science".[29]

"A university is not a machine designed to achieve a particular purpose or to produce a specific result; it is a mode of human activity" (Oakeshott 2021, p. 181). It is the place where individuals flourish and present what is valuable and intrinsic, namely, their freedom. For Oakeshott, to use universities for particular ideological or political purposes is to "use them as one would use a baby language" (Ibid.). The university must distinguish itself from other forms of learning. It cannot be compared to familial learning, basic formal education, or technical training; the university occupies a special place. Each university, according to its specialties, should be a cooperative pursuit. It is a place where learning and tradition go hand in hand. It should be a place where knowledge is shared, not to prove who is best or most gifted, but to contribute to human society.

> Those who come to attend classes at a university must offer indications that we are not mere beginners; and they are not only presented with the knowledge of their professors, but are also offered a curriculum of studies, followed by an examination and by the reward of a diploma (2021, p. 183).

Here lies the clarification of the difference between the pursuit of knowledge and the pursuit of information. This does not mean that it is simple to define what constitutes the world of learning, but it does mean that it cannot consist of mere repetitions of so-called scientific statements for the sake of completing a degree. For this reason, an intellectual truly committed to learning and knowledge will rarely confine himself to his own specialization without engaging with other scholars from different fields—this is conversation. "The world of learning requires no cement to hold it together", it is unified by the purpose of knowledge. "And the peculiar virtue of a university (as a place of many studies) is to exhibit it as such, each study emerging as a voice whose tone is neither tyrannical nor melancholic, but humble and sociable" (2021, p. 185).

Thus, an intellectual cannot be regarded as a preacher or an instructor; rather, he is an encourager of the pursuit of knowledge, including knowledge that goes beyond his own, without vanity, pettiness, or narcissistic flattery. A true intellectual will never be satisfied with being merely a means by which students obtain their diplomas. The university should be seen as a place where the knowledge present there surpasses the knowledge of any individual intellectual taken in isolation. The university does not speak of a single intellectual; it is concerned with the cooperative knowledge of all intellectuals. It is a space for knowledge, not for isolated individuals entrenched in their pedantries; for this reason, its faculty comprises the most diverse types of intellectuals, with their different academic and scientific approaches.

"A university, therefore, is an institution particularly well adapted to the frailty and ignorance of humankind because its excellence does not depend on the emergence of a universal genius—although it knows how to make room for one, should he appear" (2021, p. 187). The university is a place for the manifestation of freedom, but not a freedom without demands, "if freedom were something that cost nothing (…) we could once again emphasize the concept of maturity, a maturity that grows when students encounter demands" (Enkvist 2019, p. 139). Those who enter undergraduate education are neither children nor fully formed adults; they are beginners in a new space of learning, a place like an open sea in which possibilities are infinite, even though their choices limit what they seek to know.

There is nothing new in criticizing universities; the question is whether universities are concerned with such criticisms and act upon them. "In short, the problem of integrating the world of knowledge is profound and difficult, but the fact that at present we do not see how to do it does not destroy the possibility of a university" (Oakeshott 2021, p. 250).

For many, Michael Oakeshott, although grounded in skepticism, conservatism, and freedomis, utopian in imagining a place of learning that promotes diverse minds and their manifestations of knowledge through conversation, contradiction, cooperation, and the understanding of knowledge as an unceasing

pursuit, expressed in different forms and at different moments and places of learning. Oakeshott should not be read merely as a thinker who harshly criticizes rationalism, bureaucracy, and prescriptive intellectualism; he should be seen as a thinker who recognizes in human beings potentials that can and must be continually explored in the most varied ways.

Education as seen from Oakeshott's perspective in which freedom, the development of language through conversation and the constant challenge placed upon individuals to improve themselves and generate new knowledge, grounded in history, acting in the present with an eye toward the future, always with prudence, is what Liberal Education proposes to us. There is no doubt that Michael Oakeshott is a salutary voice for our times.

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NOTES

1 One of the principal virtues identified by Aristotle and absorbed by skepticism.
2 He was strongly influenced by the events that occurred during and after the Second World War. He even became part of the British Army, in the Phantom intelligence unit.
3 In the book *Rationalism in Politics and Other Essays*, it is possible to perceive the aspects of Michael Oakeshott's conservatism.
4 One of the leading scholars, analysts, and commentators on the works of Michael Oakeshott.
5 This is what occurs in the majority of research institutions here in Brazil.
6 The concept of ontology employed here is not used in the metaphysical sense of the philosophical tradition, but rather in the sense of what is constitutive of the human being—that which is necessary for us to affirm that someone is human.
7 Oakeshott understands that, upon coming into contact with the world, we are already inserted into a range of symbols, culture, and norms—everything that constitutes a society and provides the conditions for the individual to become who he or she is: unique.
8 Oakeshott offers profound critiques of the thought of Bacon, Descartes, and Rousseau: the first two for excessively rationalizing the nature of knowledge, and the latter for conceiving human beings as possessing an already given nature (the "noble savage").
9 Already in the Renaissance (16th century), the growth of utopias revolving around different forms of knowledge was overwhelming, "utopias that flourished in the effervescent environment of new ideas" (…) utopias such as those of Thomas More and Tommaso Campanella (NUNES 2018).
10 "Brazil invests as much as OECD countries in higher education, but allocates three times less to basic education." (CNN Brazil, 09/12/23). "Brazil ranks as the third worst among 42 countries, according to the OECD education report" (Jornal USP, 09/26/23).
11 Not to be confused with liberating education in the progressive, constructivist, critical-social sense.
12 Cf. Descartes, René. *Discourse on the Method*, 2005.
13 For Oakeshott, something can only be considered a fact if it is produced by the human being; therefore, there is no fact given in nature—it must be a relationship between experience and human reflection.
14 It is worth recalling that Oakeshott directs his critical analyses primarily toward his historical and contextual environment, namely Europe.
15 The Socratic–Platonic model permeates Oakeshott's thought, as well as that of David Hume.
16 "(…) it would be appropriate for a mode of governing in which the pursuit of perfection requires not only obedience or submission from the governed, but also approval and even love" (Oakeshott 2018, p. 66).
17 Oakeshott uses "maritime symbolism" to address the need to constantly maintain balance in the face of changes occurring in politics and, consequently, in education. Those who deal with institutional issues should be like the "trimmer" who, "during navigation, shifts the vessel's weight according to the circumstances of sea and atmosphere in order to keep it in constant balance" (Oakeshott 2018, pp. 48-49).
18 A critique he makes of regimes that emerged in modernity, such as Nazism, communism, and fascism, which turned education into a propaganda channel for their leaders and political allies. Nothing could be more contrary to Oakeshott's "Liberal Education".
19 Institutional interests, which would be the opposite of civil interest.
20 Cf. Oakeshott,2018, pp. 55-85.
21 "Disposition" is a concept used by Oakeshott to distinguish it from ideological and utopian motivations, typical of the conservative stance (cf. Conservatism, 2016), following in the footsteps of Edmund Burke's critiques of the French revolutionaries.
22 About 1% of Brazilian students achieved high performance in mathematics, meaning they reached Level 5 or 6 in the PISA mathematics test (OECD average: 9%). Six Asian countries and economies had the highest proportions of students with this performance: Singapore (41%), Chinese Taipei (32%), Macao (China) (29%), Hong Kong (China) (27%), Japan (23%), and Korea (23%) (INEP 2022, p. 8).
23 Oakeshott favored a more decentralized, municipalized institutional education.
24 Brazil saw a small improvement from 4.9 to 5.0 compared to the pre-pandemic period; however, the target was 5.5, and before the pandemic it stood at 5.1 (Agência Brasil). The number of students leaving basic education with poor training is absurd. "About 90% of the goals of the National Education Plan are unlikely to be met within the deadline, according to the 2023 PNE Assessment" (National Campaign for the Right to Education, 06/20/23).
25 The more decentralized, the better.
26 "New School, activist pedagogy, pragmatism and instrumentalism (John Dewey), Marxist pedagogy (Paulo Freire), Christian pedagogy and personalism, pedagogy in Italy and the USSR (totalitarianism), cognitive pedagogy (educational technologies), feminism, ecology, interculturality—a universe in fermentation at the frontier" (cf. Cambi 1999).

27 Dalrymple's name is Anthony Malcolm Daniels. Although he deals primarily with the context of the United Kingdom and Europe in general, he offers a similar diagnosis of several other regions of the world, including Brazil (cf. Roda Viva Program, 12/29/16).

28 "The study Future of the World of Work for Brazilian Youth heard 34 organizations working on the productive inclusion of young people. For 67.6%, there is a lack of qualification opportunities, and 58.8% believe that the available courses are not aligned with existing job vacancies" (Agência Brasil, 2023).

29 It is enough to carry out a quick search on the internet to see the deterioration of several universities across Brazil. As one example, see: The destruction of federal universities—O Globo, 06/01/2024.

Oakeshott and the Appeal to An Unconditionally Philosophical Political Philosophy

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INTRODUCTION

When one thinks about political philosophy, it's common to comprehend it as the great abbey of the study of State and government, political doctrines, the role of laws, the organization of society, among many other matters of interest. In itself, this understanding of political philosophy is not incorrect; nevertheless, neither can it be said to be entirely accurate.

The English philosopher Michael Oakeshott examines the nature and concept of political philosophy in the essays "The Concept of a Philosophy of Politics" and "Political Philosophy", both included in *Religion, Politics and the Moral Life*, from which he evokes a new vision of this field of knowledge—one so frequently misunderstood and, not rarely, excessively instrumentalized.

In his view, the widely disseminated concept of this branch of thought is "vague, unconvincing and unsatisfactory" (1993, p. 120).

Inspired by the works of Thomas Hobbes and Georg Hegel, the author of *Rationalism in Politics and Other Essays* thus develops his own worldview of a "philosophy of politics."

HUMAN REFLECTION AND THE ALLEGORY OF THE TOWER

As genesis of his interpretation, Oakeshott initiates an analysis regarding the act of reflection. Yes, reflection. After all, human beings reflect upon everything. Poetry, weather, love, and, of course, politics (understood here as the organization of social life arrangements).

The act of reflection, although complex, can be divided according to the key points of consideration that arise during the reflective process. From this distinction, there's a *limited* reflection and another relentlessly free, called *radically subversive* (1993, p. 140).

The first is characterized by the thinker's attachment to previously acquired knowledge, established dogmas and foundational principles concerning the field under examination. On the other hand, the second form of reflection is the one that isn't bound to any prior foundation, that rebels against already constituted knowledge and that refuses to rely on preexistent certainties.

The English philosopher exemplifies limited reflection as that common to historians and scientists, who rest on historical facts and hypotheses of empirical observation. As for the radically subversive reflection, the author of the two essays stipulates that it shall be the philosophical reflection itself: fearless in the face of uncertainties and free to reach the ultimate concepts of a given object of study. In other words, it must be free of restraints, preconceptions and presuppositions.

To enlighten this theoretical framework, Oakeshott proposes a metaphor that can be called "Allegory of the Tower".

The act of reflection is, in essence, the search for some knowledge, always starting from an aprioristic one. At long last, it's crucial to observe that, in Oakeshott's view, there's no "mere ignorance" (1993, p. 138)—which emphasizes an explicit criticism of the "tabula rasa" theory.

Human beings find themselves on the ground floor of a vast tower that possesses doors and windows on every level. The search for knowledge, through reflection, is the odyssey of achieving higher floors, walking through the challenges of the path.

Whenever a person reaches a certain floor, that individual gains access to the vision that is offered by the windows of that level. There, one sees, observes and, naturally, reflects from the viewpoint made available.

In limited reflection, the individual's vision on each floor will always be anchored in the experiences of preceding levels. It's a form of submission to the knowledge obtained on lower floors, which prescribes fundaments, dogmas and analysis indissociable from the new experiences.

Nevertheless, radically subversive reflection is the antithesis of this scenario. In the Allegory of the Tower, it's the one that completely breaks down the shackles inherited from previous floors. Each new level, the individual must be free of preconceptions and presuppositions, capable of redefining entire concepts and opening oneself to epiphanies impossible to be experimented before.

To summarize, radically subversive reflection imposes upon the philosopher an irrevocable and unavoidable duty to think without limits.

POLITICAL REFLECTIONS AND THE NATURE OF POLITICAL PHILOSOPHY

Beyond the ontological aspect of the different forms of reflection, Oakeshott also distinguishes the modes of reflection proper from political engagement (1993, pp. 146, 152).

One may engage in a "*reflection in the service of politics*", whose aim is to formulate recommendations about practical activity and the means to achieve tangible objectives. It's also possible to engage in a "*reflection to the construction of a political doctrine*", that seeks to provide explanation and theoretical systematization for political activity, usually by inserting it into philosophical doctrines already established (for example, schools of thought in moral philosophy or metaphysics).

Lastly, there's a third mode of reflection upon politics, the most radically subversive of all: "*political philosophy*".

Michael Oakeshott precisely teaches that the nature of political philosophy is the most radically subversive of all the forms of reflection upon social life arrangements. It shouldn't worry itself about orienting, guiding or organizing human activity, much less about attaching itself to preexisting philosophical doctrines.

It's precisely the opposite. Political philosophy must think philosophically about politics, accepting the inherent invite to all reflection—the invite to be radically subversive, to pursue the ultimate concept of things without getting attached to previously delimited knowledges.

There isn't, therefore, room for restraints, presuppositions or preconceptions.

THE COMMONSENSE: CONTRADICTIONS AND ANOMALOUS CHARACTER

Once the true nature of political philosophy has been established, Oakeshott builds his concept about it (inspired, as said before, by the texts of Hobbes and Hegel, for whom he nourishes profound admiration).[1] However, before coming to a concrete notion, the English philosopher explains the assessment of the theme under the optics of commonsense.

In general terms, it's understood that political philosophy is, *prima facie*, a panoramic explanation of the nature of life and sociopolitical activity, analyzed from the perspective of its purposes and ends. Moreover, it's assumed to constitute a general explanation of the nature of the State (*lato sensu*).

It's about, then, an applicable knowledge to the formation, organization and dynamics of social arrangements—a clear concern with correlating philosophical concepts to the reality of life in society.

This aprioristic understanding of political philosophy, particular to commonsense, tends to occupy itself, in last instance, with typical themes and expressions from political sphere. These concepts can be gathered in three broad categories: i) individuals, society, law, government and State; ii) right and wrong, good and bad, obligation and duty; and iii) political obligation, sovereignty, freedom, equality, justice and punishment.

With this eminently practical and attached to political life view, Oakeshott affirms that political philosophy, in commonsense, is genuinely "not philosophical" (1993, p. 126). For the sceptic thinker, it reduces itself to the application of preexistent ideas and philosophical doctrines to political life.

In summary, it seeks to conceive political life and activity in a way to make them illustrate already formulated doctrines. Political philosophy itself becomes, then, a special instance—a particular application of a general philosophical theory.

This premise can be illustrated as follows. The idea of "individual" acquires distinct connotations depending upon the field of analysis. The understanding of this expression in psychology doesn't coincide with the one in sociology, much less in biology. Likewise, the notion of "freedom" also varies ontologically according to different philosophical schools. It's known that libertarians, liberals, socialists and utilitarians attribute to it different meanings.[2]

Political philosophy, under this commonsense optics, is not far from an aspect of human knowledge subordinated to general philosophical theories, preexistent, that then concerns itself about expressions and themes proper to politics. The concept implies that political philosophy is "philosophical" only in a derivative sense (just because it relies itself, in a way, upon a general philosophy).

Within this perspective, it conforms itself to the so called "*facts of political life*" (1993, p. 123), that is, to an ordinary cognition produced by people driven by commonsense, still oblivious to philosophical speculation (or, in Oakeshottian terms, incapable of radically subversive reflection).

It's in this capacity that Oakeshott criticizes the subservience of political philosophy to three "masters", comprehended as incoherent limitations that render it conceptually anomalous.

According to him, a philosophy of politics must rationalize political life and practice, yet it also submits itself to another criterion: the one of conformity with the facts of political life, prior to any philosophical reflection.

In this common acceptance, political philosophy is submitted to three exigences. The first, that of reason, which requires it to provide a systematic and coherent interpretation of political life; the second, that of facts, that demands consonance with what commonsense recognizes as a characteristic of political practice; and the third, that of practical utility, which forbids the formulation of doctrines that can inhibit or paralyze tangible political action.

This way, political philosophy sees itself constantly pressured to balance theoretical rationality, empirical fidelity and practical functionality. For the author of *The Politics of Faith and The Politics of Scepticism* (2018), two of these masters (philosophical reason and commonsense facts) are frequently in conflict.

Whenever this occurs, facts tend to prevail, which implies that political philosophy becomes all the more unsatisfactory the more fully philosophical it becomes. At long last, the more philosophical it is, the less practical politics becomes, thereby conflicting with the third master to which political philosophy submits itself under the rule of commonsense.

This critique of the multiple masters reveals profound tension between the autonomy of philosophical investigation and the exigences of practical utility imposed upon the ordinary concept of political philosophy. That's why, under this view, it must function as determinant guide for the ends of political action—it is, in ultimate analysis, more political than philosophical.

In short, it's a philosophy that, for several reasons, is not truly philosophical and that if it were, would lose any linkage with politics. At best, it serves merely as an illustration of a doctrine to which it adds nothing.

It claims to be based on pure philosophy, but upon closer examination, it reveals that it lacks any philosophical content of its own. It's also said to imply it as a consequence, though this implication is never effective, except in the fragile sense of a particular application of a certain general view. Furthermore, it's limited to a criticism that is hardly philosophical, focused solely on the conformity with the so-called "facts of political life" (and with the other masters).

Well, how can the ordinary concept of political philosophy be full of so many contradictions? How can it be imbued with so many dogmatic discrepancies? These questions work as a true dynamo for Oakeshott's inquietudes.

It's worth noting that, at the beginning of this essay, a philosopher was described as the one who engages in radically subversive reflection. Frenetic, bustling, free of presuppositions and preconceptions thoughts, seeking the ultimate understanding of things.

It's from this premise that Oakeshott identifies the error within the usual concept of political philosophy – an error that is, in last instance, in the very understanding of "philosophy".

In other words, the mistake resides within the foundational structures of philosophical conceptualization itself.[3]

THE RESCUE OF PHILOSOPHICAL DEFINITION

Considering this affirmation, it's due to briefly recall the explanations presented at the beginning of this concise essay.

Philosophical thought and knowledge are, in essence, thoughts and knowledges deprived of reservations or presuppositions (in light of the radically subversive nature already examined).

For Michael Oakeshott, the purpose of philosophy is to achieve concepts that, precisely because they presuppose nothing, are complete in themselves; the aim is to formulate explanations so complete that nothing further needs to be added to them.

Philosophy begins in ordinary, daily significances, and consists in an extensive, detailed and exhaustive exposition of these concepts—an exposition that is, itself, a definition. There's no transition from absolute ignorance to full knowledge. The philosophical process is always to know more plainly what is, in a certain way, already known.

In this regard, the process of philosophical acceptance is the act of freeing itself or resolving presuppositions and reservations contained within the concepts presented to the one who reflects. It's a movement of purification and establishing the fundaments of a certain conception (a true inferential process).

Nevertheless, in view of the radically subversive character of philosophical reflection (or, more precisely, of the true philosophical reflection), it's mandatory to attain concrete concepts in which the division between "presupposition" and "conclusion" has disappeared. The only way for this to occur is through the interweaving and unification of both into a concrete conceptual symbiosis.

However, the customary understanding expects political philosophy to determine, roughly speaking, the objectives of political activity—that is, to define what its principal purpose ought to be. Political philosophy is therefore regarded as the great guru of political personalities, serving as practical manual for social life arrangements.

According to Oakeshott, though, an unconditionally philosophical political philosophy neither prescribes ends nor formulates normative doctrines. Rather, it analyses, previously, the general concept of an end itself.

THE CHARACTERISTICS OF A PHILOSOPHICAL CONCEPT

The resumption of philosophical definition is crucial for comprehending incongruences from the usual concept of political philosophy. After all, how can the philosophical application of politics be correct if the very idea of philosophy itself is mistaken?

For this reason, it's interesting to observe that Michael Oakeshott promotes a true intellectual revolution about the nature of philosophical thought and its application to other branches of human life. From this conceptual rescue, there are doubts about which criteria allow to characterize determined concept as philosophical. These criteria, however, are carefully elaborated by the English philosopher.

In this manner, Oakeshott establishes four characteristics or attributes that define if a concept can be, in fact, considered philosophical (1993, p. 129).

The first one is newness. A philosophical concept must be "*new*", because philosophy consists, essentially, of redefining notions already formulated. It's the effort of reinterpretation of concepts that are given to itself, in a concrete manner, in relation to the "totality of experience" (an idea that will shortly be examined in this essay).

A philosophical concept must differ from the one proposed by commonsense; it's indispensable that there's a rupture between them. Accordance with commonsense is not a real criterion. On the contrary, philosophical definition, being more complete, allows freedom of thought uprooted from vicious presuppositions.

The philosopher must, nevertheless, demonstrate how redefinition connects itself and derives from the less wide conception, through a process of inference. This characteristic challenges the empiricist notion according to which philosophical truth shall be validated through empirical observation.

Oakeshott affirms the autonomy of philosophical truth, judged by its internal coherence and scope, and not by its conformity with daily experience. This posture represents a decisive departure from common conceptions of validation within political investigation.

Beyond newness, a philosophical concept must be "*categorica*l", that is, conceivable and non-hypothetical. To define philosophically is to comprehend the character of a subject in its fullness. This characteristic emphasizes the completeness of philosophical knowledge even in a world dominated by contingency. It rejects provisional or conditional understandings and demands substantial comprehension.

It implies refusing every political philosophy that offers partial truths. Categorical nature, being complete, doesn't admit non-examined suppositions or fragmented views. Oakeshott demands a holistic and definitive comprehension, which means that political philosophy, when unconditionally philosophical, seeks a unified theory of political life, instead of a mosaic of dispersed observations.

The third attribute is the concept to be "*affirmative*" (or "positive"). In short, it's another way of saying that it must be categorical. The concept must possess the nature of affirmation, a positive sense. Negative conception is an incomplete acceptation and, therefore, non-philosophical.

This characteristic underlines the impulse of philosophy towards plenitude of cognition, rejecting superficial or incomplete definitions. Philosophy, thus, must move beyond what "is not" to achieve what "is".

This principle challenges, in a particular way, political theories founded in notions of limitation or absence (such as "negative freedom", "limited government" or "crime as privation of rights"). Oakeshott argues that "a negative always and unavoidably implies a positive, and until this positive is brought to the surface what we have must remain only partly coherent" (1993, p. 130).

Thus, political theories that are expressed solely in terms of restriction (e.g., "freedom from") remain philosophically incomplete and require further investigation to reveal their affirmative counterparts ("freedom to").

Finally, the philosophical concept must be "*indicative*." This characteristic expresses that "whenever an imperative is presented, philosophy must transform it into an indicative; wherever 'ought' presents itself

the business of philosophy is to uncover the implied 'is'" (1993, p. 131). A mere imperative is, for Oakeshott, an abstraction, and philosophy can't permit conceptualizations of this kind.

Oakeshott illustrates this point through the notion of punishment. When conceived solely in moral terms, it's philosophically inadequate. In this sense, Oakeshott praises the Hegelian concept of crime as "self-contradictory activity" (1993, p. 135) and punishment as its resolution—an attempt to transcend mere teleology and transform the "ought" into "is."

The Oakeshottian view considers normative statements to be philosophically underdeveloped. Philosophical process must delve beyond the superficial imperative in order to discover the factual or logical reality that essentially grounds it.

Such a transformation is necessary for a concept to become comprehensively concrete, converting political philosophy from a prescriptive discipline into an explanatory one.

THE NECESSITY OF THE TOTALITY OF EXPERIENCE AND THE NEW CONCEPT OF POLITICAL PHILOSOPHY

In front of all this explanation, Oakeshott concludes that the usual concept of political philosophy is "nothing better than a contradiction" (1993, p. 126). As seen before, he describes it as a philosophy that, for many reasons, is not truly philosophical and, if it were, wouldn't have any practical correlation with politics. In the better scenario, it would consist of a mere illustration of a previously established philosophical doctrine.

This incoherence creates a dilemma: either political philosophy remains related to politics, compromising its philosophical integrity, or it becomes unconditionally philosophical, losing its relevance to practical life.

The author's project is to solve this impasse by redefining the contradiction itself. He sustains that a genuine political philosophy must worry itself with political life and activity from the standpoint of the "*totality of experience*" (1993, pp. 126, 127)—a key expression for the faithful understanding of his intellectual construction.

Totality of experience implies that political life mustn't be isolated and treated as a *sui generis* phenomenon, but rather be distinguished within the totality and, right after, related back to it, in a way that may be comprehended in its place inside the complete set of human experience. The totality of experience is reality itself, a unified and complex whole composed of interconnected thoughts and sensations that shall be comprehended by the various branches of life (for example, by political life and activity).

This conception reveals a totalizing and non-reductive epistemology. Political phenomena are not autonomous facts, but interconnected aspects of a broad and unified human experience. Such perspective challenges how to study politics in a purely empirical or positivist way, being mandatory an omnibus and integrated understanding.

It's from all this intellectual framework that Oakeshott finally elucidates his concept of political philosophy. And, out of respect for the elegance of his formulation, his words must be reproduced *ipsis litteris*:

> A philosophy of politics, then, as I see it, is not the application to political life of a previously thought out philosophical doctrine, it is not the attempt to illustrate a philosophy by a particular example or instance; it is the attempt to think out to the end the body of concepts which together seem to comprise the world of political activity; it is the attempt to define those political concepts by relating them to the totality of experience [...] the impulse of philosophic thought making itself manifest in connection with a particular body of concepts (1993, p. 131).

It's therefore evident that this formulation decisively breaks with the understanding of commonsense. Political philosophy is, before anything else, philosophy—and, as such, it must pursue its ends in a radically subversive way.

Michael Oakeshott affirms political philosophy is incapable of guiding action and one can't claim that it fails as philosophy merely because it doesn't provide guidance for practical activity.

It doesn't seek to offer a "view acceptable to commonsense of the purpose and end in political life" (1993, p. 136). The idea that politics are an activity aimed at realizing certain ends is replaced by a perspective founded in the totality of experience.

Philosophy understands change and activity as abstract aspects of a concrete, genuine and, therefore, intelligible generality. This radical separation between philosophical investigation and practical guidance redefines the very value of political philosophy itself.

Its merit doesn't lie in instrumental application to concrete problems, but rather in intrinsic capacity to offer a profound and wide comprehension of the fundamental concepts that structure social life arrangements.

In last instance, Oakeshott's view establishes that an unconditionally philosophical political philosophy is incapable of guiding political action because its objective is to understand political life from the concrete standpoint of the totality of experience—thus overcoming common notion of politics as the mere realization of an end.

UNCONDITIONALLY PHILOSOPHICAL POLITICAL PHILOSOPHY AND ITS INTERACTION WITH THE CONCEPTS OF POLITICAL ACTIVITY

As seen in the quote above, Oakeshott's definition of political philosophy, for its own formulator, must also correlate itself with the body of concepts proper to political life and activity (such as government, State, society, and others).

The English sceptic maintains that it's a possible conceptual reduction of typical expressions from political-philosophical scenario. Commonsense, in general, fails to perceive the correlations among related concepts, which deprives them of genuine philosophical character. As an example, Oakeshott highlights Hans Kelsen's notable contribution who succeeded in articulating the idea of "State" with that of "Law".

Notwithstanding, another example gathers special attention in the works of the English theoretician. For Oakeshott, "freedom" and "equality" are indissociable conceptions, existing, within philosophical field, the possibility to unite them in a true concrete symbiosis.

Commonsense, however, tends to describe political life phenomena without the radically subversive character of philosophical reflection, producing definitions lacking the Oakeshottian conceptual rigor (such as the four characteristics or attributes of philosophical definition).

There's, indeed, an inclination from ordinary cognitions to treat the objects of study of political philosophy under a merely axiological perspective. For example, the analysis of a government. Invariably, it results in value judgments (good or bad, right or wrong), which maintains the exam at a superficial level.

Unconditionally philosophical political philosophy must, in its turn, as already said in this essay, come to the ultimate definitions of concepts. Thereupon, it's necessary, *a priori*, an analysis of these arising concepts themselves. Government, sovereignty, law, theme objects become more concrete when analyzed under the view of values, prevailing axiology and, finally, the totality of experience.

However, Michael Oakeshott advertises that the analysis of unconditionally philosophical political philosophy can't stop at this stage. After the exam of concepts in the light of an ethic-valuative position, it's also mandatory an enhancement of adjectives that are upon the analysis in question—a redefinition of what is good or bad, right or wrong.

The valuative terms, though extremely important, are inherently defective, as they were drawn without philosophical meaning. They're filled with presuppositions and fail to exhibit the indicative, affirmative and categorical characteristics (which contrast with radically subversive nature of philosophical reflection).

A philosopher's thought, and with it the unconditionally philosophical political philosophy, assumes, therefore, a double task. First, to unearth hidden presupposition; second, to rebuild concepts in a more

concrete and coherent manner. The central function of philosophy is to discover what is "in the mind" within formative assessments, in contraposition to what is only "before the mind" (1993, p. 134).

What is inexorably expressed in formative assessments (what is before the mind) will always be insufficient when compared to the view gathered from the perspective of the totality of experience.

For example, although the idea of "self-realization" may not constitute the consciously present criterion guiding political activity, it may nevertheless be the correct analysis, the concrete definition, of what truly resides within the mind and of what a philosophy of valuation requires in order to become complete.

The refusal to redefine these adjective concepts, relegating the task to metaphysics, results in a failure in being purely philosophical. This is Oakeshott's criticism regarding the body of concepts inherent to political activity.

Philosophy must entirely eliminate everything that's presupposed or assumed to achieve what is self-explanatory and all-embracing.

CONCLUSION

This essay condenses Oakeshott's main lines of thinking presented in two fundamental texts.[4] The research has sought to bring to light, the rationale and systematization of what Oakeshott understands to be the nature and the concept of political philosophy.

It's been seen that human beings have the intrinsic capacity to reflect upon everything. This capacity can be limited or radically subversive, such as the philosophical reflection. The latter form doesn't accommodate presuppositions, anchorages, immutable doctrines or conditioned thought.

Radically subversive reflection shall be free, bold and have the fundamental objective to achieve the ultimate concept of things. It's like the individual that ascends through the stairs of a vast tower, possessing the possibility to look at the horizon on each new floor and, in each opportunity, to break away from what has been seen on lower levels.

Politics, as human activity, is also object of reflective exam. Among the types of reflections directed towards it, political philosophy's reflection is the most disruptive of all.

However, the concept of political philosophy as understood in common parlance proves to be "vague, unconvincing and unsatisfactory." This is because it's nothing more than a mere illustration of a general philosophical doctrine, an attempt to explain political phenomenon with the aim of serving as a manual for practical activity.

Philosophy has been reduced to a conceptual anomaly, an empty expression of everyday life. Thus, it becomes essential to rethink it through a reinterpretation of its philosophical nature—a redefinition of the body of concepts particular to it, one that must observe its own proper attributes and characteristics.

Within this scope, all analysis must be conducted with an inherent examination in light of the totality of experience. No human activity is independent or unique; nothing within experience is an isolated phenomenon. Political philosophy, therefore, must be understood within this totality, recognizing itself as an integral and interconnected part of the whole of human life.

One should not expect political philosophy to dictate the ends of political activity (what one should or shouldn't do, how one should or shouldn't proceed). It's not a practical manual, nor can it be subsumed under partisan agendas or pre-established doctrines. Rather, it must be the bastion of concreteness and radically subversive reflection—the ceaseless drive in the search of the ultimate truth of things, situated at the heart of the totality of experience.

Nevertheless, it's natural for philosophy to come into conflict with the view of commonsense, for the latter is, by nature, incomplete. The goal of philosophy, however, is to attain a higher level of coherence and completeness as a whole.

To demand that a philosophy of politics conform to the facts of political life would be tantamount to expecting a fully developed concept to submit to another that has not even been the subject of serious thought.

In the words of Oakeshott himself:

> And a philosophy of politics is an attempt to get away from what political life appears to be for commonsense—activity for the achievement of some end—to a view of the character of political life from the concrete standpoint of the totality of experience. A philosophy of politics, then, is unable to give guidance for action, and it cannot be supposed to fail as a philosophy because it fails to give guidance for action. It is not itself a political programme; it is not a foundation or basis, a body of general principles upon which a political programme might be constructed. It is concerned with the ultimate, not merely the psychological and ethical, presuppositions of political beliefs, actions and institutions, and is the attempt to reformulate the concepts of political life so that they include those presuppositions. Or, more comprehensively, it is what occurs when the attempt—common to all forms of political thought—to define the concepts of political life is carried out with unqualified freedom, but is pressed to an ultimate conclusion (1993, p. 137).

The texts analyzed are veritable odes to a profound reimagining and reinterpretation of philosophy, with the clear aim of renewing the specific notion of political philosophy.

This renewal—which manifests itself as a decisive break with the traditional concept—proves not only relevant but, above all, necessary given the current political and social state of the contemporary world.

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NOTES

1 In particular, Oakeshott cites Hobbes's *Leviathan* and Hegel's *Philosophy of Right* as works that have succeeded in expressing, in an exemplary manner, the specifically philosophical nature of politics and other related subjects of inquiry.

2 The premise regarding concepts of "individual" and "freedom" is not found, in this sense, in the texts analyzed in question. This is an example devised by the author of this study, with the aim of better illustrating Michael Oakeshott's idea.

3 It is important to note that Oakeshott proposes a redefinition of the very concept of "philosophy" in order to clarify the meaning of "political philosophy." It is therefore essential to reexamine the characteristics of philosophical thought and the implications they have for the conceptualization of related terms.

4 Oakeshott emphasizes that his conception of political philosophy does not present itself as a definitive truth, but as a determined attempt to reject the anomalous and contradictory character that common understanding has ascribed to this field of knowledge.

Sailing Against the Storm: Michael Oakeshott's Reflections on Totalitarianism

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Abstract: This essay analyses totalitarianism through the writings of Michael Oakeshott (1901-1990), employing his image of navigation upon an open sea as a metaphor of the polyphony of voices against state control. The purposes of this essay are to reconstruct Oakeshott's distinction between the politics of faith and the politics of scepticism as a framework to contextualise twentieth-century totalitarian regimes; to show how totalitarianism represents a manifestation of rationalism in politics, seeking to remodel the human condition according to abstract designs; to trace how this regimes, such as fascism, nazism, and communism, fused the private and public spheres, dissolved pluralism, and subordinated law, morality, and institutions to a pre-determined finality; and to recover, from Oakeshott's own writings, the sceptical and prudential disposition, figured in the image of the stevedore who keeps the vessel in balance against the teleological totalitarian projects. In this sense, the Oakeshottian political disposition offers an antithesis to totalitarianism by conserving traditions that sustain our civilisation in its boundless ocean.

Keywords: Michael Oakeshott; totalitarianism; contingency; tradition; rationalism in politics.

I. THE RATIONALIST SHIPWRECK

Prolificacy is a defining trait of Michael Oakeshott's thought. This British philosopher, in his theoretical undertakings, ranges across fields such as politics, history, aesthetics, religion, and morality. Beyond merely moving within these interconnected domains, it is fair to say that the way he navigates this unlimited ocean is markedly distinctive, insofar as he does not seek to reorganize the world according to individual desires. Oakeshott, like ourselves, is embedded in a journey that began prior to our very arrival in the world and that will come to an end long after the twilight of his life. And it is marked by doubt, uncertainty, and, above all, by the inescapable action of contingency.

The shifting winds of contingency prevail throughout the navigation of an open sea. During this navigation, the vessel is at one moment carried in one direction, at another in a different one. Many occurrences escape the human capacity to anticipate, to govern, or to prevent. What often remains to us is the cultivation of a practical understanding of the situation and the ability to conduct ourselves in the face of contingency in our lives. As we move along a path devoid of linearity, whereas storms and calms succeed one another, we are thrown into uncertainty, as Odysseus and his crew in Homer's *magnum opus*.

In the face of unpredictability and contingency, individuals respond in different ways. There is one group that confronts circumstances with a measure of scepticism, mistrusting alluring and totalizing solutions. Another group, by contrast, advocates drastic alterations in the political institutions and moral life to circumscribe the ocean according to its own preferences. Oakeshott aligns himself with sceptically

informed views, owing especially to his inheritance from British moral philosophy and to his experience of the twentieth century, an era marked by the exacerbation of what he terms the *politics of faith*,[1] which manifested itself cataclysmically in the rise of totalitarian regimes, notably fascism, Nazism, and communism.

The context in which Oakeshott was situated required from him adherence to what he calls *politics of scepticism*,[2] whose purpose is to restore balance to the vessel upon the ocean. The pendulum of politics was moving toward disequilibrium due to the uninterrupted growth of the politics of faith, distinguished above all by *rationalism in politics* (Oakeshott 1991).[3] This form of politics is not confined to totalitarianism; it also encompasses various idealistic ways of conceiving politics in its practical reality, such as modern ideologies that seek to reduce the ocean's vastness to particular segments. In discerning the excesses of rationalism and the totalitarian trajectories assumed by the politics of faith, Oakeshott (2018, p. 139) advances sceptical counterpoints in his posthumous book *The Politics of Faith and the Politics of Scepticism*:

> The *politics of scepticism* understood that its contemporary task was, first, to recognize what was actually happening; second, to understand how government might most economically perform its perennial office of maintaining the order and balance appropriate to the current conditions and activities of society; and, third, to see that political activity was directed to this end and that its creativity was exercised accordingly.

Nevertheless, fascist, Nazi, and communist leaderships acted in a manner diametrically opposed to Oakeshott's formulation. Living through the twentieth century, a period in which the power of contingency was gravely misunderstood and scepticism largely dismissed, he was confronted with the most extreme manifestation of the *politics of faith*: totalitarianism, the pinnacle of *rationalism in politics*. The variety of voices that once resounded, pluralism as a constitutive feature of society, and the moral imagination as a sense of belonging to a civilizational inheritance, elements valued by Oakeshott, were likewise annihilated by the destructive force of totalitarianism, capable of drowning the human being in the depths of the ocean.

Methodologically, this paper follows the contextualist approach of the Cambridge School, associated with Quentin Skinner and John Pocock, which insists that political ideas be situated within the intellectual and historical circumstances that produced them. This choice is not incidental here. Oakeshott and the other authors invoked throughout this essay, such as Hannah Arendt, Leszek Kołakowski, Eric Voegelin Vladmir Tismăneanu, and Isaiah Berlin, theorize totalitarianism from a position of historical proximity, as witnesses and in several cases survivors. To read their reflections apart from this lived context would be to mistake for abstract theory what was, in fact, an urgent confrontation against the rationalism in politics in its most destructive forms (Skinner 1999; Pocock 2013).

Thus, the aim of this text is to analyse totalitarianism through the contributions of Michael Oakeshott. It undertakes discussions of the concept of totalitarianism, as well as examinations of the totalitarian regimes that devastated the twentieth century. It is maintained that the British philosopher offers significant contributions to this theme, chiefly because he adopts a sceptical approach attentive to experience and contingency. Confronted with this problem, Oakeshott might well have posed a rhetorical question: what is the grounding of political regimes that dream of reinventing society and the human condition through rationalized utopias?

II. THE TOTALITARIAN TIDAL WAVE

Totalitarianism is a political idea aimed at the suppression of the values that constitute us as human beings, disseminating repressive practices across all spheres of society. Its leaders act as legislators of humanity, seeking to reshape the social body in accordance with their own designs and relying on abstract ideas to build a "perfect" community (Arendt 1989). Totalitarian regimes destroy all forms of communal life not imposed by a central authority and dissolve human autonomy, constructing a heroic collective guided by a sacrosanct end. Through social engineering, they aspire to resolve the enigma of history, promising happiness, prosperity, and harmony to their people.

The abrupt rupture with the past and the longing to refound society upon different foundations were among the forces that gave rise to totalitarianism. Fascism, Nazism, and communism fostered a continuous movement aimed at the permanent mobilization of the masses. The demand for constant momentum, the pursuit of conquest, and the construction of meaning for the people contributed to the restructuring of a new ethos. Moreover, charisma, whether that of the party (in the communist case) or of the leader (the *Duce*, the *Führer*), supplied these regimes with a prophetic fuel. Vladimir Tismăneanu, a Romanian political scientist who survived the communist tragedy in his country, explains this phenomenon:

> Paraphrasing Hannah Arendt, during the reign of these totalitarian movements, conscience itself succumbed. Moreover, "the madness of such systems lies not only in their initial premise, but in the very logic upon which they are constructed." Communism was a radical economic, moral, social, and cultural doctrine centered on the realization of radically transformative ends. Nazi-Fascism emerged as its arch-rival; nonetheless, it shared with communism a collectivist and anti-liberal outlook, the neo-romantic dream of a total community, and the longing for an existence rendered entirely pure (2017, p. 354).

These totalitarian regimes presented themselves as a form of catharsis, claiming the capacity to purify humanity through a revolution not only political, economic, and social, but also moral. Their ideologies carried with them a new perspective on the human condition, envisioning a society that would approximate a paradisiacal vision within the material world or, rather, that would transpose the transcendent into the immanent:

> Fascism and communism, as political movements, emerged as responses to a painful and universally felt "crisis of meaning" across Europe. Born out of the cataclysmic barbarism and unprecedented violence of the First World War, these apocalyptic movements proclaimed the advent of the millennium in this world. To employ Eric Voegelin's expression, they sought to *immanentize the eschaton*, to build Heaven on Earth, and to abolish the Augustinian distinction between the City of Man and the City of God (2017, p. 35).

Nonetheless, the results proved to be radically different from the intentions. The attempt to create a new man and a new civilization through abstract principles, accompanied by revolutionary and violent action, produced a putrefied landscape. Totalitarian movements submerged human identity in a bloody and inhospitable terrain. Totalitarianism, whether in its versions, is intrinsically perverse. There is no moral justification capable of sustaining regimes that seek to undermine the institutions, values, customs, and habits that secure our civilization on plural basis. The Holocaust and the Holodomor were unjustifiable crimes, and history entrusts us with the duty of remembering both.

In the interpretation of the Polish philosopher Leszek Kołakowski (2005), Nazi-Fascism and Communism represented two incarnations of the "devil in history", an expression that later served as the title of Tismăneanu's book. Totalitarian regimes sought to refound modernity on principles originating in that very period. In condemning the excesses committed by the liberal order grounded in bourgeois ideals

inherited from the Enlightenment, totalitarian ideologies introduced massive doses of rationalism into an environment already marked by secularism, scientism, individualism, and technicism. The effect was akin to setting fire to a tank of gasoline: the ensuing explosions produced wars, persecutions, and death—a veritable sea of blood.

This transformation is central to Kołakowski's (2005) interpretation of twentieth-century totalitarianism. The problem was not merely that political power became increasingly coercive, but that the distinction between political authority and the autonomous forms of social life was progressively eroded. Once the state claimed to embody the truth of history, no independent sphere of association could remain entirely beyond its reach. Plurality and liberty ceased to be understood as an ordinary condition of political life and came to be regarded as an obstacle to the realization of the political project.

Totalitarians departed from the following perception: the entanglements generated by the exaggeration of the liberal *modus operandi* and *modus vivendi*. Because they were revolutionary, totalitarian conceptions denounced democracy, parliamentarism, and constitutionalism. As "political religions", to borrow Voegelin's term, they purported to liberate human beings from moral and legal constraints, conferring a new meaning upon the human condition. The aim was to transform entirely morality, ethics, law, language, science, institutions, interpersonal relations, and even the human condition itself. Everything was to be subordinated to the purpose of constructing an ideal society here and now, once this teleological *modus* possessed a sacrosanct character, promising salvation on immanent ground while disregarding the action of contingencies.

If bourgeois ideals were already imbued with rationalism, totalitarians intensified this element and thus fell into the *politics of faith* (Oakeshott 2018). The bourgeois order was declared bankrupt; liberalism was deemed to have failed in both the political and economic spheres; and modernity was said to require reconstruction upon different foundations. With the rise of totalitarian regimes, one of the principal traits cherished by the bourgeois world, individualism, was eclipsed in favor of a collectivist outlook forged amid the ruins of that shattered order.

It was the end of individual autonomy. Totalitarian regimes sought to remodel the human condition through generic and abstract propositions. In terms of political orientation, communists managed to present themselves as heirs of the Enlightenment by offering a new "humanist" solution to social problems, albeit one deeply critical of the bourgeois ethos (Tismăneanu 2019). By contrast, fascism and Nazism denounced the human emancipation made possible by Enlightenment doctrines and, despite its emphasis on so-called traditional values, cannot be regarded as either conservative or reactionary. Lacking an organicist, sceptical, and gradualist praxis, it appealed instead to a non-existent past, to an invented traditions fashioned by a leader who positioned himself as the horizon of a perfect future.

In breaking with Enlightenment constraints, these movements infused themselves with an ideological archetype aimed at the sanctification of historical mythology and the sacralization of fabricated traditions. As Souza and Araújo observe, "communism and nazi-fascism rejected the human condition: the former in the name of historical necessity; the latter, in the name of the heroism of false prophets" (2021, p. 202). Arendt (1989) warns that totalitarian regimes sought to fuse the private and public spheres, eliminating interiority and individual autonomy, and reducing human beings to the condition of superfluous and disposable beings. This phenomenon may be understood as the massification of man.

Existence itself was relativized and preserved only insofar as it conformed to the regime's designs. Those who challenged the inhumane practices of systems were condemned to purges and forced labor, as exemplified by the concentration camps in Poland and the *Gulags* in the Soviet Union. Secret police forces, paramilitary militias, and networks of spies were omnipresent, seeking to preserve the totalitarian system by cruelly punishments (Souza and Araújo 2021).

Totalitarians aspired to the construction of an entirely different order, rejecting most existing institutions and patterns of life. This project of social engineering longed for the reconstruction of civilization through the creation of new human beings, endowed with values distinct from those transmitted over

time. Within the totalitarian mindset, such collectivist systems would resolve the dilemmas of humanity. Nevertheless, Oakeshott (2018, p. 43) advances a critique of this very notion:

> To live at an extreme is an insidious effort; we may perhaps escape from the prison of the extreme we have come to inhabit, but we quickly find ourselves deprived of the power to recognize anything other than some form of extremity. Like those who pursue the warmth of summer thinking only that they are escaping winter, and forget that they are also losing the other seasons, those who embrace the extreme in politics come to understand only a politics of extremes.

In Oakeshott's exegesis, Marxism could be interpreted as a simplifying idea that compels us to abandon all previous modes of social and political activity so that problems may be resolved through the communist ideal. Communism, in turn, represented one of the greatest philosophical and political utopias in history, while promising freedom and salvation, it ultimately produced servitude and desolation. Fascism and Nazism, in a manner analogous to communism, likewise sought to impose a mythical ethos, but ended instead in militarism, persecution, violence, and war.

Fascists, nazis and communists proudly reaffirmed their ideology and suppressed human autonomy through their respective devotion to the leader and to the party. The central objective of the ideological project was the mental control of individuals, converting them into enthusiasts of the totalitarian utopia, one bound to the multiple dimensions of life and governed by the regime's animating ideology. Both extremes shared a belief in the malleability of the human condition and in the capacity to transform it according to a utopian plan guided by ideological precepts. Thus, "nazi-fascism and communism inspired loyalties, a fascination with the image of the perfect society, and a romantic immersion in collective movements that promised the advent of the millennium" (Tismăneanu 2019, p. 261).

Totalitarian ideologies sought not merely the transformation of the external world or of society, but rather the alteration of the human condition itself. Ideology served as the foundation for the extremist actions of leaders who, in attempting to reinvent the human being, condemned humanity to totalitarian damnation (Voegelin 2000; Kołakowski 2005; Tismăneanu 2019).

Time and again, the engineers of human souls have appealed to citizens to sacrifice their liberties in exchange for the promise of security, progress, justice, harmony, order, national emancipation, among other ends. To suppose that in some particular place, whether in the past, present, or future, in divine revelation or in human reason, in the annals of history or in scientific production, or even in the pure soul of an incorruptible man, there exists a final solution is a form of pretension. Isaiah Berlin (2016, p. 23) offers the following synthesis on this topic:

> Some armed prophets seek to save humanity, and others only their own race, on account of its alleged superior attributes; but whatever the motive, the millions destroyed in wars and revolutions—gas chambers, gulags, genocides, all the monstrosities for which the twentieth century will be remembered—are the price that human beings are required to pay for the welfare of future generations. If you truly wish to save humanity, you must harden your heart, whatever the cost.

Berlin's idea reveals the perverse arithmetic that underlies every totalitarian project: the transmutation of atrocity into sacrifice, and of sacrifice into a form of redemption, as Voegelin (2000) argued, this occurred within an immanent dimension grounded solely in human reason. It is precisely this transfiguration of cruelty into necessity that Oakeshott's scepticism refuses to countenance, insofar as no chart of history can license the sacrifice of the plural and irreplaceable voices that make up a society.

There is no final solution capable of building Paradise on Earth. It is wholly indefensible to sacrifice all the values of a society, depriving human capacities in the service of a remote and utopian ideal. According to Berlin, pluralism is an indispensable phenomenon for human beings. Linked to freedom as a tradition

and to the needs of citizens, pluralism allows society to reproduce itself, being constituted over time in an organic manner through polyphonic echoes.

III. NAVIGATING THE OPEN SEA

Michael Oakeshott, upon embarking on a journey that began even before his birth and that continues beyond his death, understands that it is impossible to know the vastness of the ocean; that is, no one can shape infinity according to personal preference. Human beings lack the capacity to comprehend things in their totality, much less to adjust them to individual designs. The author finds himself upon the open sea, confronted with possibilities and challenges in the face of immensity.

Throughout the voyage, Oakeshott hears a wide range of voices freely resonating, and the echoes produced spontaneously come to constitute, gradually, a pluralism anchored in the notion of liberty. This liberty, in turn, is accompanied by historical elements that refer to the traditions of a people who, over time, through both error and achievement, have constructed safe harbors that function as repositories of accumulated knowledge. Within them, one may find moral, political, cultural, rational, and empirical foundations that, jointly and interdependently, crystallize a specific civilizational archetype. As Oakeshott observes, "habits and institutions are neither rational contrivances nor fortuitous collections, but historical compositions" (2018, p. 39). In this part of the ocean, he perceives the operation of contingency and, consequently, its acceptance through the politics of scepticism:

> In the politics of scepticism, government resembles good humour and satire: neither promises to conduct us to heaven nor to disclose the truth; yet the one may preserve us from hell, and the other from folly (2018, p. 74).

Oakeshott does not behold only sceptical arrangements; he also faces innumerable rationalist attempts to reorder the ocean based on idealism. Faced with the inescapable operation of contingency, other individuals respond in the opposite manner. Rather than adjusting sceptically to the shifting winds of circumstance, they prefer to construct their own frameworks out of abstract ideals. By disregarding the role of contingency, the authority of tradition, and the claims of historical experience, they are drawn into the politics of faith, and rationalism becomes the ground of every course of action. It is thus that the ship rests in totalitarian harbours.

At certain moments in the voyage, the song of the siren may draw some of the crew toward the depths of the ocean, just as in the Odyssey. The sirens encountered by Odysseus promised unrestrained pleasure yet delivered desolation and death. Likewise, their song resonates in the sirens of totalitarianism. Those who succumb to the seductive song of the politics of faith do not do so out of mere naivety or malice, but out of a legitimate, if gravely misdirected, longing to escape the anguish of contingency. The song promises calm crossing where only storms exist, certainties where only doubt prevails (Homer 2011).

Forewarned, Odysseus orders himself bound to the mast and the ears of his crew sealed with wax, recognising that the only effective defence against the siren's fascination is attached on institutions, traditions, and the bond that ties us to something greater than the impulse of the moment (Homer 2011). Oakeshott (2018), in an analogous way, places trust in accumulated experience, sedimented across generations, that functions as the rope binding civilisation to the mast, preventing it from casting itself, enthralled, toward a song that promises salvation and delivers only shipwreck.

Thereafter, once travelling upon an ocean delimited by totalitarian presumption, the fate of the vessel becomes deeply troubling. If it sails solely along the route prescribed by the totalitarian regime, it may endure by confining itself to what is permitted; should it cross those boundaries, it will be sunk by the holders of power who guard and preserve the system. Whatever the choice, the tendency is that, at some point during the life of the regime, all are submerged by the totalitarian tsunami. In time, those who follow

the rationally ordained course, and even the leaders who dared to establish the new rules, are themselves swallowed by the Leviathan:

> Faith presents itself as the maximum of government, as the comprehensive ordering of the activities of individuals; and scepticism, therefore, may be said to represent the minimum of government, being concerned to impose as little uniformity as possible upon the direction of those activities. But the character of the sceptical disposition is not merely what is reflected in the mirror of faith: it has a positive office, namely the maintenance of a relevant public order (Oakeshott 2018, p. 164).

In his essay *Rationalism in Politics*, first published in 1947, Oakeshott argues that political rationalism, by placing exclusive trust in reason, seeks to reduce the whole of human experience to a set of generic, abstract, and universal values. This, indeed, is the prevailing temper of totalitarian regimes, notwithstanding the impossibility of grasping the full complexity of human experience through abstractions derived from rational calculation (Oakeshott 1991).

However, rationalists are resistant to gradual reforms and instead endeavour to impose their utopias upon reality. They disparage practical knowledge and maintain that socio-political arrangements may be deliberately chosen in accordance with a prescribed programme, as exemplified by fascism, Nazism, and communism. In doing so, moral imagination, inherited loyalties, and social attachments are dissolved. Totalitarians thereby extinguish any genuine possibility of reflection, imprisoning human beings in the darkness of the ocean's depths:

> The nemesis of the politics of faith, therefore, lies in the manner in which government, when tied to the pursuit of perfection, inevitably collapses: the endeavour to impose a single pattern of activity upon a community is a self-defeating enterprise (Oakeshott 2018, pp. 156-157).

From Oakeshott's writings, it becomes apparent that totalitarianism represents an attempt to impose an ideological and dogmatic vision upon the social body, suppressing the plural arrangements that constitute human life. In this sense, Oakeshott may be understood as regarding totalitarianism as an extreme form of rationalism in politics and as the embodiment of the politics of faith, insofar as it seeks to replace traditions and institutions formed over time with a comprehensive ideological project.

In *The Social and Political Doctrines of Contemporary Europe*, Oakeshott says that the problem lies not only in the content of fascist, nazi, or communist objectives, but in the very idea that a society can be rationally planned and steered by a political authority toward a predetermined destiny. All of them turn politics into an instrument for producing a particular kind of society and, ultimately, a particular kind of man. Totalitarian regimes are enemies of an unplanned historical society, and the problem is epistemological and political. Firstly, because it presupposes that someone possesses sufficient knowledge to determine the future of a society; secondly, this knowledge comes to justify the concentration of power necessary to carry out this project (Oakeshott 1950).

He criticises the totalitarian pretension to reshape society. The practical sustenance of a utopia result in the abolition of the vast stock of human experience slowly acquired in the course of historical events. This is injurious to human beings, who are submerged together with the values internalised over the course of their lives.

The richness and complexity of the boundless ocean are subdued by totalitarians in the service of generalist ideals presumed capable of solving the enigmas of history. Fascism, Nazism and communism proceed on the belief that unimaginable forms of knowledge lie hidden in the oceanic depths, and that only great minds are able to retrieve them and apply them to society. Such knowledge, hitherto mysterious like a buried treasure, may be wielded only by the messianic leader or party in the name of humanity's salvation (1950, 1991).

Once the chest is opened and the treasure revealed to the rest, new dogmas are externalised. Like a tsunami, these new conceptions of moral, political, and social life sweep away the old foundations, seeking to reconstruct not merely institutions, but the human condition itself. And Oakeshott (1991) cautions us that the rationalist framework imposed by totalitarians is generic in character and very often dystopian.

Oakeshottian thought, in valuing tradition, contingency, practical knowledge, and scepticism, is naturally incompatible with totalitarianism. In a totalitarian regime, the plurality of voices does not resonate, for such a system is hostile to dialogue, pluralism, and freedom. The "great conversation of mankind" is conducted in a technical manner and confined to a bureaucratic body that proposes to recreate the world in its own image and likeness. In this way, the moral sense of society is dissipated, as institutions formed over time are undermined in favour of the construction of a new socio-political order and even of a new kind of human being.

Oakeshott draws attention to the danger of totalitarian regimes on the grounds that they seek to exercise absolute control over every aspect of human life, thereby contributing to the suppression of a fully human existence grounded in traditions historically shaped by contingency. What is imposed is a totalitarian order governed by an omnipotent, omnipresent, and omniscient state. In opposition to totalitarianism, Oakeshott observes that "just as with garlic in cooking, government should be used in such a way that only its absence is noticed" (2018, p. 75).

The philosopher discerns that, with the rise of rationalism in politics, which unfolds into an excessive confidence in the politics of faith, it is wisely to act with prudence. Appealing to this Aristotelian virtue, Oakeshott recalls the doctrine of moderation set forth by Lord Halifax in *The Character of a Trimmer*. Through this work, Oakeshott (2018) retrieves the figure of the stevedore, a simple yet indispensable labourer who distributes the cargo aboard the ship to keep it in balance during navigation. Metaphorically, the stevedore balances faith and scepticism within the vessel, thereby demonstrating that virtue resides in the mean between extremes (Aristotle 1996).

Stevedoring politics draws upon the stock of practical knowledge accumulated through historical experience to ensure that the vessel continues to navigate. What matters is not the length of the voyage or the point of arrival, but the experience acquired in the crossing (Oakeshott 2018). By cultivating prudence, the stevedore understands tradition as something comprehensive, his concern is to keep in balance a vessel sailing upon an abyssal sea:

> Perhaps the most compelling image of this metaphor is that the fate of all ultimately falls into the hands of the humblest of the crew, demonstrating that the virtue of politics resides in experience and moderation (2018, p. 223).

Oakeshott (1991, 2018) contrasts the rationalist mentality with the traditions bequeathed by our forebears, which confer moral meaning upon human life. In doing so, he acknowledges the importance of reason when situated within a framework that also preserves phenomena such as practical knowledge, experience, morality, and contingency. He understands that we inhabit a civilisation where multiple voices resonate and organically constitute a plural environment rich in possibilities.

IV. TOTALITARIANISM IN THE DEPTHS OF THE OCEAN

In the twentieth century, more than in any other period of history, individuals were drawn to the promises of revolutionary messianism, grounded in teleological worldviews imagined by false prophets; for "in the modern world, the context of political scepticism is the presence, not the absence, of power" (Oakeshott 2018, p. 119). It was an era that witnessed the emergence of super-civilisations seeking forms analogous to those of a universal religious congregation, capable of uniting human beings under a single archetype. From fascism, Nazism, and communism, there was a herculean effort to effect a complete transformation of the human condition, giving rise to the neo-romantic dream of transcending what appeared to be the

fragmented legacy of values and institutions that had emerged over the course of human history. Thus, totalitarian regimes were presented at both extremes of politics.

Fascism and Nazism may be understood as the imposition of moral, educational, political, and behavioural values. The individual is fused into the aspirations of the nation, his originality extinguished, while the leader directs the social body towards a national objective justified through fabricated traditions. Communism, by contrast, is described by Tismăneanu (2019) as a "rationalised theodicy", where history replaced God, the proletariat was cast as the universal redeemer, and revolution signified salvation and the end of human suffering. Yet the chimerical dream of Marx and his followers left a toll of one hundred million dead.

Even after the collapse of the Axis powers in the twilight of the Second World War and of Communism with the end of the Cold War, i.e. the Soviet Union's downfall, the spectre of these regimes continues to haunt humanity. In the twenty-first century, fascist reveries and communist delusions threaten nations through the reinterpretation of the principles that constitute these political religions. Totalitarian regimes have left deep scars of suffering, chaos, and tragedy. Lives were extinguished, nations laid waste, and contingency was disregarded in favour of ambitious projects of power. Confronted with the totalitarian catastrophe, Kołakowski (1997) observes:

> Any social utopia that claims to offer a technical plan for making society perfect now strikes me as fraught with the gravest dangers. I am not suggesting that the idea of human fraternity is ignoble, naive, or futile; nor do I believe it should be dismissed as belonging to an age of innocence. But to go so far as to imagine that we can design a comprehensive plan for society by which harmony, justice, and prosperity may be achieved through human engineering seems to me an invitation to despotism. I would therefore retain utopia as a stimulus to the imagination and confine it to that role (see also Tismăneanu 2019, p. 259).

Kołakowski's thought is consonant with Oakeshott's approach regarding the genesis and the apocalypse of totalitarianism. In Oakeshottian interpretation, the critiques of rationalism in politics and of the excesses of the politics of faith, when transposed to analyses of the events that convulsed the previous century, may be understood as anti-fascism and anti-communism. These emerge as logical responses to the cataclysmic experiences that devastated an era in its most varied aspects.

In opposition to totalitarianism, Oakeshott shows us the importance of pluralism, moral imagination, dialogue, scepticism, and above all the dominion of contingency. These attributes may be imperfect, yet they restrain the ascendancy of rationalism in politics and thus avert the desolation of the human condition. From Oakeshott's contributions, we come to understand that civilisational stability depends upon the reproduction of habits, customs, and traditions that confer meaning, rather than a rationalist archetype that seeks to save the world from itself and human beings from themselves.

Totalitarian rulers execrate contingency and place blind trust in the brilliance of their own reason. They rewrite the past, control the present, and prescribe the future in the direction of an ideal society. History, however, has shown the impossibility of such an undertaking. Oakeshott would likely say that we live as though navigating a boundless ocean, marked by storms and calms alike; and that scepticism assists us not in mastering events, but in coping with the diverse situations produced by contingency, including the totalitarian temptations that arise from rationalism in politics.

In place of totalising doctrines, Oakeshott encourages us to live through a prudent disposition historically constituted by the interaction of different experiences and modes, learning what is intimated by contingencies rather than seeking final answers in abstractions. He maintains that "habits and institutions which form our ways of governing are neither rational units nor fortuitous collections, but historical compositions" (Oakeshott 2018, p. 39). This is why the contextualist method pursued throughout this essay matters. Oakeshott and the other authors theorised these concepts in the immediate shadow of catastrophe, lending their thought the weight of testimony. The ocean encompasses an infinity of questions and,

therefore, the so-called enigmas of history admit of no final solutions worthy of pursuit, for they will never be found in any rationalist mind, leader, party or project.

Perhaps, the truest image of this disposition is not the totalitarians delimiting the ocean, but Odysseus upon the "wine-dark sea". Homer's hero does not sail toward some undiscovered utopia, he sails home, toward the island he already knows, toward the hearth, the olive tree rooted in his marriage bed. His wanderings among sirens and enchantresses' proof of how easily a voyager may be seduced by songs that promise a different life, and how each temptation nearly cost the one thing worth the whole labour of return. So too with the inheritance, Oakeshott defends not an innovative doctrine, but a home already given, sustained across generations, to which the prudent voyager, chastened by experience, at last comes back. The safe harbour is tradition itself, and the wisdom of the *Odyssey*, like the wisdom present in historical composition, lies in the disposition to:

> Prefer the familiar to the unknown, to prefer the tried to the untried, fact to mystery, the actual to the possible, the limited to the unbounded, the near to the distant, the sufficient to the superabundant, the convenient to the perfect, present laughter to utopian bliss (Oakeshott 1991, p. 408).

In this civilisational meeting between Homer and Oakeshott, made possible by the voices that echoed across the centuries between them, carried a message forward: it is better to contend with the known imperfectibility of Ithaca than to dwell in the utopian land of Calypso.

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NOTES

1 The *politics of faith* is committed to perfectibility and conceives of government as an activity without inherent limits, directed toward the construction of an ideal society (Oakeshott 2018).

2 The *politics of scepticism* is detached from the pursuit of human perfection and takes the maintenance of order as its principal aim. It represents an attempt to preserve order and the natural course of things in light of the constraints imposed by reality and by the operations of contingency. Politicians and society, in this context, readjust themselves to prevailing conditions so as to improve them in accordance with the surrounding reality (Oakeshott 2018).

3 *Rationalism in politics*, being based entirely on the power of reason, seeks to reduce all human experience to a set of abstract values. In Oakeshott's conception, the rationalist mind stands opposed to inherited traditions, customs, and habits. Oakeshott fiercely criticizes rationalism, emphasizing the impossibility of set human experience into mere abstractions derived only from reason (Oakeshott 1991).

Oakeshott's Idea of Coherence as an Attempt to Escape Relativism

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INTRODUCTION

The question of how to evaluate political and moral conduct without recourse to universal, transcendent principles has long occupied the centre of debates in political philosophy. At stake is the very possibility of normative judgment: if there is no fixed standard against which actions may be measured, does the assessment of conduct become merely a matter of preference or cultural circumstance? This challenge is one that emerges precisely in parts of Michael Oakeshott's work.

Oakeshott is widely recognized as one of the most original and penetrating critics of political rationalism in the twentieth century. His essays from the 1940s and 1950s, collected in *Rationalism in Politics and Other Essays*, elaborated a sustained critique of the rationalist disposition, that is, the belief that political conduct could be guided by abstract, universal principles derivable from reason alone, independently of experience and context. Against this disposition, Oakeshott developed a conception of human conduct as necessarily embedded within traditions of behaviour: the inherited, tacit, and continuously evolving practices through which individuals learn how to act and evaluate their actions.

Yet this anti-rationalist position raises an immediate and uncomfortable question: if there is no external or universal criterion by which to judge political and moral conduct, does Oakeshott's framework not collapse into a form of moral relativism? If all conduct is conditioned by the tradition or practice in which it is embedded, and if different traditions and practices may legitimately diverge, it would appear that no action could be said to be genuinely better or worse than any other.

The present essay argues that Oakeshott's response to this challenge is both philosophically substantive and systematically grounded in his broader metaphysical commitments. His answer, found in "Political Education" and its appendix "The Pursuit of Intimations", as well as in *On Human Conduct*, turns on the notion of coherence: the idea that conduct is to be judged not by its conformity to an external standard, but by its relationship to the "whole"—to the tradition or practice within which it is enacted. Far from leading to relativism, this coherence criterion provides a genuinely internal and non-arbitrary standard of evaluation, and the appendix shows that unequivocally.

This claim, the essay further argues, cannot be fully understood without reference to Oakeshott's early philosophical work, *Experience and Its Modes*. There, Oakeshott elaborates a coherence theory of truth that is explicitly indebted to the tradition of British Idealism, particularly to the thought of F. H. Bradley. The coherence theory holds that the criterion of truth is not correspondence between mind and an external, independent reality, but rather the internal consistency and unity of a world of ideas understood as a whole. It is this metaphysical framework that, it is contended, underlies and sustains his later political philosophy.

The argument proceeds in four stages. The first section examines Oakeshott's critique of rationalism and his development of the concept of a tradition of behaviour, showing how tradition functions as the necessary medium of human conduct, that is, something that cannot be discarded or transcended without practical incoherence. The second section addresses the apparent problem of relativism directly, analysing Oakeshott's use of coherence as a criterion for evaluating political conduct and his contention that, despite the absence of universal principles, actions can be assessed as more or less appropriate in relation to the tradition to which they belong. The third section examines how this practical criterion is underpinned by the coherence theory of truth developed in *Experience and Its Modes*, tracing the continuity between Oakeshott's metaphysics and his political philosophy. The final section draws these threads together to assess Oakeshott's attempt to occupy a stable position between rationalism and relativism.

By situating Oakeshott's political philosophy within its proper metaphysical context, this essay engages a debate that runs throughout Oakeshott scholarship: whether his later work represents a departure from, or a continuation of, the Idealist commitments of his early philosophy.[1] The present essay does not aim to settle that debate in its general form. Its more specific claim is textual: the appendix to "Political Education," "The Pursuit of Intimations," can be read as direct evidence for the persistence of the coherence criterion into Oakeshott's mature political philosophy; that is, a specific element of Idealism persists. Read alongside *Experience and its Modes*, the appendix shows—in Oakeshott's own terms, rather than by inference from the wider corpus—that the standard by which practical conduct is judged more or less appropriate remains a coherentist one. It is this specific textual continuity, rather than a general thesis about the afterlife of idealism in Oakeshott's thought, that the following sections aim to establish.

TRADITION OF BEHAVIOUR

Oakeshott became most famous in political thought for his critique of rationalism in politics, conceived in his essays published in the 1940s and 1950s. As described in those essays, the rationalist character was one that emerged in modern times and has for a while dominated the political scene. Briefly stated, the rationalist is characterized by a belief in a 'pure' reason that could guide human conduct, that is, could discern how to act. According to this disposition, one could act without any considerations to their context or environment, and the correct manner of conduct could be achieved by theoretical reasoning alone. That is, the rationalist postulates the superiority of theory over practice.

The main mistake of the rationalist is ignoring the practical dimension in the knowledge involved in any human conduct. He believes that mind can detach itself from the circumstances, discern the best way to act and direct human action. In this process, human mind can establish a manner of conduct that is rational and universal, that is, applicable in any context. But that, for Oakeshott, is an illusion. One can never detach oneself from the circumstances around him, and all conduct depends necessarily on them.

One of his examples of said disposition is the attempt to design a rational and universal dress for girls to wear while riding bicycles. That is, an attempt to formulate by theoretical reason alone the best way to act in a specific practical conduct. The achievement of that enterprise, bloomers, was not in fact a universal dress, but only an appropriate dress for girls riding bicycles in nineteenth-century England. What Oakeshott means with that example is to illustrate that the kind of 'rational' or universal conduct believed by the rationalist is impossible.

Instead, what can truly be called rational conduct, contrary to what the rationalist supposes, does not separate mind and body as if the first thinks before the second acts, as if they were stages in a process. For Oakeshott, both occur at the same time concerning human conduct. Moreover, true rational conduct cannot look to anything external to itself. For Oakeshott: "[a]ll actual conduct, all specific activity springs up within an already existing idiom of activity. And by 'idiom of activity' I mean a knowledge of how to behave appropriately in the circumstances." This "idiom of activity" is what he also terms as tradition in other essays: the necessary medium within which all forms of human conduct take place (1991, p. 121).

Throughout his essays in the 1940s and 1950s, Oakeshott conceives what he means by tradition, or, more specifically, a tradition of behaviour. The concept appears in the volume *Rationalism in Politics* and concerns the habits, customs, and practices that provide the context in which human conduct takes shape. Traditional conduct is, therefore, the antithesis of the conduct of the rationalist, who discards anything that does not conform to his universal and uniform concept of reason.

As previously observed, the rationalist's disposition tends to disregard the practical dimension of political activity, a dimension that is, in fact, essential to such conduct. Truly rational conduct consists of "acting in such a way that the coherence of the idiom of activity to which the conduct belongs is preserved and possibly enhanced" (1991, p. 122). This implies that we do not engage in thought before acting, as if these were distinct, sequential stages, but rather that the process involved in human conduct constitutes a whole. It is worth turning directly to Oakeshott's own words:

> We begin with a knowledge of how to behave—not, of course, a perfect knowledge, or a knowledge which is an endowment from another world, but a knowledge which is coeval with the activity of desiring. And what I have attributed to the activity is a set in a certain direction, a current, something that may be called a prevailing sympathy. The movement in the activity does not spring from the application of some external force, and the direction is not determined by a pre-established end; it is necessary to have recourse to such ideas as these only if we have fallen into the initial error of supposing, first, an activity which begins from rest (a 'knowledge' which springs from sheer ignorance), and secondly, an activity with no direction in particular (a 'knowledge' in which truth and error, or right and wrong, are still waiting to be distinguished) (1991, p. 127).

Tradition is not something rigid and fixed that we must either follow or discard. It is the necessary medium in which all human activity moves. It is not something that can be discarded or neglected; it is part of human conduct itself. The rationalist, for example, fails to perceive this fluid character of tradition and readily equates it with something "changeless". This misconception not only leads the rationalist to treat any tradition of ideas as something authoritarian requiring submission, but also exposes a failure to understand that the identity of a tradition, and of other historical products, does not have a rigid core nor a perennial substance. In Oakeshott's terms:

> [A tradition of behavior] is neither fixed nor finished; it has no changeless centre to which understanding can anchor itself; there is no sovereign purpose to be perceived or invariable direction to be detected; there is no model to be copied, idea to be realized, or rule to be followed. Some parts of it may change more slowly than others, but none is immune from change. Everything is temporary (1991, p. 67).

In 1965, Oakeshott defended his positions against criticisms from professor D.D. Raphael, asserting that in every response to a political situation, we find a variety of beliefs that can be explored. The aggregate of these beliefs, which often point in distinct or even opposing directions, is precisely what constitutes tradition. In his words:

> I called them a 'tradition', meaning to indicate that these beliefs were not a self-consistent set of 'principles', that although they might be expected to be relatively stable they were not incapable of change, that they were not axioms but maxims which we believed ourselves to have learnt from experience, and that they did not all appear before us in the form of propositions but often in institutions and practices (1965, p. 90).

Contrary to rationalist's belief, an individual is never entirely "self-made"; rather, there lies a societal inheritance behind his successes and achievements. Theorems and maxims that can be abstracted from human conduct are mere abbreviations, and cannot have an independent life, much less guide human action.

The concept of tradition developed by Oakeshott in the 1940s and 1950s persists into his later work, albeit refined and employed with a different vocabulary. What Oakeshott defined as tradition appears in *On Human Conduct* as 'practice', and this equivalence becomes evident from the author's description of the term.[2]

A practice may be identified as a set of considerations, manners, uses, observances, customs, standards, canon's maxims, principles, rules, and offices specifying useful procedures or denoting obligations or duties which relate to human actions and utterances. It is a prudential or a moral adverbial qualification of choices and performances, more or less complicated, in which conduct is understood in terms of a procedure (2003, p. 55).

Broadly speaking, a practice posits a contextual condition in human conduct. Practices are diverse and vary not only in content but also in form. A practice may take the form of a protocol or even a "way of life"; it may crystallize into an institution or remain more flexible. Practices may also overlap, and a single performance can be subject to several distinct practices. As an example of such overlap, Oakeshott notes that 'judging' and 'advocating' appear together within the practice of a court of law (2003, p. 56).

All human relationships, such as those between parents and children, neighbors, employer and employee, teacher and student, doctor and patient, partners, colleagues, husband and wife, or speakers of the same language, constitute a participation in a practice that entails its own specific conventions and rules of conduct. A practice represents the condition to which participants subscribe to when engaging with one another in a given situation. It is, therefore, a medium or context within which human action is situated.

However, this formulation does not imply that practice is an immutable doctrine; indeed, Oakeshott is emphatic in stating that a practice is not prescriptive, but rather something to which the agent subscribes to. Practice is not a fixed entity and is always susceptible to transformation. No practice can be "insulated from circumstances" to such an extent that it cannot be modified (2003, p. 56). All practices are "subjects to historic vicissitudes and local variations, and none is capable of being participated in except by learning to do so" (2003, p. 57).

Being non-prescriptive implies that a practice is not a set of rules to be followed, nor does it tell an individual how to act; rather, it merely delimits the conditions to which a choice must subscribe. "A rule (and a fortiori something less exacting, like a maxim) can never tell a performer what choice he shall make; it announces only conditions to be subscribed to in making choices." In a metaphorical formulation, it is "an instrument to be played upon, not a tune to be played." With this definition, it begins to become evident that the concept of practice has supplanted that of tradition. Both terms are employed by Oakeshott at different stages of his work to designate the same thing: the medium or context in which a human activity is embedded and to which it must be subscribed (2003, p. 58).

Regarding moral practice specifically, Oakeshott compares it to a vernacular language, because it does not formulate precepts for human conduct. Like a language, it provides the conditions to which the agent must subscribe, but it imposes no substantive action. A speaker of a language must formally subscribe to certain rules and must learn them in order to communicate satisfactorily with another speaker of the same language. Yet the content of speech is not determined by the rules that constitute the language, just as the content of moral conduct (the specific action) is not defined by the practice itself, but rather by usage and by the choices the agent makes. And precisely because it does not prescribe, there is room within moral conduct for internal variety—and even for individual, idiosyncratic idioms or styles. Just like a tradition, a moral practice

> … is never fixed or finished, but (like other languages) it has a settled character in terms of which it responds to the linguistic inventions, the enterprises, the fortunes, the waywardness, the censoriousness, and sometimes the ridicule of those who speak it. It is its vicissitudes, and its virtue is to be a living, vulgar language articulating relationships, responsibilities, duties, etc., recognizable by its speakers as reflections of what, on earth, they have come to understand themselves to be. It is acknowledged by those who speak it, not because a failure to do so is liable to attract a penalty or because it is recognizably advantageous to do so, but because they have been educated in its use and because in speaking it they re-enact it for themselves. It is learned only in being used (2003, pp. 63-64).

Just as there exists a variety of traditions, so too is there a variety of practices and moralities. There is a plurality of practices, just as there is a plurality of languages in the world, and such variety does not constitute a deviation from a single correct morality.

> That there should be many such languages in the world, some perhaps with familial likenesses in terms of which there may be profitable exchange of expressions, is intrinsic to their character. This plurality cannot be resolved by being understood as so many contingent and regrettable divergencies from a fancied perfect and universal language of moral intercourse (a law of God, a utilitarian 'critical' morality, or a so-called 'rational morality'). But it is hardly surprising that such a resolution should have been attempted: human beings are apt to be disconcerted unless they feel themselves to be upheld by something more substantial than the emanations of their own contingent imaginations. This unresolved plurality teases the monistic yearnings of the muddled theorist, it vexes a moralist with ecumenical leanings, and it may disconcert an unfortunate who, having 'lost' his morality (as others have been known to 'lose' their faith), must set about constructing one for himself and is looking for uncontaminated 'rational' principles out of which to make it (2003, pp. 80-81).

This passage illustrates not only the plurality of human moral conduct and the rejection of a universal standard that all must follow, but also points to the anxiety, common to the human condition, of feeling oneself moving across terrain that is excessively fluid and uncertain. This restlessness fosters the conception of a rational construct in an attempt to endow human action with solidity or certainty. In other words, it is at this point that a rationalist disposition emerges, not merely regarding morality, but regarding human conduct in general.

Much like human conduct in general, moral practice can be distilled into rules, moral principles, dogmas, or maxims by figures such as 'moralists,' 'dictionary makers', or even moral philosophers. Yet these summaries or reductions are not independent; they are "abstractions which derive their authority from the practice itself." Once again, "[t]hey are not commands to be obeyed but relatively precise considerations to be subscribed to. They are used in conduct, not applied to conduct; and the moral reflection in which they maybe brought to bear upon choosing is deliberative, not demonstrative" (2003, p. 68). And, in a metaphorical, nautical language, quite to Oakeshott's taste, such rules are not a criterion, but rather "prevailing winds which agents should take account of in sailing their several courses" (2003, p. 70).

Just in the same way as Oakeshott describes tradition, a practice is not something that can be disposed of. There is no "artless conduct", meaning that practice is a necessary medium in which all human actions must be subscribed to. Again, just as an "utterance in no language in particular" is impossible, so is conduct unconditioned by practice or tradition (2003, p. 86).[3]

Moral language, like other practices, is a creation of the speakers themselves, rather than of 'grammarians' or the aforementioned 'moralists' and 'dictionary makers'. To fail to grasp that abstract principles are merely abbreviations of practice is to commit the rationalist's error of conflating the

categories of human understanding. Yet, despite being in a state of constant creation and not deriving from external principles, actions embedded within a practice may meet with varying degrees of success. Much like any vernacular language, it is permeated by vicissitudes; it may be spoken with greater or lesser propriety and, at times, even become corrupted. Oakeshott's contextualism regarding practice does not entail a relativism in which all conduct holds equal value. The fact that no single 'correct' way of acting exists does not necessarily lead to the conclusion that no inappropriate ways exist either.

In practice, and in conduct more generally, therefore, there is no exterior criterion or standard to which an action must conform. The authority of any human conduct resides not in some independent scale, general measure, or entity external to itself, but rather in its own execution. In other words, human actions are more or less appropriate based on their internal coherence, rather than on their correspondence to an external standard.

RELATIVISM?

Oakeshott's conception of tradition and practice establishes that there is no exterior standard by which human conduct can be judged. All actions are informed necessarily by their context or their environment, which means their specific content may vary. A practice is something that an individual subscribes to, not something that prescribes a mode of conduct. Without a transcendent standard, one could ask if Oakeshott's position boils down to a form of relativism in which there is no right or wrong conduct. In the end, how can one judge human conduct or separate between good and bad conduct?

Oakeshott's concept of tradition and practice can be perceived as contextualist, that is, a human action or performance is always informed by some conditions which are constantly changing. He himself acknowledges that the understanding of human conduct and relations is "contextual", meaning that they are not the study of invariable laws and organic processes (2003, p. 105).

In an appendix to the essay "Political Education", called "The Pursuit of Intimations", Oakeshott gives a direct answer to those who state that there is no "standard or criterion for distinguishing between good and bad political projects or for deciding to do one thing rather than another." He simply recalls a specific passage from the essay which says that in political conduct "everything figures, not with what stands next to it, but with the whole." In other words, the criterion of the political, or in fact, any kind of practice, is a relationship of that action to the whole (1991, pp. 61, 67).

The temporary and flexible nature of a tradition creates an apparent impasse in obtaining this knowledge. Oakeshott responds that, despite being elusive, the tradition of behavior has a continuity, that its parts do not all change at the same time, and that its changes are within its potentialities. This gives a tradition its continuity and identity. Although everything in it is "temporary," "nothing is arbitrary" (1991, p. 61).

A tradition is flexible and malleable, but even so, it preserves its identity. Constant change and the absence of a rigid and fixed core do not prevent the recognition of a tradition that endures over time. "[I]t belongs to the nature of a tradition to tolerate and unite an internal variety, not insisting upon conformity to a single character, and because, further, it has the ability to change without losing its identity" (1991, p. 227).

In the same text in which he explores the tradition of behavior as the epistemic foundation of politics, Oakeshott highlights that political arrangements (its customs, institutions, laws, and so forth) are simultaneously coherent and incoherent. Furthermore, in subsequent passages, he argues that the codification of certain rights, such as women's enfranchisement, did not stem from the formulation of abstract principles, but rather from an incoherence between what women already enjoyed and the legal recognition of those rights. For Oakeshott, women were already exercising rights and duties, even if not yet codified in law, thereby implying the precedence of conduct over theoretical formulation (1991, p.57).

He also points to the idea of coherence in a passage (already mentioned above) from "Rational Conduct", where it is stated that a truly rational conduct is one that is coherent with the idiom of activity in

which such conduct belongs, and in "Political Education" where he establishes that what is learned in it is a "concrete, coherent manner of living in all its intricateness" (1991, p. 62).

These formulations not only reestablish the necessity of a medium, or a tradition, in which an action is embedded, but also provide a way to judge good and bad conduct, therefore attempting to escape a relativism in which all actions would be equally valid. Not only using the term 'coherence', but also referencing the 'whole', Oakeshott alludes to earlier philosophical positions on the notion of coherence indebted to British Idealism. It is the coherence criterion of truth, metaphysically exposed in *Experience and its Modes*, that reappears now in the sphere of practical activity.

COHERENCE THEORY AND EXPERIENCE AND ITS MODES

The coherence theory of truth is not original to Oakeshott, and to illustrate what it says other authors will be briefly used. Nevertheless what is fundamental is Oakeshott's position on that, especially as established in *Experience and its Modes*, to show that his theory of a tradition of behaviour is indebted to the notion of coherence and that it is precisely the way in which he avoids rationalism without falling into relativism.

The coherence theory of truth is a metaphysical concept inherited by Oakeshott from British Idealism, and it constitutes a rejection of the correspondence criterion, according to which the human mind must correspond to an object outside of it. The correspondence theory asserts that there exist facts external to human experience and independent of it. A theory or hypothesis is deemed true if it corresponds to these facts, that is, if the mind corresponds to the data of external reality. Thus, the correspondence thesis implies a distinction between theory, which resides within the human mind, and fact, which lies external to it.

What the coherence criterion seeks to address is the access to external facts that the correspondence criterion asserts. Proponents of the latter argue that such immediate access is impossible and contact with reality, they contend, is established through human experience—and it is this experience that should serve to test whether a theory aligns with reality. However, proponents of the coherence criterion argue that an experience (such as feelings or perceptions) must undergo a transformation if it is to serve as a test for theories; that is, it must be interpreted. The mere act of interpreting an experience transforms it into another theory. Consequently, a theory relies for its validation upon another theory, or, at the very least, upon another judgment (Walsh 1967).

In British Idealism, there is no reality external to conscious experience and, therefore, there is nothing to which the mind must conform or adapt itself. In the work of Bradley, according to a commentator, for instance, "the nature of truth cannot be associated with a fixed category established 'externally' and indifferent to the complex context of a particular world of ideas. In a sense, truth is an 'internal quality' in a permanent process of correction and validation" (Almeida 2019, pp. 27-28).

Coherence implies that the validation of any idea depends on its relationship with other ideas and with the whole. It is the congruity of an idea with the 'world', or the totality of experience, that authenticates its veracity. There is a relational character at play, wherein each fact relates not merely to itself as a separate element, but also to other facts and to the totality. According to coherence theory, "[n]o actual statement we make, it is argued, is made entirely in isolation: they all depend on certain presuppositions or conditions, and are made against a background of these" (Walsh 1967, p. 76).

It is fruitful to turn directly to Bradley, one of Oakeshott's major early influences, for whom there is no correspondence between truth and a solid datum, unlike for the realists and empiricists whom the idealists sought to combat.

In *Appearance and Reality,* in 1893, Bradley does not use the word of coherence many times, but he does state briefly that anything is "coherent and wide—the more fully they realize the idea of system—so much the more at once they are real and true." Despite the difference in vocabulary, it is safe to say that it is what he has in mind when it is claimed that "[t]ruth must exhibit the mark of internal harmony, or, again, the mark of expansion and all-inclusiveness" (1962a, pp. 321, 477).

Coherence is better stated in Bradley's *Essays on Truth and Reality*, first released in 1914, where it is put together with 'comprehensiveness' as the two aspects of the whole, which means that they serve as criteria for truth.

> Truth is an ideal expression of the Universe, at once coherent and comprehensive. It must not conflict with itself, and there must be no suggestion which fails to fall inside it. Perfect truth in short must realize the idea of a systematic whole. And such a whole, … possessed essentially the two characters of coherence and comprehensiveness (1962b, p. 223).

Truth, therefore, is found in the coherence of the whole. "Individual facts and judgments are true (or real) only insofar as they belong to a larger system or whole" (Franco 1990, p. 26). The coherence theory does not dismiss the necessity of a 'fact', but it does not locate it outside human experience. "A fact for it is not something which exists whether or not anybody takes any notice of it; it is rather the conclusion of a process of thinking." Facts are not, therefore, apprehended, but established (Walsh 1967, p. 77).

In *Experience and its Modes*, Oakeshott also advocates the idea of coherence as a criterion of truth, since there are no objects apart from experience to which the human mind must conform. Experience begins with ideas, and, more specifically, within a world of ideas. The expression "world of ideas" reveals that experience does not begin with a mere cluster, but rather with a system, which implies that every idea relates to the whole, and not merely to a neighboring idea. From this premise emerges the concept of coherence, which entails a relational unity among ideas themselves and with the whole. "The unity of a world of ideas lies in its coherence, not in its conformity to or agreement with any one fixed idea. It is neither 'in' nor 'outside' its constituents, but is the character of its constituents in so far as they are satisfactory in experience" (2002, p. 33).

Facts, for Oakeshott, are not a solid material, a 'datum', waiting to be apprehended. Facts depend on thought and do not exist in isolation. In other words, a fact is the product of judgment and it "is not what is given, it is what is achieved in experience. Facts are never merely observed, remembered or combined; they are always made" (2002, p. 42).

The path to knowledge is experience becoming progressively more coherent than it was before, and not a simple accumulation of data, since there is no sensible data external to experience itself. "Knowledge, in the view I have suggested, is not the extension of a mere series, or the enlargement of a mere collection of ideas; it is the achievement of the coherence of a given world or system of ideas by the pursuit of the implications of that world" (2002, p. 41).

Oakeshott's political philosophy, and the political concepts he develops, are informed by his overall philosophical thought.[4] That is true as regards the concept of tradition and practice, which resonate with the coherence theory of truth, elaborated in his metaphysics. Obviously enough, they both characterize distinct areas of human understanding, and Oakeshott himself maintains a firm separation between theory and practice.

Moreover, it has been remarked by many that Oakeshott moves away from his earlier Idealism and any notion of a possibility of final or absolute knowledge. That is the case, for example in the work of Nardin (2001), who points out that Oakeshott came to consider the absolute as misleading and the work of Gerencser (2000), who sees the elements of 'absolute idealism' receding in favour of the 'sceptical idealism' in Oakeshott's mature works.[5]

However, the idea that a fact or truth metaphysically speaking could only be achieved in terms of the whole is analogically identical with the contention that a practice considered good is one that coheres with the tradition in which it is inserted. In both cases, the criterion is the relation to the whole, not some external standard, even though that does not mean that final coherence is ever achieved. In fact, Oakeshott denies that possibility when it is stated that a practice is always changing without transforming itself into something else.

CONCLUSION

The preceding analysis has sought to demonstrate that Michael Oakeshott's political philosophy, far from collapsing into moral relativism, is sustained by a coherent and philosophically grounded criterion of evaluation. The key to this demonstration lies in recognising the continuity between his metaphysical commitments, as formulated in *Experience and Its Modes*, and the practical philosophy he develops in his later essays and in *On Human Conduct*. The concept of coherence, operative in both registers, provides Oakeshott with an internal standard that is neither transcendent nor arbitrary.

As the first section of this essay established, Oakeshott's critique of rationalism is not a rejection of reason as such, but a rejection of a particular and misleading conception of reason, one that supposes the mind can abstract itself from its circumstances and devise universal principles of conduct applicable to any context. Against this, Oakeshott insists that all human action is necessarily embedded within a tradition of behaviour, or, in the vocabulary of his later work, within a practice. Tradition and practice are not constraints upon freedom or reason, but the very medium through which both become possible.

The problem this position generates was shown to be genuine. If conduct is always conditioned by its context, and if contexts legitimately differ, the question of how to distinguish between better and worse courses of action becomes pressing. Oakeshott's direct response, located in "Political Education" and its appendix, is that the standard of evaluation is a relationship to the "whole": an action is well or poorly performed not according to an external criterion, but according to its coherence with the tradition in which it is embedded. The fact that a tradition is always changing does not render this standard illusory, because change occurs within the potentialities of the tradition itself, it is internally constrained rather than arbitrary.

The metaphysical underpinning of this position, traced in the third section, reveals that the appeal to coherence is not an *ad hoc* political move but the expression of a systematic philosophical commitment. In *Experience and Its Modes*, Oakeshott rejects the correspondence theory of truth (the view that thought must conform to a reality external to experience) and proposes instead that the criterion of truth is the coherence of a world of ideas understood as a whole. Each idea or judgment is validated not by its correspondence to an external datum, but by its consistency and integration within the larger system of experience. The parallel with his political philosophy is not incidental: in both cases, the standard of judgment is internal, relational, and oriented toward the whole.

It is important to acknowledge the limits of the claim being advanced. Oakeshott does not offer an algorithm for determining when a specific political action coheres with its tradition, nor does he suppose that the "whole" is ever fully or transparently available to the political actor. The tradition is, by definition, only partially articulable, and the judgment required to navigate it is irreducibly practical. This is, however, a feature rather than a flaw of his position: the impossibility of reducing practical wisdom to a technical procedure is precisely the lesson that his critique of rationalism is designed to teach. The coherence criterion does not aspire to algorithmic precision but to the kind of situated, cultivated judgment that Oakeshott consistently valorises.

What Oakeshott attempts, then, is a philosophically coherent position between two mirror-image errors. The rationalist errs by supposing that practice can be guided by theory formulated in abstraction from experience; the relativist errs by supposing that the absence of such theory entails the absence of any normative standard whatsoever. Oakeshott's response is that the standard is immanent in practice itself, not imposed upon it from without, but discovered and refined from within, through the exercise of what could be put as practical knowledge. Both the rationalist and the relativist, in this respect, share the mistaken assumption that a genuine standard must be external and universal; Oakeshott's contribution is to show that this assumption is itself a product of the rationalist disposition.

The systematic unity of Oakeshott's thought, from his early Idealist metaphysics to his mature political philosophy, remains a subject of debate. The present essay has argued that the coherence theory of truth provides a thread of continuity that connects these apparently distinct phases of his intellectual career.

In both registers, the fundamental move is the same: the rejection of any external, correspondence-based standard in favour of an internal, relational criterion oriented toward the whole. It is this philosophical structure, rather than any particular political commitment, that constitutes Oakeshott's most durable contribution to the problem of normative judgment. The significance of his position lies not in its conclusions about specific political arrangements, but in its demonstration that the absence of universal principles need not entail the absence of standards altogether. Coherence, properly understood, is itself a form of criterion, one that is irreducibly practical, historically situated, and resistant to the reductions of both dogmatism and relativism.

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NOTES

1 It is impossible to make an exhaustive list of all the commentators' positions within this debate. Among the ones who see continuity are Boucher 2012; Franco 1990; Greenleaf 1966 and Tseng 2003. The best example of a discontinuity might be Gerencser 2000. According to Gerencser, although Oakeshott did not fully depart from Idealism, certain commitments, such as the notion of the Absolute, were abandoned in his later works.

2 Others also have pointed out that 'practice' in *On Human Conduct* is a reworking of 'tradition' as it appears in *Rationalism in Politics and Other Essays*, such as Mitchell 2019 and Tseng 2003. This view is, therefore, not new, but it needs to be restated for the present essay's claim.

3 Because of this necessary aspect of tradition and practice, some have contrasted Oakeshott's formulation with Burke's, according to which a tradition could be neglected if a person chooses to do so (see Mitchell 2019).

4 As demonstrated in detail by Nardin 2001 and Isaacs 2006.

5 The position that Oakeshott abandoned the notion of a possibility of absolute knowledge is a point of agreement between the commentators and it is not intended here to give an exhaustive list of examples.

Graduating into Incompetence: Critical Social Justice Ideology, the Proliferation of Disability Adjustments, and the Crisis of Professional Preparation in UK Higher Education

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Abstract: This article argues that two interconnected developments in UK higher education are producing graduates in the human services who are inadequately prepared for professional practice. The first is the institutional capture of universities by Critical Social Justice (CSJ) Theory, which has imposed a framework of identity-based power and privilege on pedagogy, campus culture, and professional regulation, suppressing free inquiry, displacing material poverty as a focus of concern, and generating widespread self-censorship among students and staff. The second is the accelerating expansion of disability adjustments, driven in significant part by the same ideological framework, which has pathologised ordinary personality traits and skills deficits as protected conditions, and lowered professional standards in ways that compromise public safety. The article proceeds in three parts: part one examines the mechanisms by which CSJ ideology has come to dominate social work education and the wider university sector, generating self-censorship and a displacement of material poverty as a professional concern. Part two analyses the parallel expansion of disability adjustments and its ideological roots, arguing that the conflation of self-declared and genuine disability dilutes support and compromises professional standards; and part three makes the case for reclaiming liberal principles in human services education. The article concludes that genuine inclusion and authentic professional preparation require institutional courage, honest assessment, and a recovery of the liberal commitment to free inquiry, evidence, and the irreducible uniqueness of the individual.

Keywords: critical social justice theory; social work education; professional education; disability adjustments; liberalism; professional standards; higher education

INTRODUCTION

Something is failing in the preparation of graduates for the human services in the United Kingdom. The problem is not simply one of falling academic standards or the pressures of mass higher education, though both are contributing factors. It is something more ideological and, in important respects, more tractable: the systematic reshaping of higher education by a framework of ideas that prioritises identity, victimhood, and institutional protection (Campbell and Manning 2018) over competence, rigour, and professional readiness. This requires attention because students will graduate to interact with real world problems, sometimes in matters of grave importance. Some real world effects of the changes in professional education are suggested later in the article by the examination of some high profile and tragic incidents and, to be completely frank, this article is significantly motivated by my own experience of seeing

how the developments under discussion have led to unsuitable candidates, in social work and beyond, literally graduating into incompetence.

Two interconnected developments require examination. The first is the ideological capture of UK universities by Critical Social Justice (CSJ) Theory, which has reshaped campus culture, narrowed acceptable opinion, and encouraged a form of moral conformity that is antithetical to the critical thinking that professional education requires. The second is the explosive growth of disability adjustments, driven in significant part by the same ideological framework, which has led institutions to pathologise ordinary personality variation and basic skills deficits while simultaneously lowering the professional standards that exist to protect the public.

"Capture" here denotes a process by which a particular ideological framework becomes so embedded in institutional structures, regulatory requirements, hiring norms, and professional culture that it shapes what can be said and taught (Hearn and Macleod 2026) and researched and published in academic literature (Kaufmann 2021) without requiring any explicit enforcement. It is distinct from mere influence or prevalence. It should be noted that other forces contribute to the same landscape: the marketisation of higher education (Hearn and Macleod 2026), managerialist audit culture (MacAlpine 2026), political polarisation and the broader therapeutic turn in Western societies (Monteux and Murdoch 2026) all play a role. CSJ ideology is, however, the argument here, the distinctive and underexamined factor that connects ideological conformity to the specific features of professional education addressed below.

Social work provides a particularly revealing case study because the profession is, by its own regulatory definition, explicitly committed to social justice, anti-discriminatory practice, and the protection of vulnerable people. The professional body, the British Association of Social Workers (BASW), Social Work England, and the Scottish regulator, the Scottish Social Services Council (SSSC), have all embedded CSJ language and concepts into mandatory standards (BASW 2021; Social Work England 2022; SSSC 2019, 2024). As Drake and Hodge (2022) have observed, social work appears to have reached a crossroads between Enlightenment-informed practice grounded in science, reason, and humanism, and a CSJ-informed practice centred on identity-based power and privilege. This article suggests that the profession has not merely reached that crossroads but turned decisively in the CSJ direction, with significant consequences for education and practice. It also suggests that this might be the case for other professions working in 'social justice' spaces, and advances an argument for reclaiming philosophically liberal principles as the foundation for professional education in the human services.

PART ONE: THE IDEOLOGICAL CAPTURE OF UK HIGHER EDUCATION

The Nature and Trajectory of Critical Social Justice Theory

CSJ Theory, as Pluckrose and Lindsay (2020) have documented in detail, has its roots in postmodern French philosophy, subsequently absorbed and operationalised by activist academic fields including critical race theory, queer theory, intersectionality studies, and related disciplines. At its core, CSJ Theory organises the social world around a hierarchy of power and privilege, with straight, white, able-bodied men positioned at the apex and other identities arranged below according to their presumed proximity to oppression. The 'correct' moral orientation, within this framework, is to side with those positioned lower in the hierarchy, defer to their lived experience as epistemically privileged, and treat any challenge to claims made in the name of marginalised identity as itself a form of oppression.

Pluckrose and Lindsay (2020) and Murray (2022) suggest that around 1989, postmodern theory solidified from a set of abstract epistemological positions into something more concrete and activist. The original postmodern scepticism about grand narratives and objective truth was repurposed as a tool for exposing and dismantling structures of power. Marcuse's (1965) concept of repressive tolerance, which held that free speech and liberal tolerance could only be genuinely neutral in conditions of absolute equality, provided an important intellectual foundation. Since power differentials persist, the censorship of

dominant voices and the protection of marginalised ones could be justified as a precondition of genuine freedom rather than a violation of it.

The results of this trajectory in the contemporary university are well documented. Kaufmann (2021) found that support for illiberalism and viewpoint intolerance was far higher among academics who identified as far left, activist, or far left activist, and that millennial academics were markedly more intolerant than those approaching retirement. The political composition of university social science departments had shifted dramatically, with 70 to 80 per cent of faculty identifying as left-leaning and only 5 to 10 per cent as right-leaning. As Kaufmann observes, this young, left-wing cohort is likely to grow as older academics retire, suggesting the trend will intensify rather than reverse.

In social work specifically, Fenton (2025) has demonstrated that the professional body and regulatory framework in the UK are thoroughly saturated with CSJ language and concepts. The SSSC (2024) now requires newly qualified social workers to develop an anti-racist, intersectional approach and to write personal reflections on their commitment to anti-racism and understanding their unconscious bias. Social Work England (2022, p. 1.10) asks that graduates demonstrate knowledge of 'how multiple and intersecting oppressions and disadvantages impact people, families, and communities'. The terms proactive anti-racism, unconscious bias and intersectionality employed in these requirements are direct references to CSJ theory (Pluckrose and Lindsay, 2020), and the framework within which they operate is one in which structural oppression is understood as hardwired into society and perpetuated, consciously and unconsciously, by dominant groups (Eddo-Lodge 2017; Kendi 2019).

The Mechanism of Conformity

The power of CSJ Theory in universities lies not primarily in its intellectual persuasiveness, which does not withstand rigorous scrutiny on several central points, but in the social and professional costs of dissent. Large institutions are susceptible to what might be called ideological groupthink: a convergence of opinion driven not by shared conviction but by shared risk-aversion. The Sullivan Review (Sullivan 2025) offers independent corroboration of these dynamics, documenting how ideological pressures within public institutions have led to systematic distortions in data collection and research, with professionals facing reputational and professional risk for adhering to empirical standards at odds with prevailing orthodoxies. Professor Kathleen Stock, for example, was driven from her employment at Sussex University such was the backlash from students and academics about her respectful and scholarly criticism of gender ideology (*The Telegraph,* 2021).

Advance HE's Race Equality Charter and Stonewall's Diversity Champions scheme, both widely adopted by UK universities, exemplify this dynamic (Fenton 2025). Universities sign up to these programmes primarily for the credentials they confer, the awards and kitemarks that signal inclusivity. The consequence is that academic staff who question the ideological assumptions embedded in these schemes are no longer simply critiquing a theory but taking a stance against their employer. This is a powerful deterrent to honest intellectual engagement.

Evidence of Classroom Conformity and Self-Censorship

Empirical evidence supports the claim that CSJ ideology has generated significant self-censorship among students. Hillman's (2016) study of 1,000 UK university students found that the majority favoured protection from offence over free speech, with women significantly more censorious than men. His 2022 follow-up study demonstrated that censorious attitudes had intensified: 79 per cent of students believed those who felt threatened should always have their demands for safety respected (up from 68 per cent in 2016), and 61 per cent believed their university should prioritise protection from discrimination over unlimited free speech (up from 37 per cent). The proportion who agreed that debating issues like sexism or racism runs the risk of legitimising them, had doubled to 35 per cent.

Simpson and Kaufmann (2019) found that only 30 per cent of a sample of 505 UK undergraduates would take a free speech position on contentious matters such as controversial speakers on campus, with a minimum of 20 per cent favouring no-platforming. The significance of an undecided majority was highlighted: students became 14 per cent more pro-censorship or pro-free speech depending on which narrative they had been primed with.

Fenton and Smith (2025) report findings from a study of 102 social work students across all eight Scottish universities offering full-time programmes. Sixty-seven per cent were reluctant to discuss at least one controversial subject, a figure comparable to the 60 per cent found in Heterodox Academy's larger American study (Heterodox Academy 2020). The main reason given was fear of criticism from other students, but a notably close second was the concern that honest engagement might cause psychological or emotional harm to others. This belief, Fenton and Smith argue, is itself a product of CSJ ideology: once it is accepted that words and ideas can cause harm by reinforcing power differentials, any contribution from a presumed dominant group becomes potentially harmful, and self-censorship becomes a moral obligation rather than intellectual timidity.

A particularly striking finding from Fenton (2025) was that students' perceptions of who was most reluctant to speak inverted the actual pattern. Students believed that white, straight, and male students would be the most comfortable speaking out. In practice, these groups demonstrated the greatest reluctance, especially on topics related to their presumed position in the power and privilege hierarchy. White students were most reluctant to discuss Black Lives Matter; straight students were most reluctant to discuss sexual orientation and transgender issues; men were most reluctant to discuss gender. Students had internalised a CSJ construct of society that was, demonstrably, at odds with reality.

The Displacement of Material Poverty

One of the most consequential and underappreciated effects of CSJ ideology in social work education is the displacement of material poverty from the centre of professional concern. CSJ Theory focuses on identity-based recognition as the primary axis of injustice, and as Fraser (2003, 2017) has argued, this orientation is compatible with, and can actively serve, neoliberal economics. If the goal is equity in group outcomes rather than redistribution of wealth, the economic hierarchy between the 1 per cent and the 99 per cent remains unaddressed. Fraser calls this progressive neoliberalism: the pursuit of diversity, representation, and identity-based recognition within an overall economic structure that goes unchallenged.

The practical consequences for social work are documented in research by Morris et al. (2018), who found that social workers in the UK were in a moral muddle about poverty: they appeared reluctant to engage with poverty as a specific professional concern, treating it instead through the anti-discriminatory lens of not wishing to stigmatise people for their circumstances, while simultaneously adopting blaming narratives towards poor white service users. Cooley et al. (2019) found that teaching white privilege concepts to socially liberal students increased blaming attitudes towards poor white people, apparently by implying that their difficulties stemmed from a failure to exploit available racial advantage.

Cox et al. (2020), in a scoping review of social work curricula across six Anglophone countries, found that anti-oppressive, critical postmodern, and critical race frameworks dominated the literature, while poverty was backgrounded and not explicitly conceptualised. Fenton (2020) found that the newest generation of social work students demonstrated punitive and blaming responses to unemployed and poor service users. These findings suggest that CSJ ideology, far from advancing the traditional social work concern with structural inequality, is actively undermining it by redirecting professional attention from material hardship to identity recognition.

Standpoint Epistemology and the Erosion of Liberal Science

A further dimension of CSJ ideology with serious implications for professional education is its epistemological framework. The concept of standpoint epistemology, according to which members of oppressed groups have privileged access to truth by virtue of their lived experience, is widely promoted in CSJ-influenced curricula. Bailey (2017) articulates this position explicitly: when students counter lived experience accounts with facts or other evidence, they are not engaging in critical thinking but engaging in privilege-preserving epistemic pushback, and their challenges should be understood not as propositions to be assessed for their truth value, but as expressions of power. Collins (2017) goes further, arguing that treating standpoint epistemology as merely subjective knowledge constitutes epistemic oppression.

The implications for the classroom are profound. If factual challenge to lived experience accounts is itself an exercise of oppressive power, then the fundamental purpose of university education as the collective, critical pursuit of knowledge is abandoned. Rauch (1993) describes liberal science as a system in which the checking of each by each through public criticism is the only legitimate way to decide who is right. Where that system is replaced by one in which certain claims are protected from challenge by virtue of the identity of the claimant, knowledge ceases to advance and ideology takes its place. Van den Berg and Jeong (2022) observe that rejecting positivist aspirations to objectivity simply because they were historically associated with dominant groups is both foolish and self-defeating. Sheppard and Charles (2017) and Sheppard et al. (2018) have documented that social work graduates in the UK already demonstrate weak critical thinking skills. Promoting a single ideological standpoint to the exclusion of others will not improve this situation.

The power of standpoint epistemology is well illustrated by its pervasiveness well beyond the academy, for example in the Scottish Government's commitment to service user lived experience as the central epistemology through which the human services are encouraged to understand their practice and aims. The elevation of 'lived experience' and the downgrading of any other sources of knowledge has taken place without significant critique, discussion or academic engagement and can be considered as yet another example of 'capture' as discussed earlier (Monteux et al. 2026).

PART TWO: THE EXPLOSION OF DISABILITY ADJUSTMENTS AND ITS IDEOLOGICAL ROOTS

The Scale of the Change

Running in parallel with the ideological transformation of universities, and deeply connected to it, is what can only be described as a crisis in disability adjustments. Disabled students made up 19% of home student enrolments in 2021/22, a proportion that has roughly doubled since 2010, from 9.5% in 2010 to 19% by 2021/22 (Disabled Students UK 2023). In 2019/20 the most common reported disability category was specific learning difficulties (dyslexia, dyspraxia, ADHD), followed by mental health conditions (Hubble and Bolton 2021). In 2022-23, more than 120,000 UK students reported mental health conditions, up from just 33,500 in 2014-15 (Rowsell 2025) and social work students are declaring disabilities at an even higher rate (Corten et al. 2025). In the light of this, the question of what adjustments are being made, on what programmes, and to what end demands serious scrutiny.

The concern is not with students who have genuine, formally diagnosed disabilities creating real barriers to learning. Universities have both a legal and a moral obligation to support such students, and they should do so robustly. The concern is with the vast expansion of the adjustment category to include conditions that were previously considered part of the normal range of human variation, and skills deficits that are, in the context of professional education, simply deficits. The conflation of these two categories causes harm to both. Firstly, students with genuine needs receive diluted services as resources are stretched. The Office for Students (2025), for example, note that rising numbers of disabled students with complex needs,

stretched specialist staff and budgets are impacting on a service extremely under pressure. Secondly, students without genuine disability may well be receiving credentials without the competence those credentials are supposed to represent.

Three Interconnected Causes

Three interconnected developments explain how this situation arose. The first is the expansion of the social model of disability beyond its original, coherent scope. When the social model was developed and gained traction in the early 1990s, it offered an important corrective to the medical model: disabled people are frequently disadvantaged not by their impairments but by a society not designed to accommodate them. Installing ramps, hearing loops, and accessible materials removes unfair structural barriers without requiring any change in the individual. This is sensible and humane.

The Equality Act 2010 and its accompanying guidance expanded this framework dramatically. Mental health conditions were placed on the same footing as physical impairments. Universities, under the Public Sector Equality Duty, were required to proactively anticipate the needs of anyone with a long-term condition substantially affecting their daily life. Crucially, self-declaration of conditions including anxiety, low mood, auditory processing difficulties, and personality disorders became permissible without formal clinical evidence, provided the student claimed substantial impact. The predictable consequence was that the population of students qualifying for adjustments expanded without effective limit.

The second cause is CSJ Theory's treatment of disability through the concept of ableism. Within the CSJ framework, able-bodied individuals are positioned as oppressors and disabled or self-declared disabled individuals as oppressed. Ableism, as deployed within this framework, refers not simply to discrimination against disabled people but to the structuring of society around able-bodied norms, such that disability is understood primarily as a product of social exclusion rather than impairment (Campbell, 2012). Applied to higher education, this framework generates an institutional imperative to eliminate any outcome differential between disabled and non-disabled students (Lynch and Macklin, 2020), without rigorous scrutiny of whether the differential reflects genuine barrier or genuine difference in capability. Universities, deeply invested in demonstrating their anti-ableist credentials, track programme completion rates by disability status and respond to any disparities by widening the scope of adjustments and relaxing performance expectations. Skills deficits are pathologised; pathologies become identities; identities become protected statuses.

The third cause is the broader cultural shift towards what Lukianoff and Haidt (2018) call safetyism: the prioritisation of emotional and psychological safety over other values, including the development of resilience. Scotland now reports that 43 per cent of schoolchildren have additional support needs, twice the rate of England and Wales, attributable largely to exceptionally broad definitional criteria (Scottish Children's Services Coalition, 2023). This is not an epidemiological phenomenon but a cultural one. Definitions expand as expectations contract, and students arrive at university having already been taught that difficulty and challenge are threats requiring institutional intervention rather than experiences that build capacity.

Fenton and Smith (2025) note that the idea that words and ideas can cause psychological harm, now widely held among students, functions as a primer: it primes students to interpret ordinary intellectual challenge as threatening, and to seek protection from it. The research by Celniker et al. (2022) found that higher cognitive distortion scores were significantly correlated with more profound safetyism beliefs and with support for measures such as trigger warnings, and that safetyism beliefs were negatively correlated with analytical thinking and resilience. Universities that endorse demands for safe spaces and trigger warnings may, paradoxically, be reinforcing the very fragility they claim to address.

Adjustments in Professional Programmes

The most serious dimension of the adjustment crisis arises in professional programmes where the competencies being adjusted for are not peripheral academic skills but core professional requirements. In social work, the examples are unambiguous. Adjustments are routinely requested and granted for students with auditory processing disorder, defined as difficulty processing verbal information. Yet listening is a fundamental professional skill: a social worker who cannot reliably hear and process what a distressed, frightened, or angry service user is communicating cannot practise safely. The adjustment cannot be made in any meaningful sense.

Other adjustments concern deadline management, attendance, and organisational competency. These are not peripheral niceties but requirements mandated by the SSSC's standards for social work education (SSSC 2019). A practitioner who routinely fails to submit reports on time or cannot manage their professional obligations places service users at risk. Yet disability services within universities appear to operate on the principle that there are no circumstances in which an adjustment can be refused. The consequence is the systematic production of graduates who hold professional credentials that do not represent the competencies those credentials are supposed to certify.

Students who perform poorly have learned that repeated appeals citing inadequately adjusted conditions can push them through programmes for which they are ill-equipped. Four or five appeal cycles are not unusual. Universities, fearful of Equality Act litigation and sensitive to retention statistics, comply. This is not inclusion. It is the dilution of the professional standards that exist to protect the public, and it is a dereliction of the duty that universities owe both to their students and to the people those students will serve.

The Perverse Consequences

Several perverse consequences flow from this situation. The pattern is an instance of what has been called the "cobra effect": an intervention producing outcomes that are the opposite of those intended, because the incentive structure it creates systematically undermines the original goal (Warczak 2021). Here, policies designed to support disabled students generate an expanding category of adjustments that dilutes support for those most in need and credentials graduates who lack the competencies those credentials are meant to certify. Students with genuine, formally diagnosed and evidenced disabilities experience diluted support as services are stretched across an ever-expanding population of self-declared conditions (Office for Students 2025). The resources available to those with the most serious needs are reduced precisely as a consequence of the policy claimed to serve them.

There is also a financial dimension. Disability services now consume substantial resources in large universities: personal assistants, extended deadline arrangements, alternative assessment processes, repeated appeal procedures. When these resources are distributed across a population in which significant numbers of students require some form of adjustment, the system is stretched beyond capacity. This is not a small efficiency concern. It represents a significant misallocation of public resources in circumstances where the resulting graduates may not be competent to practise safely.

Finally, and most troublingly, there is the question of the service users who will encounter these graduates. In social work, nursing, education, medicine, psychology, and related fields, incompetent practitioners do not merely underperform. They may make poor decisions, miss warning signs, fail to challenge, and cause harm. The possibility that professional education is producing a meaningful proportion of graduates who lack the resilience, critical thinking, and core competencies required for safe practice represents not an abstract educational concern but a direct public safety issue. There are already documented instances in which CSJ-inflected professional reasoning has contributed to catastrophic failures of risk assessment. This is not to claim that those workers were subject to adjustments masking actual skills deficits, but rather to illustrate how workers not up to the job may well fall back on uncritically accepted

CSJ tropes. The public inquiry into the 2023 Nottingham murders, for example, in which Valdo Calocane, a man with paranoid schizophrenia, killed three people, heard that mental health professionals who had been inclined to detain him considered "the research evidence that shows over-representation of young black males in detention" and released him into the community instead (Nottingham Inquiry 2026, p. 53). He was not sectioned; the attack followed. The 2026 Southport Inquiry, examining the murders of three young girls by Axel Rudakubana, found that the headteacher of his specialist school, Joanne Hodson, had described him as "very high risk" from his first day, and had asked colleagues to search him regularly for knives. When she raised her concerns with a children's mental health worker, she was told that her assessment of the risk he posed reflected her perceiving him as "a black boy with a knife." Hodson told the inquiry that the accusation had "effectively shut me up" (Fulford 2026). Parts of his education, health and care plan were subsequently rewritten; language describing his internet activity as "sinister" was replaced with "inappropriate." Inquiry chairman Sir Adrian Fulford concluded that it had been "unwise" to raise racial stereotyping in this context, and that doing so had served to "close down" Hodson from pursuing a valid risk assessment. These are not isolated failures of individual judgment. They are the predictable consequence of training human services professionals within an ideological framework in which race-conscious reasoning overrides clinical and safeguarding obligations.

PART THREE: LIBERAL PRINCIPLES AS THE FOUNDATION FOR PROFESSIONAL EDUCATION

What Liberalism Actually Offers

The arguments advanced in Parts One and Two are not arguments against genuine inclusion, against real and evidenced disability support, or against the aspiration to make higher education accessible to students from all backgrounds. The liberal tradition is not indifferent to injustice. On the contrary, it insists on engaging with injustice honestly, addressing it with evidence, and tackling it at its structural roots.

Fenton (2022) has argued that the liberal principles of the Enlightenment, as articulated by Pinker (2018) and others, offer a more robust and more genuinely progressive foundation for human services education than CSJ Theory. These principles include: the uniqueness and irreducible individuality of every person; a universal humanism that insists on common humanity across all group boundaries; legal equality and equality of opportunity; and the commitment to science, evidence, and reasoned debate as the means by which knowledge advances and injustice is identified and addressed.

Fenton (2025) uses Rawlsian liberalism to ground this argument more precisely. Rawls' first principle of equal basic liberties for all people, and his difference principle that social and economic inequalities should be arranged to benefit the least advantaged, provide a philosophical foundation that is genuinely egalitarian and genuinely progressive. It is also more compatible with social work's core concern with material poverty than CSJ Theory, which, as Fraser (2017) has shown as mentioned previously, tends to produce a form of progressive neoliberalism in which identity-based equity is pursued within an unchallenged economic hierarchy.

What Needs to Change in Higher Education

Universities need to recover the ability to distinguish between genuine disability and the ordinary challenges of student life. Professional programmes need the authority to articulate, clearly and without apology, that certain competencies are non-negotiable, that certain adjustments are incompatible with safe practice, and that graduating a student who cannot meet professional standards is not an act of inclusion but a failure of duty.

The culture of conformity generated by CSJ ideology needs to be named and challenged. This means creating conditions in which honest disagreement, including disagreement with prevailing orthodoxies,

can occur without professional penalty. It means treating students as adults capable of engaging with difficult ideas rather than as fragile beings requiring protection from them. And it means recovering J. S. Mill's (Mill 1859/2011) insight that the value of free expression lies precisely in its openness to discomfort: the sceptic, the dissenter, and the awkward questioner are not threats to education but its lifeblood.

Fenton and Smith (2025) suggest that one response is to model constructive disagreement explicitly in the classroom: to demonstrate to students that engaging honestly with contested ideas causes no harm, that intellectual challenge is generative rather than threatening, and that genuine solidarity with service users is built through honest engagement rather than performed agreement. Fenton (2025) proposes Rawls' concept of reflective equilibrium as a pedagogical tool for helping students with diverse worldviews to reconcile their own moral frameworks with the liberal values at the heart of the profession.

Regarding disability adjustments specifically, the combination of institutional pressure, legal risk-aversion, and CSJ-inflected ableism discourse that has driven the expansion of adjustments needs to be honestly examined. Universities need mechanisms to have frank conversations about professional fitness that do not immediately collapse into accusations of discrimination. Disability services and programme teams need to be able to say, together and clearly, that some adjustments are incompatible with some professional roles, and that this is not a failure of inclusion but a requirement of professional integrity. The liberal ideal of meritocracy needs to be properly reinstated as a legitimate aim.

The Stakes

The human services are among the most demanding and most important areas of professional life. Social workers make decisions about the safety of vulnerable children and adults in circumstances of acute stress and moral complexity. Nurses provide care to people at their most dependent and distressed. Teachers shape the intellectual and moral development of children at their most formative. Psychologists support people whose relationship with reality may be fragile. These professions do not merely require knowledge. They require judgment, resilience, intellectual honesty, and the capacity to sit with uncertainty and complexity rather than resolving it prematurely into the categories of oppressor and oppressed.

A graduate who has been trained into ideological certainty rather than intellectual openness, into the performance of the correct values rather than their genuine enactment, and into a relationship with difficulty and challenge that treats them as threats to be managed, is not prepared for this work. Research has indicated that contemporary social work education, for example, can produce graduates with weak critical thinking skills (Sheppard and Charles 2017), punitive attitudes towards poor service users (Fenton 2020), and significant reluctance to engage honestly with contested professional questions (Fenton 2025; Fenton and Smith 2025). These are not peripheral concerns. They are failures at the core of professional formation.

The Rawlsian framework that Fenton (2025) proposes offers a principled basis for addressing those problems. If social work and the human services more broadly are grounded in the first principle of equal basic liberties for all people and the difference principle that inequalities should benefit the least advantaged, then the profession has a philosophical basis that is genuinely egalitarian, genuinely committed to challenging structural injustice, and genuinely hospitable to the diversity of worldviews that students bring. It is also a basis that insists on the professional standards, the honest assessment, and the intellectual rigour that vulnerable service users deserve.

CONCLUSION

This article has argued that two interconnected forces, the ideological capture of universities by CSJ Theory and the uncontrolled expansion of disability adjustments driven in significant part by that same ideology, may well produce graduates in the human services who lack the competence, the resilience, and the intellectual honesty that professional life requires. The argument is supported by empirical research demonstrating widespread self-censorship among social work students (Fenton 2025; Fenton and Smith 2025),

evidence of punitive attitudes towards poor service users linked to CSJ pedagogical frameworks (Cooley et al. 2019; Fenton 2020), and the documented proliferation of adjustments that are, in the context of professional education, incompatible with safe practice.

These are not inevitable developments. They are the result of institutional choices made under ideological and legal pressure that can be identified, analysed, and reversed. Reversal requires what has so far been largely absent: institutional courage. It requires universities to name the problem clearly, to resist the social and professional pressures that have made honest engagement with these questions so costly, and to recover the liberal principles that universities were founded to uphold and that the human services cannot function without.

The students preparing for professional practice in social work, nursing, teaching, and related fields will be making consequential decisions about vulnerable people within a few years of graduation. They deserve an education that equips them honestly for that responsibility. So, above all, do the service users who will depend on their professional judgment.

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NOTES

1 The *politics of faith* is committed to perfectibility and conceives of government as an activity without inherent limits, directed toward the construction of an ideal society (Oakeshott 2018).

2 The *politics of scepticism* is detached from the pursuit of human perfection and takes the maintenance of order as its principal aim. It represents an attempt to preserve order and the natural course of things in light of the constraints imposed by reality and by the operations of contingency. Politicians and society, in this context, readjust themselves to prevailing conditions so as to improve them in accordance with the surrounding reality (Oakeshott 2018).

3 *Rationalism in politics*, being based entirely on the power of reason, seeks to reduce all human experience to a set of abstract values. In Oakeshott's conception, the rationalist mind stands opposed to inherited traditions, customs, and habits. Oakeshott fiercely criticizes rationalism, emphasizing the impossibility of set human experience into mere abstractions derived only from reason (Oakeshott 1991).

Part II: Our Intellectual Heritage

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INTRODUCTION

In the first essay (Capaldi 2026, pp. 1-20) I maintained that the nations that dominate the modern world do so because of their embrace of the technological project (TP) and, in widely varying degrees, the social institutions that support the TP, specifically FME, LG, RL, and CPA. I also maintained that the key institution, so to speak, is the CPA.

Central to my argument is the notion that the CPA—cultural of personal autonomy—serves as the linchpin among the major social institutions supporting the TP (technological project). While FME (Free Market Economy), LG (Limited Government), and RL (Rule of Law) each contribute to the flourishing of societies that champion innovation and adaptability, it is the CPA (culture of personal autonomy) that provides self-control, reflective scrutiny and adaptive reasoning necessary for these institutions to evolve. Without the critical discourse and ongoing evaluation fostered by CPA, the other institutions risk stagnation or misalignment with the goals of the technological project, ultimately undermining their effectiveness in a rapidly changing world.

In this, the second essay, I do a deeper dive into the intellectual pedigree, metaphorically speaking, of these institutions by describing and distinguishing the origins or histories of cultures, ideas, ways of thinking, and methods. Specifically, I focus on the crucial role of philosophy, specifically on Plato vs Aristotle and how that dichotomy plays into the development of those institutions. The CPA, RL, and LG largely reflect the influence of Plato and later versions of 'Platonism' on our intellectual heritage.

Capaldi thesis: The entire history of Western thought can be understood as the conversation (conflict, dialogue) between the philosophies of 'Plato' and 'Aristotle' and their later iterations. In telling this story, I touch on the important role of the Judeo-Christian tradition, the pivotal role of Ockham, and the triumph of the Protestant Reformation in making 'freedom' (not liberty) the focus.

The great conflict between 'Aristotelianism' and 'Platonism' was resolved in Hume, Kant and Hegel. In a manner of speaking, Hegel was the last (great) philosopher in terminating the 'Platonism' vs. 'Aristotelianism' controversy by making the subject and the object identical, by giving priority to the subject (how we understand the human/social world is fundamental), and by insisting that the *object* can only be understood and mastered from an 'unpredictable' "We Do" historically *evolving* perspective.

The best examples of success within every major philosophical inheritance in almost simultaneously reaching the "We Do" perspective are Wittgenstein for analytic philosophy, **Ryle,** Hayek and Oakeshott for British philosophy, Heidegger and Gadamer for Continental philosophy, and Peirce and James for American pragmatism. The "We Do" perspective eliminates any possibility of either a social science or a social technology. The role of the 'philosopher' passes to anyone focusing on the '*explication*' of any social practice.

HISTORY OF PHILOSOPHY: A DEEPER DIVE INTO OUR INTELLECTUAL /HERITAGE[1]

Earlier, we maintained that Philosophy as a discipline is the pre-eminent intellectual endeavor, and that any minimally adequate history of any academic field begins with Greek philosophers. Every intellectual position in every field of intellectual activity can be traced back to Plato and Aristotle.

More importantly, the fundamental intellectual tension in Western Thought to this day is the endless conversation/conflict between 'Platonism' versus 'Aristotelianism'. As an example, the two most important physicists of the 20th century were Albert Einstein and Wener Heisenberg. We have already noted Heisenberg's contention that Plato was correct, specifically Heisenberg's claim to fame that the indeterminacy of sub-atomic particles reflects the fact that our measuring instruments themselves influence what is being measured, namely the speed and position of electrons. This reflects back to Plato's view. Science is a version of what "We Do" and thus any scientific query is not independent of human interaction. Any understanding of the world is always a reflection of our conceptual apparatus. The opposite ('Aristotelian') point of view was expressed by Einstein, "a lifelong subscriber to 'hard realism'" (Lindley 2007, p. xvii).

PLATO VS. ARISTOTLE

Disagreement, even personal cognitive dissonance, is ubiquitous. It is an ineliminable problem because all thought originates in practice that preceded our discussions of practice. A 'practice' is a rule-governed social activity even if the rules are only implicit (e.g. driving or walking on the right, except in places like the U.K. where you walk on the left; in the London Underground with lots of tourists from other countries there is mass confusion). Practice itself originates in non-verbal imitation, and this is the way we teach children before they develop linguistic skills. This is because there was no first or ur-language (a language used to invent the first language) prior to action, and there is no non-question-begging theory for the relationship between practice and theory, and our imagination allows us to fabricate alternative interpretations. The lack of a theory relating practice to theory shows that approval or legitimation of any theory is itself a practice, *ad infinitum* (e.g. voting). Practices are neither true nor false, but correct or incorrect.

Intellectuals, in general, are products of a later stage of civilization. As such they engage in critical reflection designed to explain and improve or influence future practice. This, along with the initial "I Think" perspective, encouraged them to ignore or to adopt a hyper-critical attitude toward the origin of practice. Moreover, as we shall see,[2] there is a legitimate form of reflection on the physical world (we shall designate it as 'exploration') (Ibid.) that has been illegitimately extended to understanding the human world.

The continuing presence of the "I Think" perspective throws light on pathological versions of self-critique. In his elucidation of 'rationalism in politics' Oakeshott excoriates those utopians who think that practice can be reduced to theory (Oakeshott 1992). Specifically, he is critical of abstractions being applied to practice (e.g. objective truth, justice, equality, diversity, inclusion, etc.) because they are so vague, general, and forward looking that they tend to invite competing versions of utopia.

Non-Western thought,[3] on the other hand, responds to disagreement or conflict by (a) avoiding even the appearance of disagreement [saving face] and/or (b) by insisting upon a final, unchallengeable, top-down, political authority (e.g. the 'emperor'). It inevitably promotes authoritarianism and collectivism.

The essence of Western thought is the recognition that[4] (a) conflict is inevitable, (b) but conflicts can only be managed—not eliminated, (c) conflict is managed through negotiation, discussion, and dialogue (Socratic method) that searches for common ground; (d) rehashing the resolution of past conflicts and imaginatively projecting future ones leads to a growth in knowledge. In short, while imagination is a good thing, logic still always requires at some stage some form of rhetoric and persuasion. That is why we have an adversarial system of argumentation in which we usually position rhetorical speech at the end of the presentation or conclusion to a prosecution and defense to differentiate it from the allegedly simple factual dimension.

In the beginning, philosophy encompassed (a) all fields of knowledge and (b) the notion that knowledge had to be understood holistically.

(A) is no longer true as numerous independent intellectual fields and specialties emerged and continue to do so. The most important has been the 17th-century distinction between natural philosophy (now known as physical 'Science') and moral philosophy focused on the human social world.

(B), the belief that knowledge must be understood holistically, is more contentious. First, there is still a sense in which philosophy strives to provide a holistic understanding, but there are competing versions of this holism. Crucial to our presentation is the relationship between *ontology* (structure and truth about the physical world of nature—widely understood as the domain of 'Science'; what we refer to as 'how we understand the physical world' or nature) and *epistemology* (meaning and criteria of what makes a claim about reality true or false; 'how we understand ourselves or the human world').

Since the very beginning of philosophy among the pre-Socratics, but especially since Aristotle, many philosophers ('Aristotelians') presume that there is a holistic account rooted in how we understand 'nature' (the physical world). Throughout the classical and medieval periods, it was assumed that nature was organic and teleological (i.e., had a purpose) thereby making it seemingly easy to apply to the social world. The term '*nature*' meant the end state or fully developed condition. With the advent of modern (e.g., Newtonian) physics, purpose was banished from the world and '*nature*' came to mean the initial state or primitive condition.

The whole history of philosophy shows that philosophers have always and continuously focused on how, or if, it is still possible to understand human beings as natural objects (i.e., reduce epistemology to ontology). This view led to the Enlightenment Project (EP) espoused mostly by 18th-century French thinkers.[5] The EP maintains that **(1)** there is such a thing as social science modeled after physical science, **(2)** the Enlightenment Project program of a social technology (e.g., Comte, Marx, socialism), and even **(3)** the view that *philosophy is primarily the social science of physical science* (e.g., positivism, 'analytic' school of philosophy, phenomenology, etc.). Once philosophy itself is construed as a specific technical science, the latter euthanizes philosophy as a discipline.[6]

From at least the time of Plato, holism has been construed by many subsequent philosophers ('Platonism') as the primacy and irreducibility of the human/social dimension to the purely physical dimension (technically speaking, reducing epistemology, to ontology). The social world cannot ultimately be understood merely as a product of biology or psychology or brain physiology, etc. The world, in an important sense, is what we think or say it is. This has given rise to numerous positions such as skepticism (understood positively as the appeal to established common sense practice), idealism(s)', humanistic psychology, a good deal of 19th-century angst, much of continental philosophy, post-modernism(s),[7] and the centrality of the history of philosophy to philosophy itself. That is, holism is reflected in some kind of narrative historical account, such as the one I am here exhibiting.

The fundamental and perennial 'Western' philosophical conflict is between 'Aristotelianism' and 'Platonism'. As we shall see, this conflict has shown itself in many iterations as it evolves through Western thought. Think here of Raphael's 16th-century painting *The School of Athens,* with Plato and Aristotle in the center: the former gesturing 'above' to the 'Forms' and the latter gesturing to the 'here and now' as the locus of the Forms.

PLATO

Plato (428-347 B.C.) was born into an aristocratic family in Athens. During the early part of his life, Athens engaged in the Peloponnesian War (431-401B.C.) with Sparta for Greek hegemony. As a young man, he came under the influence of Socrates. Plato's alleged first written work was the *Apology*, a record of Socrates' defense at his trial for heresy and tacit support for Sparta. Socrates was executed in 399 B.C.

Almost everything we know about Socrates comes from a series of presumed early works by Plato written in dialogue form, all of which end inconclusively. These Dialogues include *Euthyphro, Meno, Protagoras, and Gorgias* among others.

All of Plato's works are written as dialogues **usually** with Socrates as the main character and interlocutor. The 'middle' period of his writings includes the famous *Republic, Phaedo* and *Symposium* as well as others. The alleged third and final period includes the *Parmenides, Sophist, Statesman, Timaeus*, and includes among others the *Laws*.

Note there is no scholarly consensus on the actual order, or even the authenticity of Plato's writings, including the *Laws*, generally presumed to be his last, longest, and incomplete work. This last work is the only one to exclude Socrates. There is no scholarly consensus on where Socrates ends and Plato begins, to what extent Plato agreed with or deviated from Socrates, and on the evolution of Plato's own thought.

In 386 B.C., Plato traveled to southern Italy to study the mystical and mathematical teachings of Pythagoras (notable for the famous theorem about right-angled triangles). He also became entangled, later disillusioned, by the politics of the city-state of Syracuse in southern Italy, to which he traveled several times. After his return to Athens from Syracuse in 383 B.C., Plato founded his philosophical school, the Academy. Aristotle joined the Academy in 367 B.C.

Plato's most noteworthy doctrines include the importance in our thinking of ideal abstractions, namely the *Forms [Phaedo], exemplifi*ed in the truths of geometry, such as the Pythagorean theorem. Without these paradigms, we merely see shadows instead of reality [*Republic*]. The Forms are free of all possible contradictions. This point is repeated later by Saint Augustine and then Descartes, both of whom maintain that we know some absolute truths such as that "we cannot doubt that we doubt" because that would be self-contradictory. Max Weber and Michael Oakeshott both maintain, like Plato, that all thinking requires ideal types as a frame of reference. While Plato remained ambiguous about the status and locus of these ideal concepts, later thinkers such as Hume and Kant will claim the ideals are products of the human imagination.

In the *Timaeus*, Socrates identified the soul as embodying a tension and harmony among *reason, spirit, and appetite*. This tripartite distinction reappears in later writers such as Sigmund Freud in the latter's account of the relationship among *Superego, Ego, and Id*. In that same work, the *Timaeus*, Plato suggests we need to assume that 'reason' cannot be identified with the body because the soul is immortal (not some part of the body). This anticipates Kant's later claim that our conceptual system presumes the existence of God, free will, and immortality. It also anticipates later thinkers who argue that we cannot understand what a human being is simply as some kind of physical object.

Plato's views on politics appear most clearly in two widely separated works, the *Republic* and the *Laws*. In the former, Plato has Socrates describe an authoritarian utopian society led by all-wise philosopher-kings who abjure private property, do away with families, and oversee a strict educational system. Many scholars, including myself, believe this work is a satire both because Socrates says this society can only come about by eliminating present adults (we've become corrupt) and then goes on to detail a remarkably prescient evolutionary taxonomy in which philosopher-kings are replaced by the guardians (bureaucracy) who in turn are overthrown by the oligarchs and then are themselves replaced by a democracy that finally succumbs to tyranny. The later *Laws*, thought to be his last work, one in which Socrates does not appear, replaces allegedly wise authoritarian political leaders with carefully chosen *law* and defends the need both for traditional families and private property.

Perhaps the greatest compliment ever paid to Plato or any philosopher is one by British-American philosopher Alfred North Whitehead who said: "the European philosophical tradition … consists of a series of footnotes to Plato." (1978, p. 39).

ARISTOTLE (384-322 BC)

Aristotle was born in Macedonia where his father was physician to the King. As a young man, he went to Athens to study at Plato's *Academy* until Plato's death in 347 BC. Unhappy with the succession, he returned to Macedonia to become tutor to King Philip's son, Alexander (the Great). Aristotle returned to Athens in 335 BC where he established his own rival philosophical school, The *Lyceum*. He left Athens in 323 BC, the year of Alexander's death, when anti-Macedonian Athenians attempted to put him on trial.

Aristotle produced a prolific number of works on such subjects as logic (deduction expressed in the syllogism in *Organon*: *Prior Analytics* and *Posterior Analytics*), rhetoric, epistemology, physics, biology (*The Parts of Animals*), psychology (*De Anima*), aesthetics (*Poetics*, especially on the meaning of 'tragedy' in drama), (*Nicomachean*) *ethics*, *politics*, and '*metaphysics*'. The latter term was added by a later editor. Almost half of his works were destroyed during the Roman conquest and occupation of Greece, and the surviving material lay buried until later editors tried piecing it together. Most of what we know about pre-Socratic philosophers is what Aristotle wrote about them. The most influential works were not reintroduced into the 'West' until the eleventh century. There is no scholarly consensus on what survives. His writing style was didactic, reflecting works that served as lectures.

Aristotle's early training was in medicine and observational (not experimental and not evolutionary) biology. As a result, Aristotle introduced the notion of all knowledge forming a systematic whole. His understanding of biology was extended from that part of nature to reality as a whole. Aristotle's 'biology' explains physics, astronomy, chemistry, medicine, psychology, ethics, and politics.

All life is characterized by growth, development, and decay. These changes followed a permanent repeatable pattern that seemed to achieve certain purposes or goals (teleology). For example, the goal of an oak tree is to produce acorns, and the goal of an acorn is to grow into another oak tree. The entire universe from the lowest form of life to humanity and the universe as a whole was one gigantic cyclic structure, a kind of ladder in which everything aimed at its goal, its *form*, and, in turn, served as the means to the achievement of the next higher level. These forms did not exist apart from their embodiment in nature. Aristotle's universe was geocentric and finite.

Human beings exist in nature and therefore are totally explained in the same way that we explain anything else in the physical world. The acquisition of knowledge itself is both a wholly natural physical process and involves understanding the causes of phenomena. Aristotle identified four kinds of causes (material, efficient, formal, and final), the last three are identical in non-humanly created objects. To know something is to grasp its form, and the form is its purpose or telos. Although replaced in modern physics by just one cause (efficient) to reflect Newtonian mechanics, the presumption prior to Hume was that we could argue backwards from form to efficient cause sight unseen.

The goal of human life is the full development of human nature. What distinguishes human beings is our rational faculty. Reason operates both to restrain our appetites (moral virtues and the doctrine of the mean) and to contemplate truth. The existence of some humans who cannot control or direct themselves justifies slavery! The highest good for humans is contemplation.

Human beings are social animals. The role/goal of the state is to facilitate/oversee/direct the full development of human nature. The political domain is superior to and defines what should occur in the moral/ethical domain.

Aristotle's influence on the Middle Ages deserves special mention. Dante acknowledged Aristotle as "Master of those who know" (*Inferno*, Canto IV). Aquinas referred to him as "The Philosopher" and reconceptualized Catholic theology away from Neo-Platonism and toward an embodiment of Aristotelianism. 'Thomism' remains a dominant intellectual framework within Catholic thought to this day.

Aristotelian science (physics, biology, astronomy, and psychology) dominated Western thought for almost two millennia. It was only after the theories of Copernicus, Galileo, Descartes, Newton and Darwin, that it was challenged, but even then it influenced 17th- , 18th-, 19th-, and even some 20th-cetnruy

scientific theorizing. 'Modernity' can be characterized as the flight from or dismantling of Aristotle's world view.

According to Jonathan Barnes (1982, p. 86) any "account of Aristotle's intellectual afterlife would be little less than a history of European thought".

COMPARISON

PLATO	ARISTOTLE
Intellectual Model	
Geometry	Biology
Explanation	
Deduction (in the Mathematical sense)	Deduction (syllogism)
First Principles	
Axioms *a priori:* (independent of sensory experience)	Based on sensory experience
Primary	
How we understand ourselves (internal struggle between reason and passion)	How we understand the physical world (built-in teleology)
Secondary	
social and physical world (Ideal Forms vs. imperfect copies in our experience; social practices imperfectly mimic the ideal)	human and social world (cyclical [non-evolutionary] teleological Patterns)
Ethics	
individuals achieve **individual self-control** in the internal (struggle between reason and passion)	achieve **social control** through external habituation
Politics	
state is relatively *passive*; limit those who cannot control themselves through **laws**)	*active*; externally controlled habituation to guide the individual to goals

The intellectual model is very important. It influences what each philosopher thinks a good explanation looks like, both the thinker's own explanations and his critique of alternative explanations. This includes the structure of the explanation (deductive here), the initial or starting point, and the relevant further contents of the explanation. The starting point is perhaps the most important element.

Do we reduce or analogize explanations of who we are as human beings to how we explain items in the physical world, OR is the explanation of how humans understand and engage the world dependent on how we initially understand ourselves? **This is the crucial philosophical question and for everything else**.

In any case, how we end up explaining ourselves determines how we understand ethics or morality[8] *(how we behave, how we expect others to behave, and especially how we behave towards or treat others) and how we understand and engage in politics. There is a difference between 'ethics' and 'morality'. As we shall argue below, the first term (ethics) is an 'Aristotelian' concept, and the second term (morality) is a 'Platonic' concept. The difference was introduced historically during the 18th century and reflects the ongoing triumph of the 'Platonic' narrative over the 'Aristotelian' narrative. This distinction also reflects whether a thinker prioritizes morality or politics.*

ARISTOTELIANISM[9]

I have chosen to discuss 'Aristotelianism' first for several reasons. Aristotle himself presented the first history of philosophy beginning with the pre-**Socratics** and concluding with a critique of Plato before ending with himself. He saw himself as the ultimate end (telos) of the discipline. 'Aristotelianism' appeals to the more naïve common-sense thinkers, including academic philosophers, especially when Plato is presented as inventing an imaginary separate world of 'Forms'. Taking the pre-Socratics as the earliest philosophers, a plausible argument is that 'Aristotelianism' (also known as 'naturalism') sees itself as the oldest version of real or professional philosophy. The entire subsequent history of philosophy can then be viewed, rhetorically, as a dialogue between naturalism and its critics. We tend to miss this point because Plato was Aristotle's teacher. Nevertheless, Aristotle resurrected the pre-Socratics and defended them against the 'friends of the forms' (Platonists). Finally, it makes it easier to perceive the problems of 'Aristotelianism' and, arguably, why Plato is a vast improvement.

*Naturalism (*with an implicit denial of transcendence) is the view that the world is fully intelligible on its own terms. Its narrative is monistic; rationalistic (everything is in principle conceptualizable); impersonal; and *secularly Pelagian* (despite the world's impersonality, humanity, we are assured, can solve its problems on its own and by exclusive reference to the natural order). Aristotle's is the most sophisticated and influential version of naturalism.

1. Aristotle's model is teleological biology. He was, after all, a biologist. As an example, oak trees produce acorns that develop into oak trees that produce acorns, etc. This is what is meant by saying that the 'form' is 'in' the matter. Acorns cannot decide to become pine trees, or cats, or computer programmers.

While systematic philosophers pretend to establish their principles in an independent, abstract, and unpremeditated fashion (wholly autonomous reason), the fact is that in every case we can identify the specific previous intellectual practice from which it is drawn. A clear case can be made that each major philosophical perspective takes as its paradigm the most extensive and coherent body of knowledge available to it at the time of its articulation. Despite its claim to be unpremeditated, the content of a philosophical perspective is always drawn from a specific previous practice. Subsequent versions of Aristotelianism substitute the latest fashionable science for teleological biology. Hence the history of modern naturalist philosophy is the story

of philosophy's attempt to render itself compatible with, and to explain, first Newtonian physics, and later Einstein's physics.

2. A good explanation is a deduction from first principles—a notion borrowed from Plato. Aristotle formulated the rules of syllogistic reasoning.

3. First principles: the major premise of a good syllogistic explanation is a generalization, *abstracted* from experience. This is what differentiates Aristotle from Plato. Truth is established through correspondence. For example, we know from experience that all men are mortal; and since Socrates is a man, he is therefore mortal.

The whole history of epistemology in western philosophy deals with the obsessive and continuous failure of Aristotelians to explain knowledge acquisition in a wholly naturalistic manner from our sensory experience.

4. Monism: How we understand the external physical world is basic (teleology). How we understand everything else, including ourselves, human beings, is derivative.

5. The physical world is to be understood by reference to the teleological patterns uncovered in our experience.

6. The social world is to be understood by reference to permanent teleological patterns in institutions within an organic society;[10] there is no evolution; for Aristotle, history is not a valid source of explanation;[11] according to Aristotle, poetry is "more true" than history because poetry captures universal truths while history records specific events that have already happened (Aristotle, *Poetics*, 145b); change can only be teleological, cyclical, or a form of decay.[12]

7. Hence, the ethical (personal) dimension is defined by the political (institutional) dimension. To be 'good' is to act consistently with the goal of the institution.

8. politics:
    a. articulation of the goal of the state[13]
    b. articulation of how the goals of all the other individual institutions teleologically and organically are subservient to and serve the goal of the state which achieves the highest and all-encompassing good (classical conservatism)[14]
    c. the good (ethical) individual is shaped by and conforms to the larger more encompassing goal of the institution[15]
    d. The role of the state is to use habituation [education, indoctrination, therapy], not pure cognition, to guide the individual to the inherent goal (telos)

9. The elite are intellectuals who through contemplation and habituation grasp natural order. Practice should conform to the order so grasped[16]

10. Since the world is self-explanatory, there is no unique discipline of philosophy. Rather, philosophy is the totality of all the sciences. Here we see the first signs of *philosophy's recurrent disappearing act*.

It is now time to turn to the major alternative point of view.

PLATONISM

Inspired by the Pythagorean community's engagement with mathematics, Plato made geometry his model.

1. A good explanation, therefore, is a deduction from first principles or axioms (think the Pythagorean proof and Euclid's geometry). The account of why deduction from first principles is the standard model of explanation in philosophy is, other than the historical fact that Plato took Pythagoras and geometry so seriously, was because it was the generalization of a successful practice, namely, the use of geometry to denote land ownership in an agricultural economy. Prior to Wittgenstein, many philosophers had tried to make philosophy analogous to mathematics more secure than just physical science, since much of physical science relies on mathematics.

2. First principles are *a priori*:
   a. not derived from experience, but instead
   b. pass the logical test of non-self-contradiction. Socratic dialogue frequently attempts to refute an argument, statement, or position by showing that it contradicts itself. A later example from Descartes is that "I cannot doubt that I doubt."

3. How we understand ourselves is basic (Socratic method's "Know Thyself").

4. How we understand the world is derivative.

5. Dualism
   a. self (reason vs. passion)
   b. world (forms vs. experience: the world is an imperfect manifestation of its own underlying mathematical structure); when we use expressions like 'imperfect' we mean, for example, that a point is defined as having no dimension; a line has length but no width even though no one can draw an actual point or line, not even a mathematics instructor using chalk on a blackboard at MIT! We can only 'think' it and 'represent' it.
   c. Since the world is not self-explanatory, *philosophy is the discipline which goes beyond the limits of the special sciences. It does so by looking at the 'whole' (seeing the 'forest' instead of the' trees') and stressing the extent to which all thinking presupposes certain abstractions.*

6. Social dimension—[*Republic*] social practices ***imperfectly*** mimic the ideal social world; [*Laws*] the ideal norms are 'implicit' in past practice and need to be **explicated** for ongoing practice (*discerning the ideal imperfectly manifested within the actual*).

   A scholarly comment is required here. Most readers are familiar only with Plato's *Republic* and, therefore, tend to draw primarily utopian conclusions from it. A more careful reading (contra Popper) (1945) reveals that Plato makes clear he is not seriously suggesting a utopia but stressing why one is not possible and is doomed to fail. A more authoritative source for Plato's political views is found in his last work, *The Laws*.[17] An Athenian Stranger and two old men join a religious pilgrimage with the responsibility of creating the laws for a new Cretan colony. Three things are noteworthy. First, political decision making relies upon a religious backdrop as well as previous legal practice in Athens and Sparta, not political theory. Law precedes politics because practice precedes theory! Second, how we understand ourselves is basic. Plato argues that the soul explains the physical world and not the other way around. Third, civilization depends upon control of sexual impulse (reason over passion).[18] Hence the *Laws* insists upon private property and conventional families, as well as written laws.

7. Ethics defines politics. For Plato, ethics and law are primary, while politics is secondary.
   a. to be ethical is to achieve personal **self-control** (impose order on oneself) in the internal struggle between reason and passion.
   b. Society is to be judged by standards implicit (imperfectly copied) in past customary practice and/or vouchsafed by recognized religious authority.
   c. Platonists are rarely advocates of revolution in the modern sense since they do not believe in actualizing the ideal. 'Aristotelians' (e.g., Marx), on the other hand, do believe that the 'form' is "in' 'matter'[19] and hence that ideals can be actualized in practice (utopian thinking).

8. Politics—the role of the state is negative: protect those who achieve self-control by limiting/coercing those who cannot or do not control themselves.

As Voegelin put it, Platonic philosophy discovered the continuity between the order of 'reality' and the order of the soul, so that the human being is the microcosm of the order of reality and the order of reality is the human being writ large. For Christians, influenced by Platonism, it reflects a God who reaches out to man through Grace. It expresses itself in revelation, and, in this sense, surpasses Greek philosophy.

SKEPTICISM

The 'third' great force in the history of philosophy besides 'Aristotelianism' and 'Platonism' was Skepticism. Later I shall show the connection between Skepticism and 'Platonism.' Although much maligned and misrepresented (except by serious scholars like Popkin), present from the classical period and constantly revived down to the present, that force was 'skepticism'. In its philosophical context it means both (a) that objective knowledge (in Aristotle's sense of truth about nature) is always subject to some doubt and (b) the ultimate standards for judging something to be 'true', or 'good' (or 'right'), or 'beautiful', are inherited social conventions. Rather than being purely negative, skepticism has a positive agenda, easily morphing into what we shall call the historicist version of 'Platonism'. Ockhamism is a form of skepticism.

The importance of 'skepticism' cannot be overstated. All thought and language operate within an ineliminable inherited social and historical context of epistemological norms or practices. One cannot indict Western thought in general for failing to see this because 'skepticism,' which has always maintained the central importance of context, is as much a part of the classical philosophical inheritance as Platonism and Aristotelianism. The Western tradition of thought has, from the beginning, as we have shown, several, if not many, voices. One can and should criticize individual thinkers (e.g., some 'Aristotelians') for ignoring this, but one cannot on pain of historical ignorance apply this to the whole of Western thought. 'Skepticism', which consistently emphasizes the significance of context, holds a prominent place in the classical philosophical inheritance alongside Platonism and Aristotelianism.

The 'Aristotelian' response to 'skepticism', aside from dismissive snide remarks, is to reassert itself. So, for example, we're told that the sentence p ["There is no truth"] claims to be true and is therefore self-contradictory. Of course, we should avoid self-contradiction.

The Skeptic is not denying that some statements are true and that others are false. What the skeptic is really saying is that no statement is true simply by virtue of its correspondence to some external event. There are certain agreed upon social practices for determining if a particular substantive statement meets the given criteria. The skeptic will insist that 'true' does not refer to an independent and objective entity but, primarily, to a social norm or practice. The question is not whether a statement or meta-statement (a statement about other statements as opposed to a statement about things) is 'true' but whether it is 'right, i.e., whether it conforms to prior authoritative practice. The skeptic is not making a claim about something independent of the human social context. Nor is the 'claim' itself a kind of statement about the human/social world; it is a *performative* utterance, that is, a *statement that performs an action or reflects a practice*

as it is being said. The action described in the statement is actually carried out by the utterance of the statement itself. As an action, it can be judged to be right or wrong, correct or incorrect, but not true or false.

A better example of what the skeptic has in mind is the contestability of the statement that "all the money in country x is counterfeit." This is not possible because for something to be counterfeit, or fake, there needs to be legal tender. Things like 'legal tender' satisfy social norms. There is no escaping the inherited context of discourse.

Does that mean that we have reached some form of bedrock, beyond which it does not make sense to ask for justification (Wittgenstein)? We have but it is not an independent entity; rather, it is a customary social practice. This is where 'Skepticism' and 'Platonism' join hands.

Of course, the 'practice' is an item in the world; it exists **in** time but not in 'a' space. Its intelligibility rests with social convention. We argue all the time about the meaning of the inherited framework, and the final/definitive resolution is always an appeal to some other authoritative practice for resolving such disputes (e.g. an umpire, the 'Pope', the popular vote, the electoral college, the U.S. Supreme Court, etc.). Nor is there any guarantee that all parties to the dispute will always come to an agreement. Conflict can sometimes be managed (negotiated) but not eliminated altogether. Historical wisdom and an element of intellectual honesty consist in recognizing when coercion becomes the unavoidable last resort and necessary.

In this context, it is important to recognize that some individuals do not engage in dispute resolution in 'good faith.' By this, I mean that there are individuals who do seem to understand the existence of context but insist that their private understanding (a form of intellectual narcissism) of the final or ultimate context is itself indisputable. In their practice it amounts to pretending to be both inside the inherited context and somehow outside of the inherited context, allegedly objective, at the same time. It is one way of **trying** to control the discussion. We shall see examples of this when we discuss the 'Enlightenment Project.' Recognizing the existence of genuine irresolvable differences is part of the tragic sense of life and should be sharply distinguished from holier-than-thou posturing, or mindless theorizing, or an attempt to control the discussion.

The attentive reader will have noticed that both the traditional 'Platonist' and the skeptic agree that how we understand ourselves is primary and how we understand the world is derivative, that is a projection of some humanly created mental model. Human beings cannot understand the world except through the filter of their own (social) history, background, conceptions, etc.

Our background cultural frame of reference does not consist of a rigid framework that dictates every outcome. Our background can be characterized as a potentially infinite set of rules of thumb. Each rule of thumb is (a) a kind of inductive generalization reflecting (b) the previous experience of prior generations, and (c) we are taught these rules in specific contexts. There is no master rule for the interpretation/decision of which rule to apply in an individual case (Wittgenstein). Any two members of the same culture can disagree on which is the relevant precedent; any individual can 'wonder' or internally debate as to which is the relevant precedent. Two precedents with different histories can seem harmonious at one point but reflect a potential contradiction in a later context. One way of being self-critical is the willingness to challenge one inherited rule with another, that is, provide a counterexample (Socratic). Real wisdom (Platonism) does not consist in the facile ability to articulate counterexamples but in the capacity to make a case, both coherent and *rhetorically* persuasive (perhaps by telling a 'story'), by appealing to a reinterpretation of one of the rules of thumb, or appealing to a higher level of authority. There is, of course, no guarantee of ultimate harmony, and abandoning one of the rules (norms, etc.) is always an option.

What I have just described is the universally true way in which all human beings learn. It is, as Hume maintained, true of animal learning. There is no point in asking if inductive reasoning of this kind is reliable. We know that inductions sometimes fail, and we know of this failure by inductive reasoning! We know from past experience that past experience is not always reliable. This is not a puzzle but a reflection of human thought. There is no way to discover a problem of induction without appealing to induction. It is

fundamental to human survival. It is what Hayek (following the lead of his cousin Wittgenstein) identified as spontaneous order, and why Hayek recognized the importance of this in the works of Hume and Kant.

It is sometimes difficult to be sure of what exactly Plato had in mind because of his style of writing and his use of metaphors. It is in this respect not unlike Wittgenstein's style of writing when he says that we keep circling something like an 'island' so we know that we are alluding to (presupposing) something but cannot get directly to it. What I am suggesting is that these writers, from Plato to Wittgenstein, are all saying in different ways that how we understand ourselves is basic and not conceptualizable in any other way. There is a pre-conceptual domain, but it, itself, cannot be conceptualized. The most we can do is allude to it! This is another way of saying that all discourse, if not all civilization, depends upon agreement on a prior practice(s) and not on some theoretical entity.

Why Culture matters

Skepticism has a bad reputation, so much so that the very term 'skeptic' conveys something entirely negative. The history of philosophy is, to a very large extent, littered with repeated powerful skeptical rebuttals (Hume) of indefensible 'Aristotelian' attempts to establish that all truth is a matter of conforming to external, timeless, contextless, absolute standards. On the contrary, skeptics have a positive agenda, namely, that prior cultural practices have established generally reliable norms for all practical and even theoretical purposes.

Let us briefly indicate why the positive skeptical agendas matter. As we indicated earlier, the economic and institutional success of the 'Western' World is because the West embraced the inherent *creative dynamism of conflicting views* (Socrates, Hegel on dialectic) and the Judeo-Christian concept of a creator God who fashioned a knowable world conducive to human flourishing. Failure in the non-West was due not to foreign exploitation or lack of resources but to the inability to be self-critical and to think (conceptualize) the domestic development of those resources (TP). Furthermore, geographically western Islamic cultures that did embrace a creator God, unfortunately, continued to conceptualize that God in rigid agriculturalist/astronomical terms rather than through the notion that science projected multiple and sometimes conflicting imaginative models onto the world for human purposes (e.g., Copernican astronomy and Kant's Copernican philosophical revolution). Acquiescence in perceived authority sweeps conflict under the rug instead of seeing it as a potential learning experience. The famous scientist Niels Bohn, friend of Heisenberg, would tell beginning students of chemistry that if they get the correct answer in an assigned lab experiment that is fine; but if you get a different and 'wrong' answer you might be on to something new and important.

Acquiescence in authority[20] merely puts off the day of reckoning until it explodes violently. It is an open question as to whether those living in and brought up in an authoritarian culture might suffer serious psychological problems when introduced to critical, especially self-critical, thinking. Even when they subsequently embraced TP, non-western cultures have failed to develop the institutions supportive of the TP, namely a genuine market economy, limited government, the rule of law and especially a culture that promotes individual autonomy.

At this very moment, we are witnessing vast emigrations from the non-west to centers of Western success (London, Paris, New York, etc.). Unfortunately, many of these emigrants have left the non-west geographically behind but fail to succeed because they have not left behind their dysfunctional cultures.[21] They do not ask themselves why their culture has failed because, lacking the capacity for self-critique, they assume their culture is the only truth and therefore cannot fail. The explanation, for them, must be exogenous—perhaps those bad foreign exploiters or their new neighbors who do not understand 'them' or 'their' moral superiority. There are countless variations on this theme. Going even further, the failure of U.S. foreign policy in places like Iraq was an unwillingness to appreciate significant differences from Islamic culture and that Islamic culture has its own version of universalism. It reflects the danger as well of

forgetting that US civilization is unique, not universal. Its uniqueness reflects the 'Western' capacity, built up over a long evolution, for self-critique.

MEDIEVAL CHRISTIANITY: AUGUSTINE VS. AQUINAS AND THE REFORMATION

Middle Ages

Medieval Christianity played a defining role.[22] Nevertheless, the *philosophical* dimension is intrinsic to the religious dimension. Christian theology was articulated and rearticulated in both 'Platonic' and 'Aristotelian' narratives.

Religion in general and Christianity in particular offered something that Greek philosophy could not. Classical Philosophy, at best, offered explanation and peace of mind. What religion offered was hope. Remember that CLASSICAL thought had no notion of the TP; stoicism was the only item on the menu. It is for this reason that we postpone a larger discussion of religion until later. In the meantime, it is worth noting a few things.

CHRISTIANITY

Augustine

In the first millennium, Augustine 'Platonized' Christianity, that is, he interpreted Christian doctrine from a Platonic point of view. As a dualist, he argued that we lived in two worlds (or cities), the imperfect world of daily experience (Devil, evil) and the ideal world (Heaven); there cannot be heaven on earth (it comes in the afterlife). 'Passion' is the product of original sin and free will; 'reason' becomes the insight or vision of the 'whole' (big picture) imparted to some by the mystery of God's grace.

Augustine's innovation was to "dedivinize the state" (Voegelin), that is, to detach the spiritual/moral dimension from the political and legal dimensions. Personal (positive) fulfillment comes by participation in the spiritual/moral realm (Church). Public life is a necessary evil wherein government inhibits or punishes the bad guys (serve in the army or police force or political bureaucracy). The groundwork is thereby laid for the importance of religious liberty and for the subordination of politics to morality.

Augustine's de-divinization of the state is an important example of the power of ideas within 'Western' civilization. As explained by Voegelin, the 'Platonist' Augustine asserted that human fulfillment was only possible within the church or spiritual domain as opposed to the classical Greek and Roman view that fulfillment requires political participation within the state. Since Augustine was only read in the western Roman Empire and not in the Byzantine East, his absence in the East meant that the ruler of the state was also the ruler of the Church, and this has been true from Constantine to the Russian Czar to contemporary autocrats. There was no church vs. State controversy in the East; political liberty was in large part a product of the Western European religious heritage (Lord Acton). The so-called 'Iron Curtain' marked, for a long time, a kind of cultural barrier as well as a political barrier; the countries more likely to resist the Soviets were Hungary, the present Czech Republic, and of course Poland, all of whom looked to Rome for their cultural orientation.

Aquinas

In the second millennium, Aquinas 'Aristotelianized' Christianity. The major intellectual events of the later Middle Ages were the recovery of Justinian's *Corpus Juris Civilis* in 1070 and the rediscovery (through contact with the Muslims) of all of Aristotle's major works during the century between 1150 and 1250. Aquinas (1225-1274) did two things. First, he reconceptualized Christianity from an 'Aristotelian' point of view, and he transformed Augustine's subordination of politics to morality into the subordination of poli-

tics to (divine origin of natural) law as interpreted by the Papacy. Although it looks the same, this is not the same thing as putting moral limits on politics. There is a big difference between subordinating politics to the 'Church' and subordinating politics to another institution's conception of morality**. It** is also not the same thing as subordinating politics to established social practice including law derived from customary practice (England).

The Roman Catholic Church offered salvation not just through grace but through habitual practices such as the sacraments including confession and penance. The Church claimed leadership of the world by appropriating the Aristotelian notion of a therapeutic totalizing and encompassing institution.[23] The Church asserted its independence of and the subordination of political institutions by claiming access to a natural law derived ultimately from divine law, codified as canon law, institutionalized and taught within the then recently created universities (understood as the locus of moral and intellectual virtue). From the Middle Ages to the present, university faculty have seen themselves in 'Aristotelian' fashion as the intellectual and moral elite sitting in judgment upon all other social institutions. Today, instead of 'God', they claim to derive their wisdom from the alleged social sciences.

To assert the primacy of the state, monarchs used the same Aristotelian argument that one particular institution needed to be all-powerful. What ensued were the major political conflicts of the Middle Ages, namely Church vs. State supremacy. In a teleological universe, some specific institution has to predominate over all other things. In an Aristotelian universe, politics still trumps ethics; the question is which institution, or which person or persons within that institution, not which norm(s), procedural or substantive, identifies the ultimate goal.

Later Catholic commentators adapted Thomism and "natural law" to this purpose. The Jesuits and Suarez loom large here, and the result is a theory completely devoid of and hostile to the ideas of federalism, individual (as opposed to corporate) liberty and something like spontaneous order (hence, markets), and whose understanding of sovereignty approaches Bodin's. Suarez, for example, conceives of the state as an enterprise association, and rejected St. Augustine's 'Platonic' position according to which government arises because of man's sinful nature. Instead, government is the highest (most comprehensive) association and exists to promote human goodness.

> Man is a social being, life in society is natural to him; but *social life (communitas) necessarily implies a regulating power that must be exercised by men.* Government was not introduced, as Augustine thought, because of sin: *directive power is needed even among angels, if not coercive.* Such power must be located in the whole community: *a state is a socially organized body with a common political end, it is an organized moral unity* ....The end of political activity, as with Aristotle, is to make men good (Randall 1962, p. 154).

For these thinkers, justice may be prior to law, but in practice, law is the creature of the sovereign and notions of justice and natural law do not count for much because consent to sovereign authority is binding indefinitely and no one but the pope has the (spiritual) authority to challenge it.

The dispute among so-called realists, nominalists, and conceptualists is often mischaracterized. For 'Aristotelian' scholarship, it is a metaphysical or ontological dispute about what kinds of things exist. Contrary to that, we insist that it is an epistemological dispute about meaning. As an epistemological dispute, the 'Platonic' position is that the subject's knowledge of itself is more fundamental than the subject's knowledge of objects. Platonists insist upon the irreducible and fundamental nature of meaning and its distinction from reference. Meaning is a form of self-knowledge and therefore independent of simple reference to objects in the non-human world.

From an epistemological point of view, William of Ockham (c. 1287—1347) was a 'Platonist' in our sense. From his teacher Duns Scotus, William of Ockham derived his view of divine omnipotence; he also reacted against Scotus in his understanding of universals. Ockham held that universals (abstractions) were

merely useful names, i.e. words rather than extant realities, but the words reflected a human and social construct.

Ockhamism is about the nature of knowledge and not about the nature of the world, and this aligns his thought with Augustine (Platonism).[24] Second, Christian doctrine, as worked out by Ockham, reflected an all-powerful Creator God whose power entailed free will. Since human beings were made in God's image, they too enjoyed free will and were thereby empowered to add to God's creation. This provided a basis for the development of the Technological Project (TP). Rather than the capacity of reason as mere reflection of a rigid something else, humans enjoyed the capacity (imagination) to imaginatively construct new possibilities.

Imagination is a double-edged sword. Precisely because humans have an imagination they can always conceive of alternatives and hence precipitate disagreement. At the same time, it is the source of our greatest achievements. That is why managing disagreement as opposed to eliminating it is so important.

China, despite its greater achievements up to the 14th-century, did not produce a scientific revolution both because of its authoritarian social structure and its lack of the notion of a creator God. It helped that the West believed in a God who created order and who wanted his worshipers to have free will (autonomy) and to be fruitful and multiply within that beneficial order.

Protestant Reformation

Relevance of Judaism

In the *Old Testament*, religion trumps politics. The fundamental values come from God. Think Moses and the 10 commandments. Kings do not make the law, and they do not appoint the priesthood. Even the king's right to tax is limited. In encouraging individuals to read the bible, most especially the *Old Testament*, Protestants promoted the notions (a) that 'law' limits politics, (b) that law is independent of the wills of individuals, and (c) that individuals are directly responsible to the common religious beliefs and must find them on their own and not as second hand directives from priests.

This is substantially different from Roman Catholic thinking and its focus on the *New Testament*. Allow me to explain. The Roman Catholic Church adopted the Byzantine Roman notion of an all-powerful king (e.g., the assertion by Justinian that the 'Prince makes the law') but vested now in the Pope. The final authoritative interpreter of God's will is the Pope.

The great 'Aristotelian' synthesis that undergirded the medieval Catholic Church crumbled intellectually. Protestants returned to a more Augustinian ('Platonic') view. In terms of religious practice this meant the achievement of 'grace' indirectly observed and confirmed by working hard, imposing order on oneself, to achieve worldly or economic success. Since 'grace' came directly from God, it meant that worshippers sought this by individual direct acquaintance of God in our inner personal experience or through the word of God (Bible) as opposed to achieving it through institutional guidance. To the extent that it was individualistic, it meant that individuals acquired religious, political, and economic liberty. This is why Descartes preferred to live in the Netherlands. Despite the religious denominational wars, economic competition, tolerance and free speech were ultimately products of the Protestant Reformation. As we shall argue, J. S. Mill made these specific freedoms central to his argument. Given what we have said earlier about the 'Germanic' tribes, it is understandable that the Reformation had its greatest influence on Northern and Western Europe (England, Scandinavia, Netherlands, and Prussia).

The Huguenots (later expelled from France by Louis XIV) and others, "made use of the arguments of antipapal writers, like William of Ockham and the Conciliarists, against a heretical pope" (Randall 1962, p. 146). For these thinkers, private property gives rise to kingship, and therefore there is much in terms of custom to limit the authority of the sovereign. They also maintained a notion of individuals acting through their respective social institutions.

"The contrast with Bodin's unitary state is striking. The relation is not between 'sovereign' and 'subject,' or isolated individual—the view later consecrated by the French Revolution—but between the responsible ruler and a complexly organized social community" (Ibid., p. 150). Those cultures that adopted the Protestant tradition (north-west Europe including the UK) remain focused on the individual as sovereign; those cultures that adopted the Catholic tradition, even when they limited the power of the Church or secularized themselves, focused on the ruler. Even when the community was redefined as independent from religious institutions (Rousseau) the corporate and collective nature of the community ('General Will') was retained. This remained true even when the 'General Will' was later redefined as the majority will (or as the will of those who speak 'on behalf of' the majority). It is no accident that the 'tyranny of the majority' was recognized early by the French writer Tocqueville (who transmitted it to J. S. Mill). All of this remains especially important in the present age where some special interest political group claims to speak on behalf of the 'people' or the legacy media feels entitled to construct or fabricate that 'will' rather than report it.

The Emergence of the Individual

The influence Christianity and Greek Philosophy had on the Reformation and the Renaissance are the origins of the modern conception(s) of the autonomous individual.

Christianity contributed three essential concepts: *Creation*, The *Fall* [human sinfulness], and *Redemption*.

Augustine Platonized Christianity, exemplifying Platonic dualism by insisting that we live in two worlds at once (the *City of God* and the city of man/devil); we understand mankind as engaged in a permanent internal conflict between 'reason' and 'passion' [human sinfulness]; human beings have the free will (along with God's 'grace') to choose. We reach personal fulfillment [redemption] in an independent church. The Church provides the counterpart to Plato's positive overall vision of the 'Good'. The only political *role of the dedivinized state is negative*: to restrain the bad guys.

St. Thomas Aquinas exemplifies Aristotelian monism; the Church embodies a synthesized unity of CHURCH AND STATE. Its positive role is to help mankind achieve salvation in the next life through sacraments; the state's role is subordinate to the Church (university?) by helping individuals reach their personal and social goals as defined by the Church.

Ockham inspired the Protestant Reformation (Luther via Ockham). He embraced Augustine and free will. He advocated the TP because**, through it,** mankind can remake and control the physical world (there is no natural teleology) and thereby remake the world in Godly fashion [*Redemption*] by not forgetting the FALL.

Ockham denied any synthesis of Church and state: the (limited) state is preeminent in the secular world but only negatively (requires consent of the individuals); the (limited) Church is preeminent only in the spiritual world. In both cases, individuals must consent precisely because they have God-given free will.

The Protestant Reformation conception of Individualism recognizes that individuals have free will, the power to remake themselves autonomous but only *by not forgetting the FALL (they must impose order on themselves*). This freedom does not come from any institution such as government. It is precisely this kind of freedom (sometimes referred to as a 'negative' right) that constitutes what government must protect. It is not something that government ('positive' right) or any other institution bestows upon you.

The Reformation conception of human freedom is fundamentally different from the Renaissance conception. The Reformation notion is foundational to Anglo-American culture: the recognition of our ability to control ourselves, that is, overcome our very real negative impulses for self-destructive and anti-social behavior.

In the American Founding version of liberalism, as endorsed by leaders who were almost exclusively from dissenting Protestant sects, the role of the state is purely negative. The state (political institutions)

cannot promote autonomous individuals from the outside because autonomous individuality is not a simple matter of information (education) or external conditioning. Autonomy requires self-control usually achieved through institutions that encourage self-control (e.g., the family, religion), i.e. by recognizing the 'Fall'. Initially, children will want to please, and subsequently internalize the norms **of** those who are the primary care givers. Primary care givers are in a better position to promote self-control.

The state cannot teach self-control. All that the state can do is impose negative external constraints (the proverbial 'stick'); when the state gives rewards ('carrot') this merely encourages self-indulgence or gaming the system.

Likewise, the state should refrain from undermining these other social institutions. This should explain, as well, 'modern' liberal and socialist opposition to traditional families and religion.

Kant and Mill secularized the Protestant Reformation thereby putting an even heavier burden on the family but also emphasizing meritocracy, self-control, 'honor' and self-improvement in all other social institutions.

Renaissance HUMANISM Individualism

Renaissance Humanists revised Christianity by appeal to the writings of classical antiquity, specifically interpreting Epicurus (ancient philosopher who advocated hedonism, namely, that pleasure is the only good and pain is the only evil. He redefined "pleasure" as the absence of pain, suffering, regret, and guilt.) as consistent with Christianity.

In practice this meant accepting the notion of free will but rejecting the Christian conception of the FALL. Dante, Petrarch, Machiavelli, and later Montaigne emphasized individual freedom and expression (Burckhardt). Some Renaissance thinkers teleologized human beings and maintained that there is natural harmony when properly understood. Other Renaissance and later thinkers took this to mean that any impulse we have (most especially sexual ones) is sacred. Thus, individual autonomy morphed into self-indulgence.

Descartes had initiated epistemological change by commencing with the unencumbered self providing order. How did the unencumbered self become sexualized? In the literary movement known as Romanticism, it was the poet Shelly who gave decisive authority to inner feelings. It was Oscar Wilde who asserted that the artist requires sexual freedom as a source of creativity. Later, sex became politicized beginning with Rousseau who opposed oppressive bourgeois morality. Marx claimed that bourgeois morality led to victimization. By the 20th-ecentury, Wilhelm Reich would combine his own version of Freud with Marx and promote the idea that utopia requires total sexual freedom to end neurosis and psychosis. Hence, we arrive at the view that the State has a therapeutic duty to liberate sexual 'deviants'. Sartre's essay *Existentialism is a Humanism* (1946) is a direct descendant of the latter view, holding that the individual defines himself and afterwards gives himself purpose.[25]

Contemporary liberalism fails to reconcile these two views, refusing to recognize any behavior as anti-social when 'properly' understood. Accordingly, we do not have innate negatives impulses; self-destructive and anti-social behavior is a purely a product of misinformation and poor early habituation; the environment is the all-powerful determining factor. The role of the state, the institution now understood as having the legitimate power (product of the majority will) to override all other institutions including the law, is to help individuals reach fulfillment. Every individual is free to define herself/himself and the state is obliged to engineer fulfillment. Paradoxically, by becoming the therapeutic state, this not only means that the state should make sure you choose correctly (force you to be free) but should force you to approve of how others define themselves.

MODERN PHILOSOPHY: DESCARTES TO HEGEL

'Modern' philosophy is usually focused on seven specific thinkers: Descartes, Spinoza, and Leibniz (miscalled rationalists) as well as Locke, Berkeley, and Hume (miscalled empiricists), and finally Kant. This traditional (and now almost universally discredited) distinction, nevertheless, survives largely because so many contemporary philosophers are engaged in the intellectually incestuous activity of believing that philosophers only read other philosophers[26] and because of the continuing obsession with naturalistic epistemology.

The great ages of philosophy and the great philosophers were responding to much larger intellectual challenges. It is impossible to understand modern philosophy, that is, the philosophy of the sixteenth through eighteenth centuries, unless one realizes the extent to which that philosophy was a response to developments in modern science. It is no accident that Descartes, a mathematician and scientist, is almost always singled out as the first modern philosopher. Among other things, modernity begins with the collapse of the Aristotelian medieval world view with its organic, teleological, and hierarchical conception of the world. One simple way to capture that difference in scientific terms is to say that whereas Aristotelian physics was based on the assumption that rest was the natural state, modern physics from Galileo to Newton starts with the assumption that motion is the natural state.

Actual scientists, as opposed to philosophers who speculate about science, provide another poignant example of the primordiality of practice, not reflection. In considering this divergence, it's always been interesting to me (though perhaps ultimately irrelevant) that Spinoza was a lens grinder who may be forgiven for thinking of the solitary subject [the one who sees] as playing only a passive, receptive role, while Newton and Galileo were astronomers who could not avoid noticing the active role played by the "subject" [the Earth] in their observations.

Confronted with this new view of the physical universe, how did *scientists* respond? They responded in two different ways (there are always alternative interpretations) that became identified with Descartes and Newton. Descartes argued for a homogeneous and pleonastic universe in which there is no distinction between space and matter; Newton took up and advocated Gassendi's atomism (along with Galileo's momentum). We thus had two conflicting scientific paradigms.

How did *philosophers* respond to the new science and its major protagonists? Some poured this new wine into old bottles and others fashioned a new bottle. The old bottles were the philosophies of Plato and Aristotle. 'Platonism'(geometry) and 'Aristotelianism' (biology) were themselves constructs based on earlier views of the physical universe.

MODERN PHILOSOPHY CHART

Cartesian Physics	Newtonian Physics
Descartes* (*Platonic* Philosophy)	**Locke**** (*Aristotelian* Philosophy)
Spinoza*** (*Aristotelian* Philosophy)	**Leibniz****** (*Platonic* Philosophy)
	Berkeley***** (*Platonic* Philosophy)
	Hume****** (Copernican/*Platonic*)
	Kant******* (Copernican/*Platonic*)

* For Descartes physics is founded on dualistic metaphysics; first principles are clearly a priori; he distinguishes between the order of knowing and the order of being. Error arises from the conflict between finite human reason and the freedom of infinite will.

**Recall Locke's claim that space is a simple idea given in sensation as well as his defense of the existence of a vacuum (empty space) as opposed to Descartes' pleonasm. Nothing could be more Aristotelian than Locke's critique of innate (a priori) ideas and his insistence on the distinction between primary qualities (in the object) and secondary qualities (relative to us).

***For Spinoza, God is Nature; one substance, no dualism; his epistemology is an empiricist-physiological account; freedom consists of knowledge of causes over which we have no control. Like Descartes, Spinoza rejects Aristotelian teleology (no final causes) in favor of determinism.

****Leibniz's model is calculus instead of geometry; in his epistemology, he criticizes Locke for arguing against the existence of innate (a priori) ideas; his dualism, like Berkeley's, distinguishes between God as infinite monad and humans as created finite monads; monads 'mirror' and essentially act like Platonic forms; his GOD reminds us of the Timaeus because 'HE' is persuaded to act in accordance with the ultimate essences; finally, human beings always act for the seeming best and err only out of ignorance. Space and time are relative ideas not entities as in Cartesian physics. Leibniz worked out calculus independently of but at the same time as Newton; calculus enables us to deal with matter in motion, matter that is not reducible to space.

***** See Berkeley's *De Motu* (1721) for his analysis of Newton and Leibniz. Berkeley's praise of Platonists can be found in *Siris* (1744) on *Tar Water*; in addition**,** he is an immaterialist who believes that things are collections of ideas not something independent of them; he supports a dualism that distinguished between ideas in God's mind and ideas in human minds; epistemologically, he is the foremost critic of Locke's Aristotelian idea of 'abstraction'; finally, he believes that we have direct intuitive knowledge of ourselves.

******Hume was never a simple-minded empiricist: he distinguished between simple ideas of sense and complex ideas created internally by the imagination. All of our most important ideas are complex ideas **that involve** the structuring activity of the mind. In his *Abstract,* he cites this as his most revolutionary idea.

*******See Capaldi 1972, pp. 234-40.

Reconceptualizing Who We Are

Modern philosophy begins with Descartes' restatement of 'Platonism'. It is initially directed at an almost wholesale rejection of the medieval Aristotelian world view: a rejection of Aristotle's physics, a rejection of Aristotle's metaphysics, a rejection of Aristotle's epistemology, and a profound endorsement of the TP, specifically focused on explicating what we mean by 'understanding ourselves'. To his everlasting credit, Descartes did the following:

He challenged Aristotle's physics, specifically rejecting final causes or teleology, and insisted upon motion, not rest, being fundamental; Descartes' physics was a rival to Newton's physics (the latter posited 'atomistic' motion through empty space instead of a Cartesian plenum); in connection with his physics, Descartes developed analytic geometry (translating algebra into geometry and vice versa), but his physics eventually lost out to Newton (who developed calculus). Descartes formulated a version of the Technological Project when he said, in the *Discourse On Method*, that we are here to make ourselves "the possessors and masters of nature"; He advocated that the TP was more successful in a commercial republic like the Netherlands, thereby connecting it to a market economy with limited government and the promotion of freedom of thought; and most important of all, he insisted that the mind was distinct from the body.

I want to dwell on the last point. Descartes has been endlessly mocked (e.g., Ryle) and taken to task by 'Aristotelians' because of the manner in which he made the distinction between mind and body. What is missed in all of this is not only Descartes' insistence that how we understand ourselves is different from how we understand the world but also the recognition that the *TP makes no sense unless people are in some important sense not objects in the world*. If human beings were nothing but objects in the world then humans could be manipulated for human benefit just like other things. This error is exactly what we find in the Enlightenment Project of a social technology.

Unfortunately, if humans were just objects, then, absent teleology, there would be no such thing as 'human benefit'; no basis, no standard, for remaking them one way or another. Teleology has already been ruled out. The human beings who constructed the so-called social technology and their own thought processes would themselves simply be products of previous conditioning. We could, for example, recondition bullies not to harm others or we could recondition people to accept or condone bullying. Our values would simply reflect previous conditioning, and any new choices we made would reflect that ad infinitum.

I would argue that the 'We Do' perspective is Newtonianism (Capaldi 1975) writ large: motion, not rest is fundamental (*action not contemplation is basic*); motion is in a straight line, not cyclical (history does not repeat itself endlessly); every entity interacts with and influences every other entity {we cannot talk about things in themselves—only in relation to us; participants in a market economy (Hayek) are transformed by their interaction with other participants, hence the market cannot be conceptualized apart from the dynamic ongoing interaction (price signaling) among participants}; first principles cannot be explained—theory can only be the explication of ongoing practice.

An organic (Aristotelian) universe and social world would see individuals as derivative from their communal roles; an atomistic universe would see individuals as primordial and the community as derivative. However, individuals are not simply 'atoms', rather they are *atoms with a history of past interaction*. The historical relation, however, is not an organic relation. In an organic system the parts are defined by their relationship to the whole (often a telos); in the human world, individuals have the free will to ignore, be ignorant of, reject, embrace, or modify their cultural inheritance.

Although atomism has an ancient lineage (Democritus, Epicurus), I would suggest that modern atomism was embraced, as much if not more so, for its social implications. Gassendi gave both ontological and theological significance to monads as endowed with original motion by God; Bacon and Hobbes were atomists; atomism appealed to the practical success of seeing mechanical objects from an atomistic point of view; Newton's first law of motion, I suggest, has a theological origin, certainly not an empirical origin; it is, so to speak, a projection from the human and social realm onto nature. In this it bears a striking

similarity to the later doctrine of evolution, which originated in history and was then projected onto biology. For Hobbes, the state of nature does not come first but only after we dissolve social bonds;[27] for Locke, the state of nature presupposes a prior social dimension.[28]

Hume's Odyssey From 'I think' to 'I do" to 'We Do'

For most of the 20th-century, Hume was misinterpreted by (Aristotelian) analytic philosophers, most of whom, I suspect, never read (any) texts (carefully). A number of myths emerged, many still in circulation: (1) *Hume was an 'empiricist'*[29]—this is misleading and, strictly speaking, false because our 'experience' is in large part framed by the mind independent of external stimuli; (2) *Hume was a 'skeptic' in the purely negative sense*—this is confused because Hume was a skeptic but in the traditional positive sense of appealing to custom, etc.; and, more importantly identified what we have been calling 'Aristotelianism' as rationally implausible and a destabilizing psychological and social phenomena- "disease of the learned;"[30] (3) *Hume denied the existence of 'causation'*—no, Hume denied the Aristotelian conception of causation in which we allegedly could argue backwards from formal cause to efficient cause, something that is not possible in Newtonian physics which denies the existence of formal causes and only recognizes efficient causation; causal inferences are imaginative/quasi-historical projections of the mind onto the world for practical purposes—precisely what we have argued is the new "Platonic' conception of scientific thinking and exemplifies that how we understand ourselves is fundamental and how we understand the world is derivative; (4) *Hume denied that norms (ought) could be derived from facts (is)*—this is the most egregious error (Capaldi 1989) based on a blatant misreading of the text. Hume's positive account of norms makes norms inter-subjective experiential facts reflecting human projections onto the world;[31] and if Hume was the greatest philosopher to write in the English language he would not have made so elementary an error; (5) As much as he detested some clerics, Hume was not an atheist and did not deny transcendence but insisted that morality could not be derived from purely abstract theological principles.

As a young man, Hume's ambition was to become the Newton of the social (moral) sciences. His original aim is to understand the social world as the product of numerous interacting atomized individuals. Everyone is not simply the product of an intellectualized "I think" but of fundamental drives or passions, an "I do."

He begins his *Treatise of Human Nature* by examining how an individual thinks ('I Think'), stressing at great length how the mind structures its experience. He insists that the mind cannot be explained in simple intellectualized terms but is ultimately driven internally by passions (I do'). His account of this internal process is full of Newtonian mechanical and hydraulic metaphors. To get to the social world, Hume identifies the mind's capacity for sympathy, the ability to imagine, by analogy, how others feel, desire, think, etc. Adam Smith will do likewise.

By the time he gets to the end of the *Treatise*, Hume realizes, freely and openly admits that his theory commits us to the presupposition that the external world (physical and social) is an internal construct of the individual mind. Asked to explain the mind itself, Hume wants to appeal to something like the physical sciences (brain physics, chemistry, biology). But he is forbidden by his own theory from doing this because the physical/social world is the mind's construction. There is no way out. This is a prime example of the failure of 'Aristotelianism', that is the assumption that how we understand the physical world is basic and how we understand the human social world is derivative.

Hume's journey and realization that our understanding of ourselves is unique, fundamental, foundational and irreducible to any explanation of or any part of the physical world was, and probably will be endlessly, repeated. This realization is repeated by Wittgenstein, most especially in the transition from the *Tractatus* to the *Philosophical Investigations*. Of course, 'Aristotelians' (Kripke) disagreed. It was repeated by Hayek in the *Counter-Revolution of Science* (1952).[32] It was repeated by Searle in his "Chinese Room" argument. Again, it was met with howls of protest (Dennett).

The notion that we understand ourselves as fundamental (Platonism') is, as we have shown, crucial for the development of the TP. At the same time, it was the victory of the TP that led to many of the achievements of physical science. The success of the physical sciences was persistently misunderstood as the result of a commitment to so-called objectivity (i.e. Aristotelianism) or the disparagement of human-interest involvement. A good deal of the misleading work in the history of science reinforces this misperception.[33]

The grand project of the *Treatise* (1739-40) is abandoned. In its place, Hume provides two inquiries. The *Enquiry Concerning Human Understanding* (1748) repeats and amplifies the shortcomings of reason ("I Think") on its own. Like other members of the animal kingdom, we rely upon instinct and primitive drives or passions for our basic existence/survival, and we never stray too far from that. We can reflect (explication) upon what we do and do it better, but we cannot override the foundation. This, by Hume's own admission, is the skeptical position properly understood. All science and its fundamental concepts (e.g., causation) are ultimately human contrivances.

In the *Enquiry Concerning the Principles of Morals* (1751), Hume walks back some of what he said about sympathy. We do not generate the social dimension from the atomistic dimension (denies state of nature starting point). The social dimension (economic, political, legal, moral) is the starting point, and our reflection is ultimately reflection, and dare we say 'explication', of past social practice. We have arrived at "We Do" as our starting point.

So, how do we 'explicate' past practice? We do so historically. Even in science a so-called 'causal law' is a practical generalization of a carefully constructed historical statement: if the *past* conditions remain the same and if 'b' has *always* followed 'a' then it is rational to act on that generalization. As Hayek would put it, Hume and Kant realized that science rests upon foundations that science itself cannot legitimate.

In a separate series of *Essays Moral, Political, and Literary* (1741-1758) Hume endorses what we have described as the narrative from the TP to CPA. In so doing he is accepting the Scottish Enlightenment history about the stages of economic growth and their implications for civil institutions. Nevertheless, this is an historical achievement that does not entail what his 'Aristotelian' French Enlightenment friends, and later Marxist thinkers, would endorse as a guarantee of a future social technology utopia.

Hume's major work during the last part of his life is the multi-volume (1754-1762) reflections on the *History of England*. Hume has become a full-fledged historian. Darwin acknowledged Hume as responsible for the theory of evolution. More interestingly, Hume writes the *History* backward, and as he does so he corrects what he previously said, linking past and present, as he gains a deeper understanding of the past.

Liberty, for example, is the product of a series of historical 'accidents' originating in spontaneous order. *'Spontaneous order' is what happens when past practices evolve, become opaque or come into conflict with each other, and are then restated (clarified/explicated) in such a way as to preserve the coherence or 'original' meaning [intent] applicable to subsequent contexts.* Quite independent of Hume, we can trace, retrospectively, a series of 'legal' events and decisions that led to the growth of a culture of liberties: practices of the 'Germanic' tribe of the Saxons that decentralized power (noted by Roman author Tacitus), *Magna Carta*, and the work of jurists like Coke reflecting on those earlier events. The concept of 'liberty' has to be understood as historically evolving 'liberties' (Nedzel and Capaldi 2019). In our parlance, what Hume is saying is that the extant political theories of his time (Tory and Whig) both fail to capture the meaning and evolution of 'liberty'.

The historical emergence documented by Hume does not preclude later thinkers from providing a better or more encompassing explication. What Hume said about 'liberties' can be and was aptly summarized by Constant (1819) who contrasted 'ancient' [political] liberty (in which we participated directly in the political process in making laws telling citizens what they were officially allowed or required to do by the state) with 'modern' [civil] liberty (in which we are free to do whatever is not specifically forbidden and identifiable as civil liberties freeing us from state/collective interference). Mill, in *On Liberty* (1859), further clarified this notion by insisting that we should be free as long as what we do does not *harm* others. Moreover, the onus on identifying *harm* is with those who advocate limits, hence we are free until proven

guilty; finally, the onus is also on those who note the harm to show, as well, that limiting the actions is not itself more harmful. This captures the Anglo-American conception, different from Continental legal systems, that you do not have to show that your actions are good (contribute to the collective good).

Constant and Mill, in turn, were superseded by Oakeshott's distinction between an 'enterprise' association with a collective/political/social good and a 'civil' association in which we as individuals choose our own good. This is a perfect example of what successive historical explications can produce.

Hume (like Hobbes) still had issues with human freedom and determinism, issues that Kant will address. Despite his persistent and fundamental critique of Hobbes, Hume still could not fully transcend the materialist/mechanistic/Newtonian foundation for human motivation.

Kant

Kant proclaimed that Hume had awakened him from his dogmatic slumbers (Capaldi 1972, pp. 234-40). What Kant did was to 'Platonize' Hume fully.[34]

Kant is credited with initiating the Copernican *Revolution in Philosophy*. What did this mean? In astronomy, Copernicus argued that the earth was not a stationary platform from which we observe the journey of the sun around the earth. First, the 'center' or reference point is the sun; second, the earth rotates around the sun. Subjects on the earth are not passive observers but participants in the process. We do not see the sun rise and set; rather we have inherited an interpretation of what we see. What we see is inevitably some kind of interpretation.

What are the implications, by analogy, for all this? All understanding is centered on the subject. Moreover, the subject is directly involved in the process and not a passive observer. In short, knowledge is a human construct involving the inter-*action of subjects* with objects and each other. Following Hume, it should be clear that we do not, and cannot, have direct knowledge of external objects (things-in-themselves) nor can we turn the mind itself into an object. Transcendent knowledge or transcendence in general is not available. Knowledge is 'transcendental', a mental model. Kant then proceeds to identify what he takes to be the permanent structure of that model and finds that in order to make sense of ourselves and our *inter-actions* with that world and with each other we must presuppose ("We Do") God, freedom, and immortality. All of this suggests a further or next step but that is reserved for Hegel.

Kant recognizes the importance of history. His most famous historical treatise is *Perpetual Peace*. Modern societies [post TP] have flourishing industries and markets. The capacity for military technology is now so great that all modern societies seek (try) to avoid war because of the immense damage and cost. Modern market societies (*commercial republics* or constitutional monarchies) also have representative governments or legislatures representing all these interests. Perpetual peace (and prosperity) will be achieved when all societies (cultures?) have representative (limiting) governments that protect individual rights and market economies (private property, contracts). We would argue that this 1795(!) prediction has so far been validated. There have been far too many wars but never where all the combatants on both sides were commercial republics (ME and LG). Future wars look to be primarily 'trade' wars. Again, as we shall see, Hegel will take the next step.

Hegel

Let me address what I call the Anglo-American anti-Hegel bias. That bias exemplifies the view that all responsible discussions endorsing liberty or freedom were written in the English language by a select group of British and American authors. An exception was made for a handful of French authors who had spent time in Britain. It follows from this that those who wrote in German cannot be classical liberals. Since Hegel influenced Marx and since Kant influenced Hegel it follows that Kant and Hegel cannot be liberals of some kind but must be dangerous collectivists.[35] This line of thinking is popular in some circles, but it is absurd and misleading.

Hegel builds upon the insights of Hume and Kant. If we can never access things in themselves or turn the mind into an object, then why talk as if they were actual separate things? They are clearly interrelated (Husserl's l*ebenswelt* morphing into Heidegger's *Dasein*).[36] Knowledge is not the mind accessing independent 'external' objects but the mind coming to know (itself + world) by the imaginative projection of models. We have also lived long enough to recognize that the models change over time, that is, have a history. Each later model is a revision (based on the internal tensions) of the previous models.

Although Hegel is often classified as a kind of Aristotelian, he is a 'Platonist' "Hegel's *Idee* (like Plato's idea) is the product of an attempt to fuse ontology, epistemology, evaluation, etc., into a single set of concepts" (Inwood 1992, p. 125). In the *Phenomenology of Spirit,* Hegel maintains that the search for an external or objective criterion of truth is a fool's errand. Moreover, the history of the world cannot be understood as a teleological process that either repeats itself or permits Marx-like predictions about the future thereby justifying drawing direct normative or public policy conclusion. In another famous passage from *The Philosophy of Right*, Hegel says:

> A further word on the subject of *issuing instructions* on how the world ought to be: philosophy, at any rate, always comes too late to perform this function. As the *thought* of the world, it appears only at a time when actuality has gone through its formative process and attained its completed state … When philosophy paints its gray in gray, a shape of life has grown old, and it cannot be rejuvenated, but only recognized, by the gray in gray of philosophy; the owl of Minerva begins its flight only with the onset of dusk.

We may talk about progress, but only as progress 'from' and not progress 'to'. In the Introduction to his *Lectures on the Philosophy of World History*, Hegel saw the evolution of human history in three stages. In the "Oriental" world, *one* person (the pharaoh or emperor) was free. In the Greco-Roman world, *some* people (citizens) were free. In the "Germanic" world (Christendom) everyone is free.[37]

Capaldi Thesis: In the contemporary context, philosophy as a discipline has lost its way, and it has done so because it can no longer account for itself.[38] It has lost its sense of identity because it has lost its own historical contextualization. What is needed is some historical overview.

The entire history of (Western) Philosophy can be understood as (a) the conflict between 'Plato' and 'Aristotle'; (b) the resolution of this conflict in Kant and Hegel (the last philosopher in the sense of terminating the 'Platonism' vs. 'Aristotelianism' controversy) (c) when Hegel makes the subject and the object identical; (d) but gives priority to the subject (how we understand the human/social world is fundamental), and (e) the *object* is to be understood from an 'unpredictable' "We Do" historically *evolving* perspective.

The major philosophical frameworks post-Hegel are Analytic philosophy (Anglo-American), Continental Philosophy (phenomenology),[39] and Pragmatism (U.S.); these frameworks are to be found everywhere and in many iterations. The best examples of success within each framework for reaching the "We Do" perspective are Wittgenstein for analytic philosophy, **Ryle,** Hayek and Oakeshott for British philosophy, Heidegger and Gadamer for Continental philosophy, Peirce and James for pragmatism. The role of the 'philosopher' passes to anyone focusing on the '*explication*' of any social practice. (g) There is no such thing as social 'science'. The question with which we are now confronted is to what extent have recent philosophers successfully explicated any major social institution or practice?

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NOTES

1 Major dictionaries and encyclopedias of philosophy often exclude the term 'philosophy' from their list of entries. *The Cambridge Dictionary of Philosophy* (1995) does so; The *Blackwell Companion to Philosophy* (1996) has two entries on contemporary Philosophy but none on 'philosophy' per se. The online *Stanford Encyclopedia of Philosophy* also lacks an entry on 'philosophy'. The *Internet Encyclopedia of Philosophy* has no entry. *The Oxford Companion to Philosophy* (1995) has a substantial entry by Antony Quinton which acknowledges the controversy surrounding the term. The older (1967) *Encyclopedia of Philosophy*, ed. Paul Edwards, has a long and useful entry by John Passmore, but it too acknowledges controversy.

2 In a later chapter/essay I identify alternative legitimate forms of physical scientific thinking. One such form is called 'exploration' or hypothesizing about an initially hidden structure to be verified later. This approach, I shall argue, is illegitimately extended to the social world in most so-called social science theorizing. There are no hidden social structure analogues to microbes or molecules, etc. that are ever verified by later observation. See Capaldi 1987, pp. 233-248. Marxism is an example of the misguided use of exploration to explain the social world; Rawls ('reflective equilibrium'), Dworkin, and Nozick are similar examples in contemporary 'liberalisms.'

3 In Ruth Benedict's highly acclaimed but controversial book (1946), Japan was described as emphasizing how one's conduct appears to outsiders (shame) whereas in an American (Christian) culture "guilt" reflects the individual's own internal conscience.

4 Precisely because 'words' do not refer exclusively to external objects but to ever evolving social practices that originated in what Hayek called 'spontaneous order', all discourse is subject, in principle, to 'debate' or 'discussion'. This is why 'pragmatics' goes beyond syntax and semantics. Technically speaking, debate is endless and only comes to an end through social agreement. It also explains how 'dishonest' interlocutors (criminals, deviants, politicians, lawyers, members of an HOA [Homeowners Association], ideologues, family members, etc.) can prevent any discussion from reaching coherent and consensual closure.

5 The expression 'Enlightenment' generally refers to eighteenth-century intellectual movements in Western Europe (British, French, and German). The expression 'Enlightenment Project' has been used by a variety of writers to identify what they take to be salient features of those movements. When I employ the expression (EP) (see Capaldi 1995), I am referring to the program to establish a social technology, a project I associate primarily with specific French intellectuals. Himmelfarb (2005) has argued for the primacy and wisdom of the British, exemplified in such thinkers as Adam Smith, David Hume, and Edmund Burke, as well as the unique and enduring contributions of the American Founders. It is that primarily British Enlightenment, she argues, that created a social ethic that still resonates strongly, in America even more than in Europe. I would agree with her that the so-called British Enlightenment helped to define America. Gray (1998), argues that free market globalization is an unstable 'Enlightenment project' currently in the process of disintegration.

6 If the only theoretical basis for explaining humans is the physiology of the brain and the central nervous system then philosophy disappears as an independent intellectual discipline. See Harré 1971, pp. 115-19.

The misunderstanding or misuse of 'exploration' occurs only in the misguided social sciences where dispute at one level leads to competing views of your opponent *ad infinitum*. This is the limitation of 'exploratory' thinking and why I have argued that the so-called social sciences are bogus sciences. In the real world, there are conventional standards for resolving such conflicts: See Capaldi 1995 and 1987. In the Anglo-American legal world, each side must come up with a narrative that is compatible or coherent with past-practice (precedent):

(i) Public policy debates followed by the ruling of the judges or a VOTE is another such conventional practice (e.g. *Roberts Rules of Order*). Such debates must exemplify free speech.

(ii) When all else fails, we turn to a vote (election). But the conventional rules of election must be followed.

All of this explains the 'left's' intolerance and/or rigging of election outcomes: (a) [charitable interpretation] bewitched by the mirage of social science or (b) [realist interpretation] 'undeclared war' which can only be met by counter force!

In the current US context, 'Marxist' tactics advocated by Gramsci: get control of higher education, this leads to control of communications programs that train journalists and ultimately control of the news media as a way of influencing the outcome of elections.

7 Readers are apt to identify my epistemological position as 'post-modern'. The expression 'post-modern' gained currency during the last half of the 20th-century. What all post-moderns have in common is the position that there is no universal objective truth understood as a structure external to human historical and social context. Knowledgeable readers will immediately recognize that some version of this position has been around since the ancient sceptics.

Responses to post-modernism from incredulous critics are almost always misguided reassertions of 'Aristotelianism' (e.g. the statement that 'there is no truth' cannot be true on pain of self-contradiction).

Adherents of post-modernism differ on how they respond to the recognition of the over-arching importance of historical and social context. Left-wing post-modern authors (Derrida, Foucault, Rorty, Rawls, etc.) reassert the existence of 'Aristotelianism' on the initially hidden social level (what I have identified as 'exploration'); right-wing post-modern authors (Oakeshott, Habermas, Gadamer, myself, etc.) maintain that inherent norms in previous practice can be retrieved through 'explication' but that there is no way to guarantee convergence.

8 There is a difference between ethics and morality. The first is an Aristotelian concept and the second (Morality) is a 'Platonic' concept. The difference was introduced historically during the 18th century and reflects the ongoing triumph of the Platonic narrative over the Aristotelian narrative.

9 My teacher in the history of philosophy, John Herman Randall, Jr. argued strenuously that Aristotle was a kind of methodological pluralist and that only later (medieval) thought turned Aristotle into a rigid system. This is a plausible reading of Aristotle, but it does not belie the point that others have found enough in Aristotle to turn him into a rigid system. Aristotle may or may not have been an 'Aristotelian' but many subsequent philosophers clearly qualify as such and as defined by me.

10 There are intimations in Aristotle himself of the importance of the individual, but ultimately Aristotle cannot adequately clarify the relationship between the good man and the good citizen.

11 All theorists who deny the intrinsic importance of time, contradict themselves by supplementing their timeless accounts with an historical narrative of one or more of the following kinds: an historical account of why earlier thinkers failed to grasp the alleged timeless truths; a speculative history of how we are marching toward that timeless account; a progressive account up to the work of one's favorite author who offers the final and definitive

articulation; the latter is followed by an account of decline, that is, an historical account of how once the timeless insights have been articulated later thinkers have allowed those insights to degenerate. "Degeneration" is integral to the account because the timeless truths are understood in an Aristotelian organic-cyclical-teleological sense.

What's wrong with all this? There is no way to avoid some kind of historical or narrative account. It falsifies the historical account; it fails to recognize that the history of a concept is integral to the meaning of the concept; it encourages the habit of "finding" everything in one's favorite author(s); it is unable to see or accommodate later insights; it does not appreciate how later authors help us to gain new insights into earlier authors.

12 See the Strauss narrative below.

13 Straussians like to begin their critique of modernity by focusing on Machiavelli's alleged disavowal of any moral telos for the state. What is missed is the fact that Machiavelli is an 'Aristotelian' who believes that the goal of the state is expansion (form of economic growth), and that the leader is doing the right thing by promoting growth.

14 Classical conservatism quickly gives way to radicalism when the whole of history is seen as one teleological (and progressive) process rather than as a cyclical process. History becomes progressive with the dominance of Newtonian physics and the view that motion is in a straight line rather than circular (cyclical). An evolutionary (i.e., non-teleological) view of history, which is reflected in this essay, is not to be confused with a progressive view of history.

15 There is a serious literature (Fred Miller, Douglas Den Uyl, Douglas B. Rasmussen, Tibor Machan, and Elaine Sternberg are excellent examples) that sees Aristotle as permitting a kind of individualism. I would maintain that (a) in Aristotle the teleology of the individual can only be realized in the larger community and (b) Aristotle never fully worked out the relation between the individual and the community, hence his ambiguity about whether the good man and the good citizen are the same, as well as the interminable arguments about the relation of the *Ethics* to the *Politics*. During the medieval period, Christians debated whether the soul that survived was individual or communal, and both sides drew upon Aristotle for support. Modern day communitarians (A. MacIntyre, Charles Taylor, e.g.) can lay claim to Aristotle as easily if not better than those advocating individualism.

16 Blackburn (2005, p. 277a), in his entry on 'philosophy', asserts that "the conduct of a discipline may be swayed by philosophical reflection". He goes on to criticize Hegel for neglecting "the fact that self-consciousness and reflection co-exist with activity. For example, an active social and political movement will co-exist with reflection on the categories within which it frames its position" (p. 265a).

17 Strauss would agree that we take this work to be fundamental, but his interpretation of it is very different from ours.

18 Freud, who had a serious knowledge of the classical world (e.g., the 'Oedipus Complex') would agree on the dangers posed by the craving for sexual gratification

19 The "form is in the matter" means that there is an actual something or an internal structure, that corresponds to our concepts.

20 Might this also apply to graduate education in higher education?

21 *Do people from non-Western (European) cultures come, in time, to adopt autonomy (and its nexus of institutions and practices) as a value*? One way of answering this question is to examine the work of Nobel Prize winning author V. S. Naipaul. Naipaul answers in the affirmative. He does so in an important essay entitled, "Our Universal Civilization."

> "The universal civilization has been a long time in the making. It wasn't always universal; it wasn't always as attractive as it is today. The expansion of Europe gave it for at least three centuries a racial taint, which still causes pain. In Trinidad, I grew up in the last days of that kind of racialism. And that, perhaps, has given me a greater appreciation of the immense changes that have taken place since the end of the war, the extraordinary attempt of this civilization to accommodate the rest of the world … A later realization … I have understood it philosophically only during the preparation of this talk—has been the beauty of the idea of the pursuit of happiness. … I find it marvelous to contemplate to what an extent, after two centuries, and after the terrible history of the earlier part of this century, the idea has come to a kind of fruition. … I don't imagine my father's parents would have been able to understand the idea. So much is contained in it: *the idea of the individual, responsibility, choice, the life of the intellect, the idea of vocation and perfectibility and achievement*. It is an immense human idea. It cannot be reduced to a fixed system. It cannot generate fanaticism. But it is known to exist; and because of that, other more rigid systems in the end blow away" Naipaul 1990: http://ontology.buffalo.edu/smith/courses01/rrtw/Naipaul.htm

In *One out of Many*, however, *Naipaul suggests that some people may not be ready to accept their own freedom*; the realization of self-consciousness is a rewarding but painful and difficult process. In *In a Free State*, Naipaul explores the alternative to Western rule. *A Bend in the River* suggests, more strongly than *A House for Mr.*

Biswas or *In a Free State*, that the Western enterprise has altered the world forever, and that this change has created a new sphere in which humans can best realize the meaning of freedom.

22 Christianity played a central role. As we shall see in a subsequent essay, Religion is in itself an institutionalized response to the perceived ineliminable limitations of all forms of discursive thought to make sense of the World and the role of human beings within it; Who are we? What is the meaning of life? How do we understand the totality (if there is one) of everything that there is?

In the Abrahamic traditions of the West this encompasses Judaism, Christianity, and Islam, all three of which appeal to a monotheistic, transcendent, and supernatural God who created the world and endowed it with meaning. There have been and are numerous super-bright individuals (e.g., Steven Pinker) who still proclaim that reason will at some point in the future overcome this limitation, but they cannot specify the contours of what such an explanation would be like, and the proper response to such optimism is to suggest that those individuals have not fully plumbed the depth and limitations of their own thought. Religion provides a narrative response to those limits; a *narrative* encompasses arguments and appeals to fact, but it also includes a decision on how the narrator proposes to act in the future in response to those limits. This essay is the beginning of a proposed grand narrative.

23 Monotheistic religions (Judaism, Christianity, Islam) when taken rigidly tend to promote a totalitarian conception of life. A great deal depends upon how it is institutionalized or rationalized.

24 To a large extent, Randall understands this but cannot express it accurately because Randall is himself an 'Aristotelian'. "For Ockham's philosophy was essentially a theory of knowledge, of its nature and structure. Starting from the Aristotelian logic as an analysis of the way knowledge is formulated and expressed in discourse, as a matter of the right use of language and terms, Ockham accentuated the differences between thought and being already present in germ in the Thomistic view. The way in which man knows the world is not the way in which the world naturally exists [Ockham would disagree with this]: for knowledge is the expression of universals, while in nature only particular and individual things are found. An analysis of knowledge, therefore, is not at the same time an analysis of the world as known: what discourse expresses in language is not the intelligible structure of things [Aristotelianism] but is rather itself. Knowledge to be sure is knowledge: we do know the individual substances of which the world is made up. But the intelligible structure expressed in our science and demonstration is the structure of knowledge[;] and not of the world.... Thought is not the measure of 'being'; it is the interpretation of human experience .... Being a theory of knowledge and not of nature, it has been adapted to the physics of Aristotle, of Newton, and of Einstein alike … Its fate has been, in the fourteenth century, in the eighteenth, and in the twentieth, to fall into a subjectivism from which only the most strenuous efforts have been able to extricate it. That history is an important part of modern thought" (Randall 1962. pp. 36-37, 38).

25 See Johnson (1968), chapter 9 on Sartre.

26 This may be true of contemporary academic philosophy, but it was not true of the great philosophers, most of whom addressed the worlds of science, commerce, and government. By' addressed', I mean were familiar with other disciplines, perhaps were scientists themselves, not mere readers of what philosophers of science said about science.

27 For Hobbes, the pre-existing social context may contain false philosophical and religious views that will lead to the destruction of the social framework.

28 Locke' defense of the right to revolution is *conservative*—the restoration of the proper social context; the French Revolution will turn 'revolution' into a progressive notion, namely, the perfect future utopia.

29 We often forget that empiricism, in the 17th century, was opposed to the assertion that we possessed innate ideas justifying immutable political and social institutions. In that sense, Hume, like Locke, was an empiricist.

30 See Livingston (1998).

31 Searle's Chinse Room argument is analogous to his attempt to understand Hume's discussion on the difference/similarity of norms and facts. He is restating Hume, originally, without understanding that it is a restatement.

32 "The social sciences in the narrower sense, that is, those which used to be described as the moral sciences, are concerned with man's conscious or reflected action, actions where a person can be said to choose between various courses open to him, and here the situation is essentially different. The external stimulus which may be said to cause or occasion such actions can of course also be defined in purely physical terms. But if we tried to do so for the purposes of explaining human action, we would confine ourselves to less than we know about the situation." Hayek (1952/2010, pp. 88-89) (internal footnote omitted). The quote is from "Scientism and the Study of Society." The footnote following "moral sciences" reads: "Sometimes the German term *Geisteswissenschaften* is now used in English to describe the social sciences in the specific narrow sense with which we are here concerned. But this German term was introduced by the translator of J. S. Mill's Logic to render the latter's moral sciences, and so there seems to be little case for using this translation instead of the original English term." It seems relevant to our larger project to note that the German idea Hayek has in mind is itself an attempt to render Mill's idea, since Mill is often wrongly described as an empiricist. Mill and Hayek both have an appreciation of what

Polanyi calls "tacit knowledge," and the idea that giving a complete physical description of the world, even if that were possible, would not exhaust all that we know. I also particularly like Hayek's last use of the phrase, "the situation," which implies a human context.

33 A key figure in this misrepresentation was another teacher of mine (a very decent human being) Ernest Nagel in his 1961. It was Nagel who intransigently insisted that the social sciences should model themselves after the natural sciences.

34 Kant, of course, was also responding to the Germanic intellectual inheritance as well. But what makes Kant and Hegel relevant to our narrative is the fact that they were also responding to and adding to the British context by their later and more sophisticated reading of Hume and Smith among others. Curiously, histories of German philosophy tend to ignore the Scottish framework of the thinking of Kant and Hegel.

35 Karl Popper (1945) and Isaiah Berlin (2002) were largely responsible for the misrepresentation of Hegel as a totalitarian. Another but related source of misrepresentation was the role of Germany in the two world wars of the 20th century. This led people to wonder what was behind German aggression in general and Nazism in particular and to identify the origin in philosophers like Nietzsche. What is missed in all of this is the extent to which many German intellectuals and universities were committed to positivism (scientism) and to its relation to the EP of social technology—something totally alien to Kant, Hegel, and Nietzsche.

36 This interrelated experience was to become an 'object' of research on the part of 19th and 20th century phenomenology, including Brentano's attempt to reify it as an object. This is a (misguided in my opinion) 'Aristotelianizing' of a 'Platonic' insight.

37 I would suggest that the three stages of the history of freedom are: (1) when the Greek Polis is autonomous (*Antigone*); (2) when Augustine 'de-divinizes' the 'state' by making the CHURCH autonomous; (3) autonomous Individual (Protestant reformation and Renaissance).

38 "...the growing professionalization of philosophy has made it particularly easy for ...philosophy to detach itself from the central issues of contemporary culture. The denser the milieu of journals, graduate schools, of research institutes... within which contemporary philosophical dialogue takes place, the easier it is for a philosopher who takes his[/her] problems exclusively from other philosophers to believe that these problems merit discussion just because they are also discussed by other philosophers....the effect of the post-1945 expansion of university life throughout the world has been that an immense forum of purely philosophical discussion has now been created, within which philosophers can much more easily cease to be concerned about the relevance of their work to other intellectual issues. Their self-esteem is sufficiently maintained by the approval of other participants in the professional dialogue or even by the approval of just their own immediate colleagues, ... This effect has been enhanced by the vastly greater opportunities now available for philosophers to publish at article-length rather than at book-length: indeed some influential writers... have published almost exclusively this way. What happens is that within the narrow span of a minutely argued article in a professional journal it is an obvious waste of space to rehearse whatever non-philosophical considerations may have given rise to, or be at stake in the general issue under discussion, and so newcomers to the profession are sometimes no longer made aware that these considerations still exist" (Cohen 1986, pp. 138-39).

39 What follows is a brief outline summary of how Analytic and Continental philosophy arrived at "We Do". As a late bloomer, pragmatism was committed to "We Do" almost from the very beginning.

A. Key terminological distinctions

1. Aristotelian = monism; how we understand the physical world is *basic* and how we understand the human social world is derivative (scientism/positivism); philosophy and physical science are identical.
2. Platonism = dualism; how we understand the human social world is basic and how we understand the physical world is a projection of the human imagination; philosophy is different from physical science or alleged social science.

B. Analytic Philosophy is committed to scientism; at best, philosophy is the social science of physical science. See Capaldi 1998.

1. social science is ultimately reducible to physical science [cognitive science] (sociology and history reducible to psychology, psychology reducible to biology, biology reducible to chemistry, chemistry reducible to physics)
2. Analytic Philosophy fails
   a) cannot show that physical science theories are completely confirmable empirically
   b) attempt to repair (a) by showing that science objectively progresses also fails (Kuhn)
   b) the social science of physical science always appeals to how we understand ourselves (Kuhn, Feyerabend, Searle)
   c) Many contemporary analytic philosophers now call themselves some kind of pragmatists.

C. Continental Philosophy

1. Brentano (Aristotle of 19th century)

i) Physical science becomes a discipline independent of philosophy in the 18th century; Physical science is the objective truth about the physical world; Philosophy is confined to 'moral' (human/social world) philosophy, loses its objective superior status and then becomes a version of Platonism (Kant) and also acquires a history (Hegel) thereby making philosophy into a *humanity*.

ii) Brentano wants to restore the status of philosophy by proclaiming it as a science. He rejects Kant and Hegel.

iii) Philosophy is a science = psychology; makes Brentano sound like an Analytic philosopher.

iv) Psychology (using *intentionality*—an Aristotelian scholastic term) is an empirical science treating mental phenomena as isolable objects; therefore, how we understand ourselves (mental world) is identical, methodologically, to how we understand the physical world; original position is Aristotelian.

v) Physical objects are different in not being intentional like conscious mental states.

vi) This genetic psychology is the study of psychological phenomena from a *third-person point of view* using empirical experiments thereby satisfying the scientific standards we attribute to empirical science (Brentano 1995/ 1874).

vii) Brentano's view of science is from an old fashioned "I Think" passive observer model (as in Astronomy). However, the scientific observer is a second subject observing the first subject's interaction with presumably physical objects; this raises all of the same problems of modern philosophy from Descartes to Kant (e.g., other minds? are physical objects really there? Solipsism?) We cannot avoid Kant.

viii) What distinguishes modern (Newtonian) science is its *experimental* dimension making it *intersubjective* (repeatable experiments) and a practical ("We Do") engagement of the world.

ix) In the earlier 1874 edition he (and later Edmund Husserl) thought that the natural sciences only offer hypotheses and never absolute truths as in pure logic or mathematics. Endangers the objectivity of natural/physical science.

x) But if philosophy as empirical psychology is a science, then it too offers only hypotheses and never absolute truths. This is evident in the history of philosophy.

xi) Brentano's writings on the history of philosophy interprets the human social world as having an objective four stage teleological structure (somewhat similar to Comte [for whom philosophy becomes sociology] and Marx), but in which philosophy always reemerges as the queen of the sciences (Aristotle's *Metaphysics*). It is a 'reading' of (hypothesis about) the history of philosophy. This is pure assertion with no confirmation. One could just as easily interpret the endless process as a periodic recurrence of the stage of skepticism. We can also see the later stages as Hegelian resolutions.

xii) Becomes 'Platonic'—no way to prove that how we understand ourselves is the same as how we understand the physical world. On to Husserl.

xiii) Conundrum: either the human social world (mental) can be an object like a physical object and therefore we understand both the same way OR they are different (Kantian Platonic); OR they are the same but both are intersubjective and evolve historically (Hegelian Platonic/Capaldi)

2. Husserl

i) Originally, a student of Brentano, goes through all of the stages of Brentano's journey. He recognizes all the shortcomings. In his early work, he criticized historicism and psychologism (Mill) in logic based on analyses of intentionality. In his middle period, he sought to develop a systematic foundational science—unique province of Philosophy based on phenomenological reduction.

ii) *In Ideen* (*Ideas,* 1913), Knowledge would only be possible by "bracketing" ['epoche'] all assumptions about the existence of an external world. From the *Ideen* onward, Husserl concentrated on the ideal, essential structures of consciousness. The metaphysical problem of establishing the reality of what people perceive, as distinct from the perceiving subject, was ignored.

iii) *Ideen* advanced his transition from the psychological cogito to the transcendental cogito, that is, a "transcendental interpretation" of phenomenology [Kant]. examining how people actually "construct" objects (different from materially creating objects or merely being figments of the imagination); in the Phenomenological standpoint, the object ceases to be something simply "external" but becomes the interaction of subjects with objects [Hegel].{"We Do"}, The major dividing line in Husserl's thought is the turn to transcendental idealism.

iv) *The Crisis of the European Sciences* is Husserl's unfinished work that deals most directly with these issues. In it, Husserl for the first time attempts a historical overview of the development of Western philosophy and science, identifying the biased and one-sided empirical and naturalistic orientation.

Husserl declares that mental and spiritual reality possess their own reality independent of any physical basis: "It is my conviction that intentional phenomenology has for the first time made spirit as spirit the field of systematic scientific experience, thus effecting a total transformation of the task of knowledge." This process exemplifies what it means to 'bracket' the natural attitude.

v) How we understand ourselves is different from how we understand the physical world. Husserl still want to call this a science of the mind ('Geisteswissenschaft') but died before clarifying the distinction.

3. Post-Modern

i) Heidegger moves directly to the "We Do" perspective understood historically. The "We Do" is especially clear in Merleau-Ponty.

ii) In (Heidegger/Gadamer) and (Wittgenstein-Hayek-Oakeshott) the philosophical traditions are reunited, BUT the EU historical experience is still significantly different from the Anglo-American experience.

REVIEW

The Twenty-First Century by Jacob Eigen

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The Twenty-First Century by Jacob Eigen. Philadelphia: The American Poetry Review, 2024.

According to the dustjacket of *The Twenty-First Century*, which won the American Poetry Review's Honickman First Book Prize in 2024, Jacob Eigen is an American poet, not least by residence. Like certain characters from the novels of Bellow, Eigen "currently lives in Chicago." Eigen is also a thoughtful poet as a set of Socratic questions (What is the human? What is the human soul?) stand behind Eigen's verse, as challenges to be answered. Eigen's poems bear upon human life lived in common, lived in cities, and the human passions and longings felt and lived in relation to others—desire, cruelty, violence, and love. Eigen's verse bears upon human political life, inside and outside of the city. It is thus fitting to consider Eigen's *Twenty-First Century* in a journal situated at the conjuncture of thought, politics, and culture.

The Twenty-First Century is about the shape and the scope of freedom. *The Twenty-First Century* collects twenty-eight poems into three sections of steadily increasing length. Critics have begun to describe Eigen's poetry as "surrealist". The reader of the poems is swung between visions of a post-human future in which hyper-evolved roaches roam and rule the earth (and write poetry) (pp. 3, 47) to the conversations of human lovers asking whether any meaning may persist in the face of and after death (pp. 3, 49). From the first line of the first poem of the collection, Eigen's reader finds herself in the space of dreams. "We were roaches in those days retreating into the walls, dreaming our useless wings might finally transform and allow us to fly" (p. 3). In the second poem, too, Eigen's verse autobiography, "Soul", the soul "falls asleep and dreams of the shimmering/green sheer plastic grass" (p.8). Within these dreams, one perceives "the beetles/hatching from mounds of elephant dung, /the slugs copulating so slowly/they seemed to die on top of each other/as they sank into the rot of the leaves" (p. 20). Eigen's poems in *The Twenty-First Century* are a series of dream-songs, canalizing Berryman through Kafka. For Eigen, the human is sited between the insect and the dream, capable of sighting wondrous beauty and liable to be smushed.

A dream or a dream-song is both placeless and situated. Many of Eigen's dreaming visions are overtly placed at night, "asleep" (p. 8) or "At 2:00 AM" (p. 49). As the collection advances, the singer informs the reader, "We now entered the next phase of the evening" (p. 11). Dreams are so often without country or without nation, individuated to the utmost and diffuse. Yet the para-textual material of Eigen's collection situates the poems and their composition within distinctly American locales, all named by place. The cover of *The Twenty-First Century* features the Queensboro Bridge depicted in bright turquoise seemingly suspended in air and placed upon the canvas, an aerial transit route between waking life and dream as well as the concrete thoroughfare between Manhattan and the outer boroughs. Queens itself is named in the central poems (pp. 23, 24, 34), placing the collection. "These poems were written," Eigen acknowledges,

"in the course of many trips to and from Cambridge, Berkeley, and Vermont, where Louise Glück patiently read them—before taking their author out to dinner to toast the triumph of having discovered a beginning, an ending, or even a single line. She isn't here to see the printed volume, but in a sense she was the first to read it" (p. 53). The collection is dedicated "in memory of Louise" and one hears resonances of the Nobel Laureate's *A Village Life* (2009), a verse meditation on dying and death, phenomena both locally specific and spaceless.

Eigen has a tender and perceptive eye for the brokenness of the world. As a poet, Jacob Eigen is remarkable for the beauty of his words and imagery, for the deep empathy of his heart and verse, and, not least, for his attunement to certain salient aspects of reality which too many of his contemporaries ignore. Amidst the imagery which critics label "surrealist", there is realism in Eigen's verse because he holds a perception of reality within his sights. Eigen is capable of looking up and looking down. Eigen is thereby particularly alert to the callowness and cruelty of the holders of power, whomever they are and wherever they rule. Describing the execution of Boethius in the collection's third section, Eigen writes of "Boethius' Body" that "probably the eyes/the soldiers squeezed from the head/had already deteriorated – along with the brain/that leaked out when they bludgeoned the body to death" (p. 45). At the outset of the second section of the collection, Eigen portrays a holder of power who surveys a city under his sway: "He squinted his eyes and listened. A group of birds rose all at once. A door opened. A whip somewhere stung a horse", yet the holder of power above the city "saw this was just the sound of the prisoners dragging their chains through the sand, on their way to the executions he himself had scheduled for the rising of the sun" (p. 19). For Eigen, there are no bloodless hands in the corridors of power. To change the holders of power may be solely an alteration of executioners, with bloodlust ever to be mistrusted. This leads to an understandable urge to retreat along the path of a nature walk into the library or the museum (p. 48) or to the cozy office of a friend in which the writer's desk awaits (p. 53). Yet what emerges from the writer's desk is at once a song of beauty and perhaps a warning (which may be heard or heeded too late). The reader garners the sense from Eigen's prose poems that the poet would make a fine novelist as well.

Amidst the evening dark, the poet also has a sense of humor. In the verse autobiography at the outset of the collection, the author notes of his "Soul" that "Not much is asked of it" (p. 4). Eigen's poems, at their best, have the richness and resonance of fables. In "The Captain's Parrot", Eigen tells of a songbird who has dutifully learnt the phrases of its master only to fall into neglect and abuse, for "when it uttered them now, the captain gave it a mournful look, or told it to shut up, or even flicked it painfully with a bootlace" (p. 30). The parrot, Eigen writes,

> could only sing what it heard. So it learned to imitate the ocean slapping the flank of the boat, the ice clinking in the captain's glass, and even the snap of the whip that hit it. That was how we found it: in a bad state, living in a cage filled with its own dried feces and shed feathers, with the sounds of the world inside it (p. 30).

Eigen, here and throughout, is not writing solely of songbirds.

The Twenty-First Century is a beautiful book. The themes of the collection are dreams, death, and whether there can be meaning (and beauty) in the face of death. The book is also a meditation on the possibility and impossibility of freedom within the framework of contemporary life. With his dream-songs, Eigen is in accord with Celan that there are still songs to be sung. Indeed, the collection's title poem contends, "it would be many years until the distinction between all languages was erased" (p. 33). Good and thoughtful poems are still being written in American English and Jacob Eigen is writing them.

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SIEO refers to the assimilated *Studies in Emergent Order*

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Cosmos + Taxis (C+T) offers a forum to those concerned that the presuppositions of the liberal tradition have been severely corroded, neglected, or misappropriated by overly rationalistic and constructivist approaches. The hardest-won achievements of the *classical* liberal tradition have been the wrestling of epistemic independence from overwhelming concentrations of power, monopolies and capricious zealotries.

C+T publishes papers on complexity, broadly conceived in a manner that is accessible to a general readership with particular emphasis on political economy and social philosophy. C+T is not committed to any particular school of philosophical thought or philosophical style.

C+T offers a forum distinctively engaging the growing confluence of interest in **situated and distributed** liberalism emanating from the Scottish tradition, Austrian economics, and non-Cartesian philosophy.

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