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

WODAN GRAMBYEL

Laboratório de Política, Comportamento e Mídia da Fundação São Paulo/PUC-SP – LABÔ

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.

REFERENCES

Alexander, James. 2015. A Dialectical Definition of Conservatism. Cambridge: Cambridge University Press.

Franco, Paul. 1990a. Michael Oakeshott as a Liberal Theorist. *Political Theory*, 18(3):411-436,

_____. 1990b. *The Political Philosophy of Michael Oakeshott*. New Haven: Yale University Press.

_____. 2004. *Michael Oakeshott: an Introduction*. New Haven: Yale University Press.

Oakeshott, Michael. 1991. *Rationalism in Politics and Other Essays*. New and Expanded Edition. Indianapolis: Liberty Fund.

_____. 2002. *Experience and Its Modes*. Cambridge: Cambridge University Press.

_____. 2003a. *Sobre a História e Outros Ensaios*. Rio de Janeiro: Topbooks.

_____. 2003b. On Human Conduct. Oxford: Oxford University Press.

_____. 2014. *Selected Writings Collection*. Ed. Luke O'Sullivan. Thorverton: Imprint.

_____. 2016. *Conservadorismo*. Ed. and tr: André Bezamat. Belo Horizonte: Âyiné

Quinton, Anthony. 1978. *The politics of imperfection: The religious and secular traditions of conservative thought in England from Hooker to Oakeshott*. London and Boston: Faber and Faber.

Scruton, Roger. 2013. No Mere Academic. *American Spectator*. Sept.: https://eppc.org/publication/no-mere-academic/

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.