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A New Look at Michael Oakeshott

Michael Oakeshott (1901–1990) chaired the Political Science Department of the London School of Economics from 1951 until his retirement in 1969. During that time he was widely regarded as an inspiring teacher, a pioneering scholar of Thomas Hobbes, and a leading conservative academic. He was best known for learned essays with a polemical edge. First collected in Rationalism in Politics and Other Essays (1962), the most influential were written in the postwar decade when Britain was debating the terms of her return to normality. Readers were especially drawn to his 1947 critique, “Rationalism in Politics,” which they celebrated, correctly, as a vindication of the traditional, habitual, and customary over the technocratic, premeditated, and gnostic.

Oakeshott’s contribution to conservatism was also widely recognized. William F. Buckley, Jr., for example, invited Oakeshott to be one of the featured speakers (others being Barry Goldwater and Ronald Reagan) at National Review’s 20th anniversary celebrations in 1975.

Quite independently of politics, Oakeshott was deemed by a smaller circle of admirers to be a major 20th-century philosopher. But the evidence to clinch this judgment did not come until well into his retirement. In his 75th year he published On Human Conduct (1975), which laid out a theoretical perspective from which to view the humanities and sciences, politics and religion, law, and the development of the modern state. Further collections of essays on education, historiography, and the rule of law gave added weight to the judgment of his obituarists that he was, in the words of the usually anti-conservative Guardian, “perhaps the most original academic political philosopher of this [20th] century.”

In the two decades since his death his reputation as a philosopher has steadily grown. Five publishers—Cambridge, Oxford, Yale, Imprint Academic, and Liberty Fund—have printed and reprinted just about everything Oakeshott ever wrote (or spoke in formal lectures and broadcasts), including materials he chose to withhold from circulation. The depleted inventory of his unpublished writings is now reduced to his intellectual correspondence, love letters, notebooks, and reading notes—and most of these are already in the pipeline for future public notice.

The secondary literature has more than kept pace with the primary materials. This past academic year marked a milestone in Oakeshott commentary. Two university presses—Cambridge and Pennsylvania State—have between them enlisted editors from the United States, Canada, and Israel to marshal 29 essays into Companion volumes to the philosopher’s work. Academic Imprint has released the 12th monograph in its decade-long Oakeshott Studies series. A Chinese and an American scholar have collected nine of their articles to produce an East-West counterpoint on Oakeshott’s thought. From Germany come 18 contributions from the Jena Conference of the Michael Oakeshott Association, an international scholarly group whose biennial meet-
ings have thus far issued in a steady stream of published proceedings. In all, within a year marked by no anniversary, death, retirement, or other commemoration some four dozen scholars from four continents have published in hardcover about Oakeshott.

For a writer who shunned celebrity during his lifetime, the explosion of academic interest is not without its ironies. Though himself a notable interpreter of other philosophers, Oakeshott cautioned against confusing scholarship with philosophy itself:

> Philosophy, the effort in thought to begin at the beginning and to press to the end, stands to lose more by professionalism and its impendimenta than any other study. And it is perhaps more important that we should keep ourselves unencumbered with merely parasitic opinion than that we should be aware of all, or even the best, that has been thought and said. For a philosophy, if it is to stand at all, must stand absolutely upon its own feet, and anything which tends to obscure this fact must be regarded with suspicion.

Even so, there is no disgrace in learning from commentators. Contributors to these volumes include pioneering editors and interpreters of Oakeshott’s work. Many knew him as colleagues or students. Others write with the clan of having discovered him for themselves, often by way of doctoral dissertations on some aspect of his corpus. Still others are grounded in one or another specialty his work touched.

Among the more colorful topics taken up in this year’s harvest is Oakeshott’s mastery of metaphor and allegory, his appreciation of the arts and religion, his view of science, his romantic pursuits, his ardent defense of liberal education, his problematic place along a liberal-conservative spectrum, his points of comparison with other 20th-century writers (including papers discussing Hannah Arendt, Kenneth Arrow, Isaiah Berlin, Hans-Georg Gadamer, Friedrich Hayek, Martin Heidegger, Hans Kelsen, Carl Schmitt, Quentin Skinner, Leo Strauss, and Eric Voegelin), his lessons for our life and times, and the powerful affective subtext reinforced by his silences and style. But ultimately, what justifies the critical attention are philosophical virtues: the elegance, economy, persistence, and underlying vigor of Oakeshott’s thought. He did manage to “press to the end,” or at least to durable resting points, on four grand themes: practice, the rule of law, history, and philosophy itself.

**Evolution of an Idealist**

OAKESHOTT’S PHILOSOPHICAL BOOKS appeared episodically—Experience and Its Modes in 1933, The Voice of Poetry in the Conversations of Mankind in 1959, On Human Conduct in 1975, and On History and Other Essays in 1983. At the same time, in a continuing stream of essays, lectures, articles, reviews, and correspondence he left markers that reveal his evolution and self-criticism across a range of topics. The path he took was determined more by an inner search for coherence than any desire to build a school of thought or to respond to outside influences.

Oakeshott’s early and ardent declaration of adherence to an “idealism” derived from Plato, Hegel, and A.C. Bradley has given rise to discussion about just what kind of idealist he was, to what extent he abandoned his youthful views, and the ways his critical position shaped his thought on politics, history, and other topics.

Efraim Podoksik, the editor of the Cambridge Companion, includes an illuminating essay of his own on “Oakeshott in the Context of German Idealism,” which he takes broadly to include the German school of historical sociology as well as the “life philosophy” of the early 20th Century. Podoksik portrays Oakeshott not as borrowing from German thought but rather as thoroughly absorbing and re-casting it in his own idiom. His companion piece in the German collection, Praxis und Politik, notes some striking parallels between the early Oakeshott and Georg Simmel.

David Boucher appears in both Companion volumes with learned essays on the British Idealists. In both pieces, Boucher argues that notwithstanding changes in terms, tone and concepts, Oakeshott remained faithful to the idealist vision of a unified philosophical criterion (“monism”) from which to expose and situate the incompleteness of conventional dualisms.

While appreciative of the scholarly background, Wendell John Coats, Jr., sounds a cautionary note in the collection of his and Chor-Yung Cheung’s essays: he reminds us that “in the case of a thinker as original, self-reliant, self-referential and imaginative as Oakeshott it is not especially useful to try to understand him within established schools of thought (contemporary or otherwise).”

As if in anticipation of this criticism, each Companion includes a careful essay presenting the evolution of Oakeshott’s thought on his own terms. James Alexander (Cambridge’s volume) arrays the changes schematically, highlighting discontinuities, while Kenneth McIntyre (Penn State’s) tries to follow the movement of Oakeshott’s thought without imposing an extraneous structure upon it. Neither essayist speculates much on the philosophical grounds for the changes they both observe—of which the most far-reaching is Oakeshott’s switch from the term ‘philosophy’ to ‘theorizing.’ It may be just as well, for though Oakeshott’s thought invites deep scholarship, its underlyng intellectual energy on this level eludes the standard scholarly tools.

**Practice, Rationalism, and Tradition**

IN A PIVOTAL ESSAY ON “THE FATE OF RATIONALISM IN OAKESHOTT’S THOUGHT” (Penn State) the late Kenneth Minogue, a long-time colleague at the London School of Economics, contrasts Oakeshott’s “philosophical vocation” with his “holiday excursions into condemnation,” among which Minogue numbers the 1947 critique. While noting that the essay on rationalism (along with a subsequent 1950 essay on “Rational Conduct”) was firmly anchored in Oakeshott’s overall philosophical position, Minogue argues that he dropped the focus on rationalism quite early in a quest for an ever more complex and nuanced grasp of practical experience. Minogue’s larger point is that every time Oakeshott introduced a judgmental dualism it prodded him to further reflection until he could reframe it philosophically.

In the Cambridge Companion, Stephen B. Smith extends this insight. Much as Minogue notes the receding emphasis on rationalism, Smith remarks on the shift, acknowledged by Oakeshott himself, away from the countervailing notion of tradition. In “Practical Life and the Critique of Rationalism,” Smith treats the postwar essays as a waystation toward the more accomplished explication of practice in On Human Conduct. Indeed, he reads the entirety of Oakeshott’s work under the dual categories of theory and practice—as a lifelong and ultimately successful effort to carve out an appropriately modest, but nonetheless essential, role for reason in moral conduct. He rests his argument on Oakeshott’s recasting of Plato’s cave allegory, in which the philosopher/theorist is portrayed not as having superior knowledge, but as a valued conversationalist among the cave-dwellers.

There is a firm logical basis for the changes that Minogue and Smith observe: in going beyond both terms—rationalism and tradition—Oakeshott did not merely alter his vocabulary. He surmounted an untenable dualism. In Oakeshott’s original usage rationalism is a “fashion,” while tradition is a residual vocabulary. But ultimately, what justifies the critical attention are philosophical virtues: the elegance, economy, persistence, and underlying vigor of Oakeshott’s thought. He did manage to “press to the end,” or at least to durable resting points, on four grand themes: practice, the rule of law, history, and philosophy itself.
made clear, mainly in the form of rationalist attacks on tradition. In his fully developed approach, an interpenetrating multiplicity of “practices”—of politics, teaching, engineering, cooking, Christian life, speaking English, flute-playing—is presented as the inescapable condition of human conduct. The effect of this change is to shift the focus to the specific exercise of human intelligence distinctive to each ongoing practice and to each action within it. Within a practice every action is now seen as a performance disclosing and shaping the character of the agent, while the accumulating performances of diverse agents, in their turn, shape the future of the practice itself. This supple, reciprocating model does not negate the earlier critique of rationalism in politics, nor does it invalidate the evocative view of the best political action as inspired by “intuition” from within a tradition, but it does remove the rationalism-tradition dichotomy as a fulcrum of Oakeshott’s thought.

In his mature understanding of practice, Oakeshott also more adequately recognizes the vast modern realm of expertise. Where-as it was possible to misread the earlier rationalism essays as a wholesale attack on knowledge-based choice, On Human Conduct explicitly acknowledges a kind of truncated theorizing used to inform deliberation within various practices. Oakeshott now sees “a store of well-attested propositions” as forming a critically maintained repository of “moral and prudential lore,” sometimes treated as “exact and reliable general theorems.” In practices like medicine or engineering such praxiologistic theorems are “by no means worthless”: they can introduce into deliberation weighty, evidence-based considerations. In all, the revised terms of discussion shed far more light on Oakeshott famous during his lifetime. Nevertheless, Oakeshott’s original critique of rationalism was so seductively eloquent that it still holds much of the secondary literature in thrall. In his book Oakeshott on Rome and America, Gene Callahan elevates the rationalism-tradition dichotomy into two ideal types for historical inquiry. In cosmetic deference to Oakeshott’s late usage, he re-labels the “traditional” as the “practical” or “pragmatic,” and then embarks on a lively and well-plotted excursion, in Minogue’s sense, into the “pragmatic” politics of the Roman republic (including a delicious sheaf of quotations from Cicero on the limits of philosophy) set against the “rationalist” frailties of written constitutions in general and of America’s in particular. His view of American rationalism takes its cue from three forceful pages in Oakeshott’s 1947 critique, though he is aware of Oakeshott’s later cross-cutting view, expressed in a posthumous essay edited by Timothy Fuller, that the United States was founded with “the most profoundly skeptical constitution of the modern world.”

Callahan fastens on instances in which rationalist-constitutionalist principles failed the founders of the American Republic, so that they had to fall back on pragmatic expedients, including the well-known compromises over representation and slavery. The course of early American history is then read as illustrating the rationalism-is-folly theorem. A striking example is Callahan’s analysis of the 1803 Louisiana Purchase, presented as a prime case in which old-fashioned Reapalastik triumphed over rationalist principle: President Thomas Jefferson by his own admission pushed the purchase through under the treaty power without the constitutional amendment that his own strict constructionist principles should have required. This was not mere hypocrisy, Callahan argues, but the inevitable collapse of abstract principle in the face of concrete events.

But under Oakeshott’s revised terms—which encourage us to distinguish among deliberation, persuasion, and explanation in the relevant practices—events become more intelligible and the protagonists are seen as more acute. The overwhelming Senate rati-
fication of the Louisiana Purchase may now be read both as a deft procedural move within constitutional practice shaping the future of that practice (the use of the treaty power became a durable precedent) and as a ringing endorsement of the expansive republican vision behind the U.S. Constitution itself. Such a reading credits the protagonists with sapientia civilis (civil wisdom) reinforced with erudition.

The bookish Jefferson, after all, was the author of a manual of parliamentary procedure. His secretary of state during the intricate diplomacy and financing of the purchase was the even more bookish James Madison, who had expounded in The Federalist the novel proposition that an extended federal republic would be a more reliable guarantor of liberty than the small city-state of classical republican theory. The Louisiana Purchase was thus seized upon not merely as a strategic land grab (raising the stars and stripes over the port of New Orleans and the western bank of the Mississippi), but also as a bonanza for Mr. Madison’s theorem: it doubled the territory of the new federal republic, the better to secure for posterity the blessings of liberty projected in the Preamble to the Constitution. To see in the event only the undoing of a quixotic rationalism by Realpolitik understates the republican impulse in America’s westward expansion.

Politics and the Rule of Law

Oakeshott’s most carefully considered work in politics addresses what he variously calls the civil condition, civil association, and the rule of law. As with the role of reason in the practical life, he struggled for decades to develop a view of law that would reconcile the compulsory character of the states of modern Europe with the robust individuality that had taken shape more or less concurrently with them.

In an exemplary piece, Noël O’Sullivan (Penn State) traces Oakeshott’s preoccupations with law and limited government from the early 1920s, through his essays in the 1930s on a philosophical jurisprudence, and finally into his mature work of 1975 (“On the Civil Condition”) and 1983 (“The Rule of Law”).

The mature essays introduce with precise technical import such Latin terms as lex, jus, cives, civitas, and respublica that are stumbling blocks even to the avid reader. Noël O’Sullivan helpfully translates them into common parlance. He distills several key features that enable one to understand civil association affirmatively, in terms of its conceptual structure, or “postulates.”

One may also present it in terms of opposition to “enterprise association.” That is, the state might be seen alternatively in terms of accomplishing collective purposes (enterprise association) or sustaining the rule of law (civil association) as a framework in which individuals might pursue their own purposes. As Oakeshott sees it, every modern state strikes some balance between these two models, or modes of association.

That Oakeshott had been using some version of this dualism for decades is noted by Paul Franco and Leslie Marsh in the convenient five-page précis of Oakeshott’s life and work that begins their editors’ introduction to the Penn State volume. What is new in the later work is the understanding of civil practice in terms of its postulates.

William A. Galston’s “Oakeshott’s Political Theory: Recapitulation and Criticisms” offers a professional account of Oakeshott’s political thought that, up to a certain point, fully merits its inclusion in the Cambridge Companion. Galston, a sometime practitioner in “the real world of politics,” thinks he has understood one great truth about that world that Oakeshott missed: “there is no [political] ordering,” he concludes, “that can leave multiplicity untouched or individuality untrammeled.” Most other readers have seen Oakeshott’s work on civil association as addressing precisely that problem by positing a criterion against which the political order might, in Oakeshott’s phrase, be rendered “least burdensome.”

Where Galston goes awry—and, as we have suggested, the secondary literature abounds in this failing from admirers and detractors alike—is in using Oakeshott’s more colorful essays to undo rather than to understand the refinements that the philosopher later reached in a more demanding theoretical idiom. Galston fastens on perhaps Oakeshott’s most scathing piece, “The Masses in Representative Democracy” (1961), collected in the expanded, posthumous edition of Rationalism in Politics. He reads its critique of the anti-individual as a key to the man behind the philosophical work; he devotes more space to it than to any one of the mature essays and indeed than to all the other collected Rationalism essays combined. This enables him to describe the theoretically demanding essays of On Human Conduct as merely providing a “veneer of self-restraint,” through which he sees a writer so ferociously fixated upon an essentially aristocratic notion of individuality as to denigrate a Whitmanesque faith in the common man, to slight both Aristotle’s purposive vision of politics as aimed at the common good and America’s foundation of it in self-evident truth, and to reject politics itself as the realm of ultimate meaning.

The man behind the work, while guilty as charged on most counts, is considerably more complex than Galston makes out—and in the Companion volumes Corey Abel, Elizabeth Corey, Timothy Fuller, Robert Grant, and Dana Villa shed light on his underlying sensibilities—but the relevant question here is not whether Oakeshott’s unspoken sentiments are congenial, but whether the philosopher’s composition of concepts adequately defines what is necessarily presupposed in the rule of law: do the postulates hang together in such a way as to defy addition or subtraction? Though all lasting human institutions must be grounded in doctrine, has the rule of law achieved an inner coherency apart from this or that doctrine with which it has been historically associated? To put it another way, is equality before the law now conceivable without the support of divine command, natural law, natural right, popular sovereignty, or other doctrines that may continue to add strength to it?

The logical crux of Oakeshott’s effort is an understanding of legal obligation and legal authority as logical correlatives. In the step-by-step recapitulation of On Human Conduct that precedes Galston’s essay, Paige Digenes and Richard Flathman pierce through to this correlative relation. It is fundamental because once one understands legal authority and legal obligation as necessary to define each other, living under the rule of law will assume a moral, non-instrumental, self-limiting, and self-sustaining character—“moral” in the
sense that respect for the law is accepted as an end in itself, “non-instrumental” in that no extraneous purpose is needed to justify it, “self-limiting” in that the terms of obligation are clearly specified and the source of authority precisely located, “self-sustaining” insofar as legal authority is kept in good repute under whatever the prevailing notions of justice. One respects the law (or “subscribes” to it, in Oakeshott’s more restrained terminology) because it is authoritatively law, even if one dislikes it, chooses to disobey it, or to agitate for its change.

Other concepts are then required to specify, in ramified legalisms, the subjects having equality before the law, the character of the public sphere in which law operates, the activities necessary to authenticating, maintaining, applying, and adapting it, and less formally, the shared culture of ‘civility’ (something more than bare commonality but less than community) that accompanies it. In all this Oakeshott hews to a philosophical minimalism that makes his work an original contribution to the theory of limited government.

There are aficionados of the early essays like Steven Anthony Gerencser (‘Oakeshott on Law,’ Penn State) who appreciate Oakeshott’s mature achievement but seek more meat on the bone. Where, they ask, is a celebration of customary law, of community, of rootedness in culture and tradition that one would expect from the author of the Rationalism essays? They would do well to consult Oakeshott’s posthumously published Lectures in the History of Political Thought, edited by Terry Nardin and Luke O’Sullivan, which are replete with discussions of law and legal thinking in the Greek, Roman, medieval, and modern periods. In these Lectures, Oakeshott sees the progression from custom to common law to positive law in several historical contexts as a liberating response to the increasing diversity of households, clans, communities, and persons falling under unified political authority. What Madison took as the basis for a new construct to extend liberty, Oakeshott taught as an old story—the indispensable role of scale and heterogeneity in the liberating character of Western political practice. All this, of course, falls under the rubric of history, not philosophy, in Oakeshott’s thought.

His Lectures also took due note of non-philosophical, non-historical levels of discourse by practitioners in politics. For example, he saw the genius of Rome in a rhetorically grounded kind of jurisprudential reasoning that helped to preserve legal continuity for nearly a millennium. An analogous kind of discourse can be found in the deliberative rhetoric of modern law and politics, as Terry Nardin (Cambridge) observes in the first essay to survey Oakeshott’s writings on “Rhetoric and Political Language,” mostly from the 1960s and ’70s.

The Autonomy of History

**HISTORY, IN THE SENSE OF THE DISCIPLINE OF WRITING IT, IS ARGUABLY BOTH THE BEST DEVELOPED AND MOST PROBLEMATIC STRAND IN OAKESHOTT’S DECADES-LONG REFLECTION.** As with the rule of law he understands it as a self-standing, self-validating conceptual (or “categorial”) world with postulates of its own added to those of human conduct. The test of a postulate singly is that the writing of history should be unthinkable without it; the test severally is that the postulated concepts together should form a coherent ensemble, in a way that establishes history as a self-validating mode of inquiry.

Discussion of the topic is made more difficult because Oakeshott’s “final” 1983 essays On History were revisions of seminar papers that pre-dated the formulations of On Human Conduct. As a result, the conceptual framework of the 1983 essays is not fully integrated with the 1975 work. It remains an unfulfilled challenge for commentators to provide a logically tight critique that unites the two works and explores the relation of history to other humanistic disciplines that take conduct as their subject matter.

Luke O’Sullivan, who prepares the ground for achieving this integrative goal in his chronologically organized Oakeshott on History in the Academic Imprint series, lays stress in his Cambridge Companion essay on three concepts not fully developed until Oakeshott’s late work: human conduct, contingency, historical events.

The relations among them are fundamen
tal to Oakeshott’s view. Conduct, as we have noted, postulates practices and their further conceptual requirements. It is the organizing category for all theoretical disciplines in which human intelligence is salient. Within conduct, a kind of contingency appears on the interpersonal level as a situational relation, distinct from causation, covering the various ways in which agents respond to each other through the medium of practices.

But contingency for the historian goes well beyond this. The writing of history entails the identification and placement of events in contingent relation. While human events are composed of human beings “conducting” themselves in contingent relations, the agents’ understandings of what they are doing—are their own narratives—are but fodder for the historian’s narrative. Historical contingency, because it is a relation of events, is “categorically” distinct from practical contingency as it appears in the

Martyn Thompson (Penn State), who attended Oakeshott’s undergraduate lectures and graduate seminar, uses Hobbes more generally to illustrate Oakeshott’s multi-threaded approach to “political thought” as embracing everyday political talk, reflective discourse within politics, and genuine theorizing that takes politics as its subject matter. Thus, Oakeshott read Hobbes’s Leviathan as having a conceptual integrity that earns it an enduring place in the history of Western philosophy, above and beyond its place in the history of 17th-century English political doctrines.

Oakeshott’s Teaching

The accumulating critical literature on Michael Oakeshott’s best-developed theoretical themes confirms his own enduring place beyond his century. He developed a self-consistent point of view—a unified theoretical criterion—from which to survey the civilized achievements he theorized, without slitting the substrate of spontaneous activity from which they emerged and were continuously refreshed. His work as a whole—which includes pedagogic, religious, erotic, and aesthetic sensibilities not addressed here—thus combines the austere tones of philosophy with a refugial evocation of the variety of human experience.

There is a kind of teaching in this. At a time when liberal learning is asked to justify its cash value Oakeshott’s corpus provides a countervaluing example: it presents the priceless record of a genuinely theoretical mind questioning, correcting, and unfolding itself. Its quiet force is captured in one of the many arresting observations in his Notebooks, 1922-86, published as this review goes to press: “The business of a teacher is to exercise a formative influence of good example upon his pupils—the only kind of influence which can be exercised without impertinence & accepted without indignity.”

Josiah Lee Auspitz has written about Michael Oakeshott for several periodicals and collections, including, most recently, The Meanings of Michael Oakeshott’s Conservatism, edited by Corey Abel (Imprint Academic) and Praxis und Politik—Michael Oakeshott im Dialog, edited by Michael Henkel and Oliver W. Lembcke (Mohr Siebeck).

Hobbes as Philosopher

Oakeshott was one of a handful of scholars to launch the 20th-century reassessment of Thomas Hobbes, which began in Germany with Carl Schmitt and Leo Strauss. He did so both in published work and in his courses on political thought at the London School of Economics.

To address this topic the Companion editors have recruited Noel Malcolm (Penn State’s volume), who has edited Hobbes’s correspondence and the definitive three-volume English-Latin critical edition of Leviathan, and Ian Tregenza (Cambridge’s), the Australian author...
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