Under the Law of Ruin: Practice, Aesthetics, and the Civil Association

Eno Trimçev

"It is always a significant question to ask of any philosopher," Iris Murdoch remarks, "what is he afraid of?"[1] Oakeshott's greatest fear seems to have been to be stuck in—or rather to be overly vulnerable to—what he called 'the world of practical experience' or the world *sub specie voluntatis.*[2] He is afraid of the grip of practical experience with its desires, wants, and needs; and he is afraid of its future-oriented temporality in which the present world is "used, used up, and worn out."[3] Usually not liable to pathos, he exclaims: "Not until we have become wholly indifferent to the truths of this world of practice, not until we have shaken off the abstractions of practical experience . . . shall we find ourselves once more turned in the direction which leads to what can satisfy the character of experience."[4]

This fear, it seems to me, is *the* philosopher's fear. It was there at the beginning of our philosophy in Plato's fear of the cave,[5] at the beginning of our politics in Rousseau's fear of bourgeois society,[6] and arguably at the end too, in Heidegger's horror of "the 'they'" (*das Man*)[7] and

E. Trimçev (✉)
Institute for Political Science and Communication Studies, University of Greifswald, Greifswald, Germany
e-mail: eno.trimcev@uni-greifswald.de

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technological society. The fear is, of course, retrospective; only *after* having tasted what is other than practice does one develop an awareness of its "something of a prison"[8] nature. What makes the philosopher fearful, it seems, is the contingent, unwilled, wholly hazardous nature of the event that made philosophy possible for her. Thus, in Plato's fable the philosopher-to-be "is released and suddenly compelled to stand up"[9] and "dragged . . . away from there by force"[10] rather than freed by his own wits. For Heidegger whatever thinking is, it is not a willed "preoccupation with philosophy;"[11] and who knows if we would have ever heard of Rousseau had he not picked up the *Mercure de France* on the road to Vincennes on that October day in 1749.[12]

If the philosopher's fear originates in the awareness of a past contingency, it culminates in fear of another future contingency: the possibility that she may lose her capacity to philosophize. For "the world of practical experience," as Oakeshott puts it, "can so easily subdue and enslave" other worlds of experience which, after all, are themselves "in origin and impulse, practical."[13] Helped by philosophers and non-philosophers alike, it raises a "claim to the sovereignty of the entire realm of experience":

> 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 is within this world that we pass our lives.[14]

Since "practice is the conduct of life", "[w]e depart from it but rarely, and such departures are always excursions into a foreign country."[15]

This essay reads Oakeshott's views on practice, politics, and aesthetics in light of the principle of technological and scientific progress. The first section investigates the experience of practical activity in such a world. It argues that the temporal structure of the world of practice as future-orientation brings about its decay over time as progress extends the reach, quickens the pace, and intensifies the grip of practical experience on the psyche. The second section investigates the effects of this degenerative account on the two tasks of Oakeshott's civil association: the cultivation of authority and the accumulation of power. The two, it argues, have different temporalities; authority is past-oriented and thus it is undermined by the historicity of practice while power is future-oriented and therefore it is stimulated by it. Accordingly, power loves progressive practice and grows with it, authority does not and withers away. The third section then considers the role of aesthetics or poetic activity in this degenerative account.

It argues that aesthetics with its temporality of presentness restores to practice something of the balance that progress takes away from it. Hence, civil association must mind the increasingly problematic relation between the two. This, it concludes, requires not the scaled-back virtue of moderation but the scaled-up virtue of justice. The degenerative historicity of practice proves to be an education for the occupiers of the ruling offices ("rulers") of the civil association.

1 Practical Experience and Progress of the Sciences and Arts

This section teases out the meaning of Oakeshott's world of practice for us children of the Age of the Enlightenment. To do so I read his analysis of practice "as such"[16] through the Rousseauian insight that our world is constituted by "progress of the Sciences and Arts."[17] To work out how that world unfolds in time, I imaginatively insert the principle of progress in Oakeshott's world of practical experience.[18] I then work out the implications that this has for politics in the second section and its relation to aesthetics in the third section. Accordingly, the first section refers mainly to Oakeshott's *Experience and Its Modes*, the second focuses on his *On Human Conduct* and the third on *The Voice of Poetry in the Conversation of Mankind*.

Here I am interested in two of the features of practice: its *content*, as the world where we pursue and satisfy our wants, needs, desires, and ideas and its *temporality*, as future-oriented action essentially engaged "in the alteration of 'what is' so as to make it agree with 'what ought to be.'"[19] My argument is the following: first, the grip of practical activity on human life is in a direct relationship with the development of arts and sciences. That is, practice grows, intensifies, and deepens its hold on the human psyche as civilization progresses; and its capacity to overgrow other modes, worlds, or experiences grows accordingly. It follows, secondly, that over time the practical self becomes more alienated from what is present, more forgetful of what is past, and hence more inept at acting practically. Thirdly, a world of such practical selves becomes increasingly collectivist. Impressed by the greater capacity of the collective to work, organize, plan, and administer for the future, such practical selves shift the burden of life from themselves to the collective. The irony of the historicity of our world of practice is this: when viewed from within practical experience, the

increasingly intense egoism of the practical self culminates in a well-regimented collectivized life. Oakeshott's politics of rationalism is thus more of a consequence of the temporality of practice under conditions of progress than a contingent historical error.[20]

There are myriad indications in Oakeshott's texts that point to this historicity. Historically, it is present in his account of the tendency of the modern state imagined as an enterprise association to overshadow its antagonist, the civil association, in the third essay of *On Human Conduct*;[21] in his fear of collectivist projects that had become an ever-greater possibility due to technological progress in *The Politics of Faith and the Politics of Scepticism*; in his admission that "almost all politics today have become Rationalist or near-Rationalist"[22] due to the "sovereignty of technique"[23] in *Rationalism in Politics*; in his rejection of the thesis that humankind is in the process of becoming free from ideological politics in his review of Aron's *The Opium of the Intellectuals*; in his urgent defense of liberal education in a time of mass democracy and technological society in *The Voice of Liberal Learning*; and, in his lament in *The Voice of Poetry* that "the conversation" in which all modes and voices come together "has become boring [both in public and within ourselves]."[24] Analytically, it is present in the assertion that mortality—the "devastating mortality of every element of practical existence . . . pleasures and pains, desires, achievements, emotions and affections"—is "the presiding category in practical experience"[25] and in the name "tradition"[26] that he employed for it for a while. And it is there in the grip that practical experience has on the psyche of the self. Practice, says Oakeshott, is the most pressing sort of experience. It presses on the human being for the simple reason that she needs to live, to do things, to choose this or that (e.g., "to go on changing one's butcher until one gets the meat one likes"[27]). If she escapes it, she must return to it. It is this psychic pressure, I claim, that intensifies over time due to progress in the arts and sciences. The fear of the philosopher is that, at some point, it may become all-encompassing.

Practice, Oakeshott says, is "the alteration of practical existence . . . the alteration of 'what is here and now' so as to agree with an idea"[28]; it is wholly dependent, therefore, "upon an unrealized idea, a 'to be' which is 'not yet.'"[29] It follows that practice has a temporal structure. It is its business to break down the discrepancy between the present world of 'what is here and now' and the future world of 'what ought to be' "but to break it down *in one direction only*."[30] It "purports to throw reality into the future, into something new and to be made."[31] The present world of the desiring

self is viewed from the vantage point of futurity where her ideas are realized and her desires are fulfilled;[32] in it "what is valuable is what ought to be."[33] Practice is "force and motion;"[34] in it "all thought is for the sake of action"[35] and all fact is transient.[36] Finally, practice raises a monopolistic claim on the whole of reality: "practical experience cannot tolerate the suggestion that 'existence' may signify being in any world save its own world of practical fact."[37] And for these reasons, this is a world of perpetual dissatisfaction, dependency, and endless compulsion: "Nowhere in practice is there uninterrupted progress of final achievement;"[38] "[e]ach point in the process which offers itself as a stopping-place, so soon as it is reached, reveals its own inadequacy, and compels us to go forward;"[39] "[p]ermanent dissatisfaction (no matter how satisfied we may be with ourselves and our achievements) is inherent in practical experience."[40]

To be sure, Oakeshott asserts that an essential feature of practice is its fecundity; practice begets practice and thus renews itself.[41] Individuals "replete with opinion, prejudice, habit [and] knowledge"[42] ascribe to the rules of practice by the mere fact of living among others. Knowledge of them is possessed practically, i.e., initiates or apprentices learn it from more competent adepts; a process whose practical nature helps them intuit when to modify or throw them away. Accordingly, practice requires virtuosity; it ought to be viewed as "an instrument to be played upon, not a tune to be played."[43] Its enacted traditions have an inner renewable richness that may withstand the vicissitudes of history, scientific progress, or theoretical error far beyond what we may soberly expect. "[T]he life of primitive men," he notes, "certainly, is immersed in practice . . . [b]ut there, also, the possibilities of practice remain undeveloped."[44]

Yet it is my thesis that the historicity of our world of practice militates against this fecundity by the sort of changes it introduces in practical experience and the selves experiencing it. First, progress *manufactures* new desires, wants, needs, goals, and ideas of 'what ought to be', thus *extending the reach of practice*.[45] Second, progress *quickens* everyday, lifetime, and epochal change—"the concept or category under which reality is known in the world of practical existence"[46] for Oakeshott—thus *accelerating and densifying the transient contents of practice*.[47] Third, progress *increases* the "disproportion between our desires and our faculties,"[48] thus *intensifying and deepening the grip of practice* on the psyche of practical selves. In other words, the world of 'what ought to be' increasingly overshadows the world of 'what is here and now'. As practical selves become ever more future-oriented, they also become ever less mindful of the

present. It follows, I argue, that the practical self becomes, on one hand, *ever more forgetful* of the traditions, institutions, and relationships that enable her to be where she is and, on the other hand, *ever more alienated* from the present institutions and fellow practical selves in the 'world of here and now'. Hence, she becomes *ever inepter* at playing the instrument of practice. And to top it all off, she is over time increasingly delivered to the collective through the social manufacture, quickening, and intensification of the world of practice; if practice is change or *becoming*, practical activity is increasingly *becoming collective*. Viewed strictly from within itself, the politics of rationalism is the result of the historicity of progressive practice.

To see this, let us imagine what the desiring self is like once she becomes 'self-aware'. Self-awareness here means awareness of one's future-orientation, i.e., of one's own 'what ought to be' that is uniquely appropriate to one's self. Due to progress, this futural vision increasingly gains in relative reach, density, and grip; if practice is the attempted reconciliation of the discrepancy between present and future worlds, it becomes increasingly discordant over time. The standard for judging 'what is here and now' increasingly becomes the futural 'what ought to be'. The present world of 'what is here and now'—including one's present self, one's associates and friends, the society in which one is born, and the wider world—are brought in front of the court of future destiny. On the other hand, because the facts of the future world are socially-manufactured, ever-multiplying, and further-receding from one's present faculties and capacities, the life of the practical self tends ever more to become "an incoherent collection of isolated desires, hopes, fears and achievements" which Oakeshott calls "repugnant" for being "contradictory of practical experience."[49] That is, just as the present world of 'what is here and now' falls into disrepair, the action of reconciling the two that is practical experience becomes ever more incoherent. The world of practice decays and disintegrates accordingly.

Under conditions of progress in the arts and sciences, then, practical experience becomes increasingly destinal experience, i.e., *alienation* from what is present and *forgetfulness* of what is past in the name of future destiny. The destinal self is ever more alienated outwardly, from other selves pursuing their own competing destinies, and inwardly, from non-destinal experiences. She is ever less capable to *be* in other modes, *speak* in other voices, or *act* in other registers that may scramble her destinal receptors. And she is ever more forgetful of the traditions, practices, and institutions

upon which she stands.[50] The world of 'what ought to be', after all, exists mostly in the future tense; it is not a factual world.[51] The practical self appropriates what is presently available for the sake of the future; her business is to articulate an imagined future, plan towards it, and seek to bring it about. These acts of appropriation are unlimited: they are *ever greater* because of the increasing social production of 'what ought to be'; *ever quicker* because of the increasing speed of change from 'what is' to 'what ought to be'; and *ever more gripping* because of the intensifying reach of practice on the psyche of practical selves. As progress strengthens the hold of futurity on the present, her virtuosity of coherence slides into the faux-virtuosity of *making things happen*: vision, calculation, and resoluteness.

It follows that the experience of living together in a community appears to these selves as increasingly problematic. Over time, as practices diversify with progress, we become increasingly unique beings with our own experiences and destinies. If experienced ahistorically, society appears to these selves as a hopefully useful, certainly random, collection of destinal selves. If experienced historically, it appears as a burdensome, indeed unjust, product of the past. *Ressentiment* against the past as past and present as present for holding desiring selves back from what is properly theirs—their destiny—rears its head. As they become self-aware, destinal selves turn obstinate, bigoted, and capricious; they tend to increasingly perceive authoritative institutions, civil obligations, and social demands as unbearable impositions if they fail to pass judgment in the destinal court. Practical selves find it increasingly more difficult to join together in anything other than power-aggrandizing or interest-representing "self-chosen engagements."[52] The burden of political conduct among increasingly uncivil, egotistical individuals in unrelenting competition with each other and with themselves becomes ever weightier as their capacity to live in the present, to engage each other civilly, and abide by the requirements of civil association is eroded over time.

Moreover, progress increasingly delivers the practical self to the collective as her desires, wants, needs, ideas and futural visions increasingly become manufactured by what Rousseau with characteristic flair called "the useless arts, the pernicious arts, the frivolous Sciences."[53] There are two reasons for this. First, there is the progressively greater technical ability of the collective to control the ever more contingent, erratic, and unpredictable actions and the avaricious selves populating the practical world. As society resembles ever more a random collection of selves, practical selves turn to technological and bureaucratic techniques of power to

police themselves and each other in their individual strivings after their own unique future destinies. Second, there is the increasing necessity of positing some sort of common overarching destiny for the random collection of selves for the sake of social peace and a resemblance of justice. Practical selves need to manufacture a common present by positing a common future either through some articulation of some universal law of humanity as in, say, John Locke; or some political principle of justice in the manner of an insurance policy as in John Rawls; or some common futural vision that destinal selves in the present can get behind as in Karl Marx.[54] So conceived, politics attempts to transform the increasingly hapless practical self into a responsible self who knows how to desire properly, i.e. rationally, by collectively willing the means to bring that vision about. The upshot is the delivery of the individualist practical self to an ever more collective project; alienating and forgetful individualism turns against itself into collectivism.[55]

Is there any wonder then that the erstwhile "quixotic", "foot-loose adventurers"[56] through "a long and intricate story"[57] with "no prospect of a redemption in a technological break-through providing a more complete satisfaction of contingent wants"[58] end up "enjoy[ing] the composure of the conscript assured of his dinner . . . in warm, compensated servility"[59]?

2 Civil Association & Progress of the Sciences and Arts

This section examines the effects of the degenerative historicity of our world of practice on the distinct task of the civil association: maintaining the authority of the ruling offices over time. This requires imagining hypothetically the impact of the continuous extension, multiplication, quickening, and intensification of corporative engagements on political practices. I argue that the task of cultivating authority comes under pressure by progress in the arts and sciences in a threefold sense. From the perspective of the ruling offices, the enterprise of acquiring and exercising power overwhelms the distinct undertaking of acquiring and maintaining authority because the acquisition of power is future-oriented while the cultivation of authority is past oriented. Thus, power moves with practice and extends and densifies with it; authority moves temporally in the opposite direction and is accordingly obscured as a possibility and forgotten as

a problem. From the perspective of the citizens, the corporative engagements undertaken by them multiply in kind and increase in complexity thus tending to supplant the image of *societas* that belongs to the civil association with the rival image of *universitas* (corporate undertaking) over time. And from the perspective of the virtue proper to civil association, civility among citizens is undermined over time as, internally, the requirements of practice press on them ever more intensely and, externally, the multiplication and intensification of divisions among citizens in classes, groups, or factions undermines the recognition of themselves "as formal equals—*cives*."[60]

Thus, the cultivation of authority becomes an increasingly complex problem for the rulers of civil association. The gargantuan task of coming to grips with progress in the arts and sciences requires the continuous adjustment of the activities of the ruling offices to changes in the kinds and scope of citizens' self-chosen engagements or "corporations"[61]—industrial, artisanal, scientific, or civil—and, concomitantly, in the virtue of the citizens. More precisely, this involves the continuous re-staging of the difference in kind between the twin enterprises of authority and power acquisition by the ruling offices on one hand, and the authoritative equidistance between the engagements of state and civil society on the other under *ever worsening conditions.*

Let us recall that, for Oakeshott, the state neither articulates nor manages a vision of the good life. Instead, it is "an authoritative institution which secures conditions that make any number of individually chosen good lives possible and generally compatible with one another, circumstantially affecting how individuals may seek them without claiming or directing the energies of agents for the purposes of 'society', 'the common good', or 'the state' itself."[62] This means that although the civil association has two tasks—power and "an apparatus of governing"[63] on one hand and authority on the other—it is the acquisition and cultivation of authority that is its distinct concern. Authority defines what ruling is ("the exercise of authority"[64]) and the relations between citizens (they are "joined in the acknowledgement of the authority of a practice"[65]). Since the authority in question is that of "law recognized as a system of prescriptive conditions"[66] it does not generate a common purpose but "loyalty to one another."[67]

The cultivation of authority, then, entails two things. First, it requires maintaining the quest for authority distinct from the quest for power which does generate a common purpose; "a central apparatus of ruling," Oakeshott says, "is totally indifferent to the constitution of a government

(that is, to the terms of its authorization to rule)."[68] Second, it requires maintaining the equidistance between the activities of ruling and other types of activities. This involves differentiating between the authority of the rulers as custodians of the law, prescribers of rights, obligations, and the authoritative procedures for making, repealing, amending, and interpreting the meaning of law on one hand,[69] and executive and administrative processes with their "tax-gatherers, excisemen, coast-guards, police, soldiers, etc."[70] on the other. The latter requires transforming, multiplying, and furthering the activities of ruling in order to maintain their distance from the ever-extending reach of the corporative engagements of *cives* due to progress in the arts and sciences.

The cultivation of authority demands the assertion of the indisputability of the ruling offices as the source of authoritative interpretation of *lex*.[71] Certainly, its institutional requirements vary from association to association: in ancient Rome it required protecting the institution of the Senate from elected tribunes and unelected generals;[72] in the early United States it required augmenting the authority of the toothless judiciary;[73] and in post-War Britain the assertion of parliamentary sovereignty against myriad encroachments from above and below.[74] But differently than the task of power which is subtly altered but also facilitated by progress in the arts and sciences, the task of cultivating authority takes place under increasingly adverse conditions. As we have already seen, progress brings about the ever more rapid transformation of the nature and scope of individual wants and desires and the expansion, multiplication, and thickening of the engagements that individuals undertake with one another. Hence, over time it becomes necessary to continuously innovate the procedures of rule-making, and to expand the types and scope of *lex*. These changes are not reducible to innovations internal to the practice proper to the ruling offices—the practice of tending to a set of arrangements—for the myriad of practices being tended to are themselves extending their reach, intensifying their grip, and multiplying in kind.

In this process of innovation, the rulers must be far more efficacious than the enterprisers—capitalists and ideologues of all colors—in dominating the expanding process of rationalization that is at work in civil society. For example, they must break the accumulations of power, wealth, influence and miseducation that unsettle or disable some individual transactions for the sake of others; maintain the equidistance of the ruling offices from the growing reach of the numerous corporations and enterprises undertaken by the citizens; escape ideological capture in conditions

of intensifying rationalism among *cives*; and find imaginative ways to respond to what Max Weber called the disenchantment of the world that results from the "intellectualist rationalization, created by science and scientifically oriented technology."[75]

Oakeshott effectively traces especially the internal decay of the ruling offices in the historical shift of accent from authority to power in modern Europe in the third essay of *On Human Conduct*. While early modern Europeans, he shows, "were more familiar with relationship in terms of law than with any other"[76] authority dissipated over time as with "the two parvenu 'imperial' constitutions and five futile 'republics' of France."[77] Oakeshott's story, of course, resonates with the contingencies of expedient responses, overlapping offices and jurisdictions, false starts, dead ends, and ups and downs by which power overshadowed authority in modern European history.[78] But the underlying reason for this shift, he says, "merely reflects the vast increase in modern times of the ability to control men and things" and the participation of the ruling offices "in the procedures, devices, and inventions"[79] that have occurred over time. The result, despite claims of an "inherited adventure,"[80] is a peculiarly modern *Verfallsgeschichte*; the art of governing degenerated from early modern Europe where rulers to one degree or another already had authority[81] and the *civilis sapientia* necessary to its cultivation while largely lacking "an apparatus of governing to match such an engagement"[82] to an increasing concern with the acquisition of power which "achieved a greater measure of success"[83] at the expense of authority.

The accumulation of power by the ruling offices is stimulated by the historicity of practice because the extension, densification, and intensification of the world of practice necessitates it. If the corporative engagements undertaken by *cives* multiply in kind and increase in complexity with all that that entails, the offices of rule must acquire ever more extensive, dense, and capillary observatory, regulative, and policing capacities. Just like the world of practice, power acquisition is future-oriented; it relies on future power projection. Authority, on the other hand, comes from the opposite temporal direction. It is based on the past effectiveness, wisdom, or justice of the rulers or offices of rule that they have authority today. But it is precisely the memory of the past in the 'here and now' that is elided by the intensification of the future 'world that ought to be' under conditions of progress. It is no wonder then that Hannah Arendt, in her considerations on authority, is forced to ask: "What was—and not what is—authority?"[84] And given the forgetfulness inherent to practice, she is

obliged to answer: "Practically as well as theoretically, we are no longer in a position to know what authority really *is.*"[85] Or, as Alexandre Kojève put it, if authority by definition excludes force, and right is authority plus force,[86] the dissipation of authority over time reduces right to sheer force. Is it any wonder then that the process of power acquisition comes to be preferred due to the increasingly heavy burden on the shoulders of the rulers?

3 Poets & Rulers in the Civil Association

This section draws back from this dystopic vision by considering the relations between rulers and poets or aesthetes in the civil association. Ruling *cives*, it argues, are inferior to the ruled with respect to aesthetic experience. *Qua* rulers they live in the world of practice. This has the practical by-effect of making their cultivation of the authority of *lex* dependent on the ruled endowing the things of the world with authority. Aesthetic *cives* are the precondition for there to be rule in the civil association sense. Rulers, however, are superior in one practical respect: engaging in politics continuously rather than intermittently like the others, ruling *cives* possess political knowledge or skill. This difference between ruling *cives* and others turns out to be decisive under conditions of progress. The degenerative historicity of our world of practice brings under the domain of the ruling offices the increasingly important activity of marking out and supervising the boundaries between "the diverse idioms of utterance" which constitute "the conversation of mankind."[87] Over time rulers must move beyond their role as 'masters of ceremonies' possessing the virtue of moderation to agents engaged in the enterprise of ruling with justice; an activity that must be continuously augmented so that the ruling offices properly discharge their role as exploring the intimations contained in "the general arrangements of a collection of people."[88]

Oakeshott distinguishes between poetic and practical activity in *The Voice of Poetry in the Conversation of Mankind*. The real world, he says, is composed of self and not-self which "generate one another"[89] in experience; the not-self is composed of images, the self is the imagining activity of "making and recognizing images, and moving about among them in manners appropriate to their characters."[90] Practical activity is engaged in "expressing or conveying images"; it is learned by imitation and it uses language as a medium of exchange or "coinage".[91] On the contrary, poetic activity is engaged in image-making.[92] In the one 'what is here and now'

is used and, hence, used up for the sake of the future where pleasure is attained, pain is relieved, approval is earned, and disapproval is avoided. In the other, 'what is here and now' is replenished. Its images exist solely in and for the present: "they provoke neither speculation nor inquiry about the occasion or conditions of their appearing but only delight in their having appeared."[93] And everything is liable to appear in the practical, poetic, or other voices. The 'French Revolution', Oakeshott remarks, is a poetic image for Blake and 'democracy' is a poetic image for Whitman but both are also undeniably practical images.[94] Finally, since progress in the arts and sciences became the principle of the world of practice in the last four centuries, politics has been assimilated into practical activity by forsaking any concern with memory, glory, or greatness.[95]

If progress heightens the discrepancy between 'what is here and now' and 'what ought to be' by increasingly favoring the future *ought* to the present *is*, in poetic activity the things of the world "are merely present."[96] Poetry thus recalls the present from the oblivion with which progressive practice threatens it by detaching things, events, or persons "from whatever practical use or significance they might once have had."[97] In it "any scene, shape, pattern, pose or movement in the visible or audible world, any action, happening or event or concatenation of events, any habit or disposition exhibited in movement or speech, any thought or memory,"[98] i.e., *anything* in the world of 'here any now', is granted another temporality. As such, poetic activity not only wrestles the things of 'here and now' away from their future-orientation, but by way of contemplation it loosens the very grip of the future on the present; as the present becomes more meaningful, futural destiny is scaled back to a more moderate *ought*. By appearing when practical activity "[has lost its] authority",[99] poetic activity endows as a practical by-effect the ways of the world of 'here and now' with authority.

Turning to the civil association, the occupiers of the ruling offices are inferior to the ruled from the aesthetic perspective. The requirements of their offices mean that rulers cannot *qua* rulers engage in activities that stand as ends in themselves. The ruled on the other hand, are free to engage in all the voices pertaining to 'the conversation of mankind' whether as imaginative poets, exacting philosophers, scrupulous historians etc.. In fact, it is this freedom that guarantees the authority of law in civil association; should it lose its character as *lex*, law would lose its authority. Hence, not the best, but *a kind* of second-best rules the civil association. This directly qualifies Oakeshott's conservatism for the person that best

embodies a 'conservative disposition'—the patrician bohemian, the poet, the philosopher, the potential theologian and the romantic of the *Notebooks*, i.e., Oakeshott himself—has no business in ruling. His virtue, from the perspective of practice, is 'other-worldly'.[100]

From the perspective of "the modulation of the voice of practical activity *we* call politics,"[101] however, rulers are more virtuous than the ruled. Rulers are distinguished from others by the activities of adjudication, administration, and legislation they engage in and the virtues proper to them. They are not managers or directors of the activities of the citizens, but "master[s] of ceremonies . . . custodian[s] of the loyalties of the association and the guardian[s] and administrator[s] of the conditions which constitute the relationship of *socii*."[102] If rulers must take care not to inflame but to restrain, the ruled ought to abide by the requirements of the rules while they pursue their own ends. The virtue proper to rulers is moderation while the ruled exercise the less demanding virtue of civility. Engaged in the two "interminable enterprise[s]"[103] of acquiring and maintaining authority and power for the ruling offices, rulers must display a "disciplined imagination" that focuses on "the conditions which should be required to be acknowledged and subscribed to"[104] in civil life. From the perspective of politics, therefore, ruling *cives* are superior to the ruled insofar as they possess political knowledge or skill.

Hence, from the practical perspective too, rulers turn out to be less useful than poetic *cives* in one decisive respect. Given the cross-purposes with which the two tasks of ruling work over time, it is the *cives* that, without intending it,[105] endow the present world—its "icons and carpets, idols, buildings and utensils"[106]—with authority. Poets, of course, do not rule in the fixed and precise sense of the term. But if the ruler discharges his obligations through authority *and* power, the poet has no need whatever for power. Of the two, it is the poet who exercises her craft alone without need for an apparatus of bureaucrats, allies, and hangers-on. If we are to engage in image-making for a moment, it is the poet and the poet alone who 'rules' solely through personal authority.[107] It is through her voice that authority comes to be in the world; without it the problem of the authority of law would not arise in the first place.

This demands of the rulers of civil association to recognize the importance of poetic engagements for practice. Civil association, ruling *cives* realize, must make room for the voice of poetry against the propensity of practice to overgrow its own boundaries. The rulers, thus, look up to aesthetics without themselves engaging in aesthetic endeavors. From this

perspective theirs is the particularly delicate task of defending poetry without putting it in the service of practice.[108] There are no a priori rules to be followed in this defense. Direct action through legislation, say, or financial support, may be necessary or harmful insofar as it may demand of poetic activities to embellish practice, endow the laws with authority, or fortify the morals, i.e., to undermine itself. To know how to defend poetry, thus, becomes the highest political skill under the degenerative historicity of practice.

Completing our image-making, then, there are two different sets of rulers in the civil association: the rulers who occupy the ruling offices and are preoccupied with authority and power, and the rulers of what McIlwain calls the "informal regime"; the regime that allows "those who are capable of the deepest individuality to set the tenor of conduct in a political association."[109] In the civil association the two exist in a relation of complementarity: the formal civil association must be formally ruled by the second best for the sake of informal rule by the best. But, in a final twist, it is the vulgar rulers and not the aesthete *cives* who give each voice what belongs to it. Their virtue, it turns out, is not the virtue of moderation as Oakeshott has it, but the virtue of justice, *i.e.*, ensuring that each mode or voice has its own place in the conversation of mankind.[110] The degenerative historicity of the world of practice is equivalent to the education of the rulers.

4 Conclusion

Almost as important as Murdoch's question of fear is the question of the audience of a philosophical work: "for whom does the philosopher write?" If the rulers of the civil association are the custodians of "the equilibrium of the system [of law],"[111] they are Oakeshott's primary audience. It is on their shoulders that the burden of *respublica* falls. He is addressing the second-best. Read in this manner, his work does not belong to the cyropaedic tradition from Xenophon and Machiavelli all the way to Leo Strauss or the sophocratic tradition from Plato to the *philosophes*. Oakeshott's addressees are humbler custodian types; his concern with breaking the primacy, pervasiveness, and architectonic hold of politics on human life placing him in a modern yet secondary line of thought.

If we are to draw a contrast with an era that Oakeshott drew so much from, Oakeshott belongs rather with Castiglione's *Il Cortegiano* rather than Machiavelli's *Il Principe*. Like Oakeshott's ruler, Castiglione's courtier must have a practical sense for the aesthetic; an awareness that practice

contributes to a conversation which it cannot exhaust. The courtier is constrained by his office to view aesthetics in practical terms, i.e., in terms foreign to itself. Because aesthetics cannot be so understood, the castiglionian courtier ought to dedicate himself to the practical protection of aesthetics from practical activity. It is part of her obligations to seek, found, or strengthen the boundaries between different voices that have found expression in *lex* under conditions of progress in the arts and sciences, so the separate and distinct does not unite and mix. *Il cortegiano*, it seems, must be an imaginative conservative.

That seems to me to be Oakeshott's intention, but his thought, unsurprisingly, escapes his intention. Progress in the arts and sciences complicates the activity of ruling over time. To accomplish their obligations, rulers need to be enterprising, forward-looking, innovative, bold, and visionary even if for the sake of conservation. Artful governance demands skill at wearing a mask in order to, for example, move counter-democratically against democratic overreach or radical democratically against corporative, institutional, and elite overreach. In other words, the occupiers of the ruling offices must possess Machiavellian *virtu;* at times, like the Florentine's prince, they may even step in as "creators of practices of civil intercourse"[112] rather than as its custodians.

The introduction of progress in the civil association replaces *Il Cortegiano* with *Il Principe* on the nightstands of the rulers. But Oakeshott's aesthetic sensibility is nothing like Machiavelli's or, rather, "his followers".[113] And it is that which allows him to grant to politics what properly belongs to it.

Notes

1. Iris Murdoch, *The Sovereignty of the Good* (Boston: Ark, 1985), 72.
2. Michael Oakeshott, *Experience and its Modes* (Cambridge: Cambridge University Press, 1933), 258.
3. Michael Oakeshott, "The Voice of Poetry in the Conversation of Mankind," in *Rationalism in Politics and Other Essays*: new and expanded edition, ed. Timothy Fuller (Liberty Fund: Indianapolis, 1991), 514, 540; see also Michael Oakeshott, "Work and Play," *First Things* 54 (1995): 29–33.
4. Ibid., 310.
5. Allan Bloom, *The Republic of Plato*, 2nd ed. (New York: Basic Books, 1968), 514a-540a.

6. Cassirer, speaking of Rousseau's well-known experiences in Parisian society, put it particularly poignantly: "Here another order of things awaited and received him – an order that allowed no scope to subjective arbitrariness and imagination. The day belonged to a mass of activities, and they controlled it down to the last detail. It was a day of work and of conventional social duties, each of which had its proper time and hour . . . the rigid framework of time, determining man's originary working day and dominating him completely, this externally imposed and externally enforced budgeting of life, always appeared to Rousseau as an unbearable restraint on living." Ernst Cassirer, *The Question of Jean-Jacques Rousseau* (New York: Columbia University Press, 1954), 41.
7. Martin Heidegger, *Being and Time*, trans. John Macquarrie & Edward Robinson (Oxford: Blackwell Publishing, 1962), § 27, 163–168 (126–130).
8. Michael Oakeshott, *On Human Conduct* (Oxford: Clarendon Press, 1975), 8.
9. Bloom, *The Republic of Plato*, 515d.
10. Ibid., 515e.
11. Martin Heidegger, *What is Called Thinking?*, trans. Fred D. Wieck and J. Glenn Gray (New York: Harper and Row, 1968), 5.
12. Jean-Jacques Rousseau, *The Confessions and Correspondence, Including the Letters to Malesherbes*, trans. Christopher Kelly, eds. Christopher Kelly, Roger D. Masters & Peter G. Stillman, *The Collected Writing of Rousseau*, vol. 5 (Hanover: University of Press of New England, 1995), 8.294.
13. Michael Oakeshott, *Experience and Its Modes* (Cambridge: Cambridge University Press, 1933), 297.
14. Oakeshott, *On Human Conduct*, 248.
15. Oakeshott, *Experience*, 296.
16. Ibid., 284.
17. Jean-Jacques Rousseau, "Discourse on the Sciences and Arts *or* First Discourse," *The Discourses and Other Political Writings*, ed., Victor Gourevitch (Cambridge: Cambridge University Press, 1997), §16, 9.
18. This account is reminiscent of Rousseau's "hypothetical history" of civilization in the "Discourse on the Origin and Foundations of Inequality Among Men *or* Second Discourse," *The Discourses*, 128, §6/132
19. Oakeshott, *Experience*, 248.
20. Michael Oakeshott, "Rationalism in Politics," *Rationalism in Politics*, 5–42.
21. Importantly, Oakeshott attributes the increasing dominance of the enterprise association to progress in the arts and sciences. See Michael Oakeshott, *The Politics of Faith and the Politics of Skepticism* (New Haven: Yale University Press, 1996), 53.

22. Oakeshott, "Rationalism in Politics," 5.
23. Ibid., 22.
24. Oakeshott, "The Voice of Poetry," 493.
25. Oakeshott, *Experience*, 273.
26. Oakeshott, "Rationalism in Politics," 8–9.
27. Oakeshott, "On Being Conservative," *Rationalism in Politics,* 416.
28. Oakeshott, *Experience*, 288–289.
29. Ibid., 257.
30. Ibid., 290 (my italics—E.T.)
31. Ibid., 305.
32. Ibid., 257–258, 280–281; *On Human Conduct*, 43–6. See also the illuminating "Future, Past, and Present" chapter in Elizabeth Campbell Corey, *Michael Oakeshott on Religion, Aesthetics, and Politics* (Columbia: University of Missouri Press, 2006), 46–72.
33. Oakeshott, *Experience*, 282.
34. Ibid., 294.
35. Ibid., 248.
36. Ibid., 306.
37. Ibid., 290.
38. Ibid., 291.
39. Ibid., 295.
40. Ibid., 304.
41. Luke Philip Plotica, *Michael Oakeshott and the Conversation of Modern Political Thought* (Albany: State University of New York Press, 2015), 15–38.
42. Oakeshott, *Experience*, 14.
43. Oakeshott, *On Human Conduct*, 58; See also *Experience*, 295.
44. Oakeshott, *Experience*, 296.
45. Miguel de Beistegui, *The Government of Desire: A Genealogy of the Liberal Subject* (Chicago: The University of Chicago Press, 2018).
46. Oakeshott, *Experience*, 306.
47. Hartmut Rosa, *Social Acceleration: A New Theory of Modernity*, trans. Jonathan Trejo-Mathys (New York: Columbia University Press, 2013).
48. Jean-Jacques Rousseau, *Emile, or On Education,* trans. Allan Bloom (New York: Basic Books, 1979), 80.
49. Oakeshott, *Experience*, 302.
50. Tom Darby, *The Feast, Meditations on Politics and Time* (Toronto: University of Toronto Press, 1982).
51. Oakeshott, *Experience*, 263.
52. Oakeshott, *On Human Conduct*, 256.
53. Rousseau, "Second Discourse," §54, 185.
54. Cf. Oakeshott, "The Tower of Babel," *Rationalism in Politics*, 465–487.

55. See also George Grant, *Time as History*, ed. William Christian (Toronto: University of Toronto Press, 1995).
56. Oakeshott, *On Human Conduct*, 237, 239.
57. Ibid., 240.
58. Ibid., 241.
59. Ibid., 317. The proportionate number of these characters is now "greater than ever before, mainly because of the policies of governments" although "[t]otal success has always eluded those who have pursued this idiom of the understanding of a state in the terms of *universitas*." Ibid., 276, 285.
60. Ibid., 128.
61. Ibid., 286–7.
62. Plotica, *Oakeshott & Modern Political Thought*, 76.
63. Oakeshott, *On Human Conduct*, 189.
64. Ibid., 189, 190.
65. Ibid., 231.
66. Ibid., 243.
67. Ibid., 201.
68. Ibid., 267. Oakeshott gives numerous examples of the deleterious confusion between the two. For an example, see ibid., 286.
69. Ibid., 229, 243.
70. Ibid., 268.
71. Ibid., 127, 130.
72. Hannah Arendt, "What is Authority?" in *Between Past and Future: Six Exercises in Political Thought* (New York: The Viking Press, 1961), 91–143.
73. Robert G. McCloskey, *The American Supreme Court*, revised by Sanford Levinson, 6th ed. (Chicago: The University of Chicago Press, 2016).
74. Robert Devigne, *Recasting Conservatism: Oakeshott, Strauss, and the Response to Postmodernism* (New Haven: Yale University Press, 1994).
75. Max Weber, "Science as a Vocation," in *From Max Weber: Essays in Sociology* translated and edited H.H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 139.
76. Oakeshott, *On Human Conduct*, 187.
77. Ibid., 191, 245.
78. Ibid., 219–20; 220–224.
79. Ibid., 195.
80. Ibid., 227.
81. Ibid., 188.
82. Ibid., 224.
83. Ibid., 189.
84. Arendt, "What is Authority?", 91.
85. Ibid., 92.

86. Alexandre Kojève, *The Notion of Authority*, trans. Hager Weslati (London: Verso, 2014).
87. Oakeshott, "The Voice of Poetry," 489.
88. Oakeshott, "Political Education," in *Rationalism in Politics*, 56.
89. Oakeshott, "The Voice of Poetry," 495.
90. Ibid., 496.
91. Ibid., 503.
92. Ibid., 509.
93. Ibid., 509–10.
94. Ibid., 518.
95. Ibid., 493-4n2.
96. Ibid., 509.
97. Ibid., 532.
98. Ibid., 517.
99. Ibid., 515.
100. Corey, *Oakeshott on Religion*, 23.
101. Oakeshott, "The Voice of Poetry," 493.
102. Oakeshott, *On Human Conduct*, 202.
103. Ibid., 189.
104. Ibid., 164.
105. Oakeshott, "The Voice of Poetry," 522.
106. Ibid., 532.
107. Ismail Kadare, *Kur Sunduesit Grinden: Rreth Misterit të Telefonimit Stalin-Pasternak* (*When Rulers Quarrel: On the Mystery of the Stalin-Pasternak Phone Call*) (Tirana: Onufri, 2018), 103.
108. Cf., "The Voice of Poetry," 533.
109. David McIlwain, *Michael Oakeshott and Leo Strauss: The Politics of Renaissance and Enlightenment* (Cham, Switzerland; Palgrave Macmillan, 2019), 22.
110. Bloom, *The Republic of Plato*, 433a-433b.
111. Oakeshott, *On Human Conduct*, 136.
112. Ibid., 244.
113. Oakeshott, "Rationalism in Politics," *op. cit.*, 30.