

Re-Imagining *Leviathan*:
Schmitt and Oakeshott on Hobbes and Political Order¹

Jan-Werner Müller

Princeton University

ROUGH FIRST DRAFT

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Forthcoming in:

CRISPP, Special Issue on Hobbes and Schmitt, ed. Johan Tralau

¹ This paper was initially prepared for a colloquium on ‘Thomas Hobbes and Carl Schmitt: Thinking Political Order Past and Present’ at Uppsala University in January 2007; I thank fellow participants in the colloquium and also the audience at NYU, where the paper was read in February 2007, for comments and suggestions.

At first sight, Michael Oakeshott and Carl Schmitt could perhaps not appear more different: Schmitt, a leading Nazi lawyer, often described as the ‘Crown Jurist of the Third Reich’ -- whose best case for relativizing his role from 1933 to 1945 is that he in fact all his life subscribed to a bizarre private crypto-Catholic ‘political theology’, of which his engagement for the Nazis was an unfortunate by-product; Oakeshott, on the other hand, the quintessentially English gentleman scholar, fond of cooking and cricket metaphors, and a self-declared conservative, who famously turned down the honor that Margaret Thatcher had offered him. One a man for whom the political had existential import, the other an aesthete or even a dandy for whom politics appeared variously as ‘vulgar’ or as a ‘necessary evil’; one the jurist of decision, the other the political theorist of conversation. Obviously, the list of such more or less interesting differences could go on and on.

And yet: both thinkers have been classified by Perry Anderson as members of what he has called ‘the intransigent right’ (an honor they share with Leo Strauss and Friedrich von Hayek)² – an inclusion that is at first sight supported by the fact that there are a few similarities, after all: both Oakeshott and Schmitt were deeply preoccupied with what Oakeshott time and again called ‘the experience of living in a modern European state’; both felt that the state’s proper origins and trajectory had not been grasped, that proper statehood had profoundly been put into doubt in the twentieth century, and that state authority and legitimacy needed to be shored up in an age of ‘mass’ (read: democratic) politics.³

² Perry Anderson, ‘The Intransigent Right: Michael Oakeshott, Leo Strauss, Carl Schmitt, Friedrich von Hayek’, in: *Spectrum: From Right to Left in the World of Ideas* (London: Verso, 2005), 3-28.

³ As Oakeshott once put it, ‘it is as if we had never quite got used to living in a modern European state; never quite understood it, or resigned ourselves to it. It is still capable of puzzling us; and arguments to

It is perhaps not so surprising, then, that both time and again returned to the study of Hobbes: Schmitt went so far as to call Hobbes a ‘friend’, a ‘brother’, and even spoke of love; whereas Oakeshott, while less prone to emotional confessions of elective affinity, clearly felt most inspired by Hobbes in articulating his vision as ‘civil association’.⁴ More importantly, both developed their conception of political association with and sometimes against Hobbes – their political theories are, on one level, part of the long and complex chronicle of productive modern appropriations and mis-appropriations of *Leviathan* and, less so, other Hobbesian writings.

Now, looking at Schmitt and Oakeshott through the lens of their Hobbes interpretations could easily turn into a kind of fruitless compare-and-contrast where we will simply see what we think we already know: Schmitt and Oakeshott were quite different, and so were their views of Hobbes. What is important to find out, it seems to me, is where and why they appeared to make strategic choices in interpreting – or, for the most part, *mis-interpreting* Hobbes – in light of what both construed as a kind of story of decline, a *Verfallsgeschichte*, of the type of state that supposedly had been conceived by Hobbes initially. The task of the intellectual historian, after all, is not to be a kind of schoolmaster and to hand out good or bad marks for right or wrong interpretations of classical texts – rather, he or she must ask what choices underlay certain interpretations (even those demonstrably false), and what purposes they might have served.

Accordingly, in this essay I wish to develop an argument along the following lines: both Schmitt and Oakeshott attempted to save what they considered a proper notion

justify it are still sought.’ See *Lectures in the History of Political Thought*, eds. Terry Nardin and Luke O’Sullivan (Exeter: Imprint Academic, 2006), 396.

⁴ See also Ian Tregenza, ‘The Life of Hobbes in the Writings of Michael Oakeshott’, in: *History of Political Thought*, Vol. 18 (1997), 531-57.

of statehood under conditions of twentieth-century mass democracy. In line with this overall purpose, both returned time and time again to Hobbes and especially *Leviathan* and offered highly unorthodox views on Hobbes. Above all, both consistently interpreted Hobbes as a particular kind of *moralist*, not as a materialist and a mechanistic thinker or as the ‘first proper political scientist’. While it can’t be demonstrated conclusively, it is highly plausible that such a reading was inspired by Leo Strauss’s interpretation of Hobbes from the 1930s, with which both Schmitt and Oakeshott were familiar. Now, both – and this is the philosophically crucial move – in a certain sense tried to ‘de-liberalize’ Hobbes by disabling the contractualist logic at the centre of *Leviathan*. Sidelining Hobbesian contractualism (and Hobbes’ claims about authorization and resistance in particular), both Schmitt and Oakeshott instead focused on what one might call the cultural preconditions of proper political order; and both were highly sensitive to the importance of symbolically representing political association as a whole. Consequently, there was an at first sight surprising preoccupation with questions of symbolism, imagination and even myth – a side of Hobbes to which Hobbes scholars have only recently become more alert.

For all the idiosyncrasies in their interpretations of Hobbes, both Schmitt and Oakeshott ended up with what actually are not such unusual views of ‘the experience of living in a modern European state’, after all. In fact, I take their interpretations to come down to paradigmatic positions on modern European statehood – positions that are arguably still with us – but positions also that are arguably distinguished by their curious inability to deal with conflict other than in a deeply illiberal manner: for shorthand, the one position, because it ‘culturalizes’ statehood, the other, because it ‘moralizes’

statehood. I shall say and explain more about these two positions in the final section of this essay.

Before that, the argument will proceed by examining Schmitt's and Oakeshott's successive engagements with Hobbes from the mid-1930s to the late 1970s: I begin by saying a few words about Schmitt's well known *Leviathan* interpretation from 1938, leaving aside the deeply anti-Semitic narrative which Schmitt told about the decline of the Hobbesian state, and instead focus on what precisely Schmitt's considerations about the necessity of symbolically representing political association entailed. In the second step, I chart Oakeshott's views on Hobbes from the 1940s to the 1960s, and, in particular, his surprising re-interpretation of what kind of human being is really capable of creating a state. The third and final part which compares Schmitt and Oakeshott, before drawing more general lessons from this exercise, also contains what is perhaps a mild surprise – Schmitt's previously unknown direct comment on Oakeshott, a comment which at first sight might suggest a curious convergence of Schmitt and Oakeshott on the necessity of political myth – and it will turn out that Oakeshott might in fact have been a more successful, or at any rate a more subtle, myth-maker than Schmitt. More on whether there was in fact such a convergence or not shall be said in the conclusion.

One more side remark: Examining the Hobbes interpretations of Oakeshott next to Schmitt is in no way to imply that either thinker took the other to be important for the development of his thought. Put differently: I am in no way suggesting that we are facing a substantive *Dialog unter Abwesenden* here.⁵ Heinrich Meier's brilliant reconstruction of the Strauss-Schmitt relationship has, in my view, prompted too many attempts --

⁵ Heinrich Meier, *Carl Schmitt, Leo Strauss und "Der Begriff des Politischen": Zu einem Dialog unter Abwesenden* (Stuttgart: J. B. Metzler,)

usually, of course, without anything approaching Meier's philological subtlety -- to see dangerous liaisons, dialogues and secret influences where there were none. There are none here, but there is still something interesting to be said about the correspondence of their thoughts.

Schmitt's Hobbes: The Necessity of Myth

One thing, above all, is striking about Carl Schmitt's engagement with Hobbes – the fact that he did not bother actually to address what constitutes both the core of Hobbes' theory of statehood and, arguably, one of his greatest intellectual innovations. Despite his evident concern about questions of authority and, more specifically, legal determinacy, Schmitt did not stop to argue about – or even just to refute or to accept – Hobbes's central claim about the state as the outcome of a collective authorization.⁶ Rather, Schmitt insisted that what he called an 'anarchist social contract' was incapable of establishing a state.⁷ According to Schmitt,

what is created beyond this social contract, the sole guarantor of peace, the sovereign-representative person, is not created by the contract, but on the occasion of it. The sovereign-representative person is disproportionately more than the added power of all participating single wills could effect.

The accumulated fear of the individuals trembling for their lives does call

⁶ Quentin Skinner, 'Hobbes and the purely artificial person of the state', in: *Visions of Politics*, vol. 3: Hobbes and Civil Science (Cambridge: Cambridge UP, 2002), 177-208.

⁷ Carl Schmitt, *Der Leviathan in der Staatslehre des Thomas Hobbes: Sinn und Fehlschlag eines politischen Symbols* (1938;Stuttgart: Klett-Cotta, 1995), 52.

forth the Leviathan, a new power; but it evokes [*beschwören*] it rather than that it creates it.

This is in many ways a puzzling claim. It is true, of course, that the sovereign, the ‘soul of the state’, is not itself created by the covenanters. But who, if not the pooled wills of individuals, is to have created the actual personality of the state?⁸ Schmitt seems to have run two issues together: whether the state is created by representing the multitude, making it one, and thereby transforming separate individuals into a fictitious person, and whether the sovereign is in any way accountable to individuals. In the Schmittian view, the institution of the sovereign appears as both incidental and quasi-magical. He did conclude that the state was transcendent vis-à-vis the ‘individual contractors’, but, according to Schmitt, only in a legal, not a metaphysical sense. In other words, it was and it wasn’t the creation of mere mortals, but what mattered for Schmitt in the end was that the metaphysically non-transcendent state pointed towards the logic of the ‘machine’, i.e. an artificial, man-made product. Here everything was immanent.

In a similar vein, Schmitt ignored or, put differently, just bypassed Hobbes’ argument about why resisting the sovereign was ultimately nonsensical. According to Hobbes, ‘...he that complaineth of injury from his Soveraigne, complaineth of that whereof he himselfe is Author; and therefore ought not to accuse any man but himselfe’. Once again, Schmitt was not interested in any argument about authorization, even though he alluded to the point that, ‘factually and legally’ a right to resistance would be ‘nonsensical and an absurdity’. But he then moved on to what appeared to be the real

⁸ On this question see also David Runciman, *Pluralism and the Personality of the State* (Cambridge: Cambridge UP, 1997).

problem, claiming that ‘vis-à-vis the Leviathan as an overpowering, technically perfected mechanism of command that annihilates all resistance, every attempt at resistance is *practically* completely hopeless’ [my emphasis].⁹ What is curious is again Schmitt’s emphasis on what allegedly really matters, as opposed to the precise mechanisms specified by Hobbes: just as in the case of the creation of the state, the real issue is not authorship (and therefore the grounds of authority), but the *practical* success of the state in actually being overpowering and therefore all-pacifying. According to Schmitt,

this state either really exists as a state, then it functions as the irresistible instrument of peace, security and order, and then it has all objective and subjective right on its side; because as sole and highest law-maker it creates all right itself; or it does not really exist and does not fulfill its function of securing peace, then one has the state of nature again, and there is no state at all.

In short, Schmitt bypassed Hobbes’s actual reasoning as merely ‘technical’; to the extent that there was a logic in Hobbes which Schmitt thought worth reconstructing it was the claim that the state had a purpose, and that if it failed to fulfill that purpose, it could not logically even lay claim to being a state: ‘Whatever does not put an end to civil war, is not a state’.¹⁰ On one level, this breezy bypassing of Hobbes’ carefully worked-out reasoning no doubt reflected Schmitt’s embrace of ‘concrete order thinking’; and Schmitt

⁹ Schmitt, *Leviathan*, 71.

¹⁰ *Ibid.*, 72.

surely would have agreed with Hobbes' claim that the state was 'but a word, without substance, and cannot stand'.

However, 'substance' – or, put differently, the preconditions for concrete order – was then, according to Schmitt, to be supplied by the right kind of 'myth'. Hobbes' failure had been to reach for the wrong kind of symbol (or, perhaps, allegory, or simply: emblem) – which eventually led to the failure of his political construct as a whole. Now rather than simply dismissing this Schmittian reading as a form of political theology or as some peculiar antimodern longing for myth, it is perhaps worth probing it a little more. In particular, two questions suggest themselves: why was any kind of *symbol* necessary in the first place? And, second, what would have counted as a 'successful symbol' in this context? What were, to impose somewhat inappropriate language in this context, the right criteria for myth-making or myth-invocation from a Schmittian perspective?

First, the necessity of the myth or symbol: Schmitt does not say so explicitly, but he seems to have thought that the personality of the state did indeed require some representation to become visible and comprehensible as a whole. The state itself, after all, is invisible, a fiction that is to be represented by a sovereign (a person or an assembly). But this representation does not supply citizens with any kind of imagination of the state as such. Hobbes had insisted on the presence of a 'visible power' to make the covenant effective; but he clearly had designated the sovereign himself as such a visible power.¹¹ Schmitt, on the other hand, appeared to associate the necessity of myth, allegories or other kinds of 'social imagineering' with the state as such -- and in a sense

¹¹ I disagree here with the reading of Horst Bredekamp in his otherwise excellent *Thomas Hobbes – Der Leviathan: Das Urbild des modernen Staates und seine Gegenbilder 1651-2001* (Berlin: Akademie, 2003), 130-1. For the role of symbols and 'social imagineering' even in highly complex societies see Dieter Thomä, 'Symbolisches und Diabolisches: Eine neue Deutung der Krisen moderner Gesellschaften in sozial- und sprachtheoretischer Perspektive', in: *Leviathan*, No. 3 (2006), 419-439.

not at all unreasonably: after all, citizens are required to believe in and have some imagination of the person of ‘the commonwealth as something outside them and greater than any of them’.¹²

What then about the right criteria for such myths, or, less strongly put: visualizations or narratives? In Schmitt’s reading, the failure of Hobbes had actually been two-fold here: he had invoked a myth whose connotations not only escaped his intention, but which also did not really go together with the nature of the state Hobbes was in fact describing (or prescribing). In particular, the state, according to Schmitt, could be regarded as ‘the first product of the technical age, the first great modern mechanism’ – which in turn had been based on a ‘metaphysical resolution’ to enter the technical age.¹³ From Schmitt’s perspective, even the idea of the sovereign as the soul of the Leviathan had not been able to resist a comprehensive process of ‘mechanization’; while at the same time it had only been the ‘mechanization of the image of the state which had completed the mechanization of the image of man himself’.¹⁴

Theoretically, then, two arguments could be distinguished: the failure of the symbol of Leviathan as such on account of its sheer inappropriateness; and the problematic nature of the state as such (that is: its purely ‘technical’ and ‘mechanistic’ nature; its positivism; and, above all, its vulnerability to movements and parties willing to impose a ‘substance’ on it).¹⁵ What can be abstracted from both, however, is Schmitt’s belief that lasting political association is impossible without some coherent symbolic and

¹² Noel Malcolm, *Aspects of Hobbes* (Oxford: Oxford UP, 2002), 228.

¹³ Schmitt, *Leviathan*, 53.

¹⁴ *Ibid.*, 59.

¹⁵ See also John P. McCormick, *Carl Schmitt’s Critique of Liberalism: Against Politics as Technology* (Cambridge: Cambridge UP, 1997), 270-86, and David Dyzenhaus, ‘“Now the Machine Runs Itself: Carl Schmitt on Hobbes and Kelsen’’, in: *Cardozo Law Review* (1994), .

substantive representation. Such symbolic representation is necessary to endow the association with ‘visible power’, but, one may infer, it is also necessary to establish clear demarcations vis-à-vis other political associations.

Most importantly, however, a coherent symbolic representation of political association must have an effect on the inner moral life of its citizens. Schmitt does not say so explicitly in his *Leviathan* book, but this claim appears in many ways implicit in other observations Schmitt put forward. After all, the sovereign cannot possibly on a one-by-one basis really determine or even ascertain the inner beliefs of its citizens – what Hobbes calls ‘Publique Reason’ cannot be capable of performing such a task. So if the proper character of political association is to be preserved – in other words: if no *potestas indirecta* could possibly present a challenge to the association – the inner life of most citizens has to be of such a nature that it would resist belief systems that could put the character of the association in question and, ultimately, lead to its destruction. To say this more sharply: without some inner *Gleichschaltung* of beliefs, there could not be any certainty about the association’s long-term survival. And that re-shaping of the inner life, according to Schmitt, was best achieved through the right kind of myth.¹⁶

Oakeshott’s Hobbes: From Artifice to the Morality of Individuality

Oakeshott, like Schmitt, significantly changed his interpretation of *Leviathan* over the course of his lifetime. From the beginning, however, he defended a view that was

¹⁶ For the idea that Hobbes might have been committed to an even more far-reaching moral-psychological ‘re-shaping’, in particular a purging of the passions, see Richard Tuck, ‘The Utopianism of *Leviathan*’, in: Tom Sorrell and Luc Foisneau (eds.), *Leviathan After 350 Years* (Oxford: Clarendon Press, 2002), 125-38.

famously also propounded by Leo Strauss: namely that Hobbes had not been, *pace* Schmitt, a representative of a novel scientific or, more narrowly, mechanistic approach; but that in fact Hobbes had been remarkable for basing his political theory on a genuinely new ‘moral attitude’. Hobbes, according to Oakeshott, had been the outstanding example of one of three traditions in political philosophy, namely the tradition centred on ‘Will and Artifice’, as opposed to the tradition of ‘Reason and Nature’ and the tradition of ‘Rational Will’. He claimed that ‘Hobbes’s civil philosophy is a composition based upon two themes, Will and Artifice’ and that it constituted a ‘break-away from the great Rational-Natural tradition of political philosophy’.¹⁷

What did this mean? Unlike Schmitt, Oakeshott was careful to stress and painstakingly to elucidate the specific mechanism of authorization that was at the heart of *Leviathan*. He explained that ‘the right of each to “govern himself” ...is transferred to an Actor; that is, to one authorized in the agreement to exercise it’.¹⁸ This initial agreement to transfer was based on an act of individual will – and Oakeshott initially found fault with Hobbes for not offering a ‘satisfactory or coherent theory of volition’ to underpin his political philosophy.¹⁹ But equally, if not more important than will, was artifice: Oakeshott claimed that ‘civil authority is authority arising out of an agreement of wills...’ -- and he went on to point out that ‘the product of an agreement between wills is no less a work of art than the product of one will. And the peculiarity of civil association,

¹⁷ Michael Oakeshott, ‘Introduction to *Leviathan*’, in: *Rationalism in Politics and other essays* (1962; Indianapolis: Liberty Fund, 1991), 221-94; here 276 and 277.

¹⁸ *Ibid.*, 259.

¹⁹ Michael Oakeshott, ‘Dr. Leo Strauss on Hobbes’, in: *Hobbes on Civil Association* (Oxford: Blackwell, 1975), 147-8.

as a work of art, is its generation from a number of wills. The word “civil”, in Hobbes, means artifice springing from more than one will’.²⁰

But ‘work of art’ in what sense? Could Oakeshott have meant an artificial creation that needed to be made visible in order to give *cives* a vivid image of political association, in the way that Schmitt appeared to suggest? Oakeshott’s answer did not narrowly focus on the connotations of the symbol or story of Leviathan, but was an attempt to enlarge the perspective from which Hobbes’s ‘work of art’ had to be properly appreciated. He claimed that ‘the skepticism and the individualism, which are the foundations of his civil philosophy, were the gifts of late scholastic nominalism; the displacement of Reason in favour of will and imagination and the emancipation of passion were slowly mediated changes in European thought that had gone far before Hobbes’.²¹ And he continued by saying that ‘Leviathan, like any masterpiece, is an end and a beginning; it is the flowering of the past and the seed-box of the future. Its importance is that it is the first great achievement in the long-projected attempt of European thought to re-embody in a new myth the Augustinian epic of the Fall and Salvation of Mankind’.

So myth was in this case much more of a large narrative than any kind of single image, symbol or allegory. But as with Schmitt’s interpretation, the actual effect of the myth was supposed to have a profound effect on the inner life and the passions in particular – as opposed to beliefs. ‘For Hobbes’, Oakeshott argued, ‘the salvation of man, the true resolution of his predicament, is neither religious nor intellectual, but emotional. Man above all things else is a creature of passion, and his salvation lies, not

²⁰ Oakeshott, ‘Introduction’, 247.

²¹ Oakeshott, ‘Introduction’, 278.

in the denial of his character, but in its fulfillment... Man, as Hobbes sees him, is not engaged in an undignified scrambling for suburban pleasures; there is the greatness of great passion in his constitution'.²²

This sketchy thought – the apparent opposite of any suggestion about the lowering of humanity's sights in Hobbes' theory – was to be developed in more detail in Oakeshott's subsequent writings on Hobbes and, more indirectly, in Oakeshott's own theory of civil association. On the one hand, Oakeshott continued to rely on a relatively conventional interpretation of Hobbes, claiming that in Hobbes's scheme '...proud men must become tame men in order to remain alive' – and that Hobbes had taken his notion of pride from the Augustinian tradition.²³ But he also began to hint at a quite different, unconventional reading of *Leviathan*: Oakeshott started to allude to Hobbes's supposed 'other mood' where it was in fact 'pride and self-esteem' which played the primary role in creating civil association – a supposedly neglected Hobbesian 'line of argument' concerning what Oakeshott termed the 'moralization of pride itself'. Here Oakeshott gestured towards the idea that Hobbes had occasionally employed an essentially 'aristocratic' idiom of morality, according to which human beings should more properly be concerned with honor. Oakeshott – without, one might say, much textual evidence – now unearthed (or, bluntly put: invented) a Hobbesian man too proud to settle for 'gilt-edged security': 'a man', as Oakeshott put it, 'not at all without imperfections and not deceived about himself, but who is proud enough to be spared the sorrow of his imperfections and the illusion of his achievements; not exactly a hero, too negligent for that, but perhaps with a touch of careless heroism about him; a man, in short, who (in

²² *Ibid.*, 293.

²³ 'The moral life in the writings of Thomas Hobbes', in: *Rationalism in politics*, 295-350; here 307.

Montaigne's phrase) "knows how to belong to himself".²⁴ And Oakeshott concluded, again without much by way of references to anything Hobbes actually wrote, that

Hobbes perceived that men lack passion rather than reason, and lack, above all, *this* passion [i.e. pride and the attendant characteristic of generosity, jwm]. But where it is present, it is to be recognized as capable of generating an endeavour for peace more firmly based than any other and therefore (even in the *civitas*, where it is safe to be just) the surest motive for just conduct. Indeed, it seems almost to have been Hobbes's view that men of this character are a necessary cause of the *civitas*; and certainly it is only they who, having an adequate motive for doing so, may be depended upon to defend it when dissension deprives the sovereign of his power.²⁵

Why 'almost', then, one is tempted to ask? Because, in Oakeshott's interpretation of *Leviathan*, Hobbes himself had recognized the essential problem to be 'the dearth of noble characters'. In one sense, then, the solution was obvious: multiply the number of noble characters, or, even better, somehow make the noble character the norm, rather than the exception. This Oakeshott did in his final, comprehensive statement of political thought, *On Human Conduct*, where those Hobbesian men with a touch careless heroism were reborn as protagonists in Oakeshott's tale about the emergence of a specifically European modernity. Here Oakeshott cast the history of modern European political

²⁴ *Ibid.*, 341.

²⁵ *Ibid.*, 343.

thought as a struggle between two kinds of political association that he characterized with terms drawn from Roman private law: *societas*, or civil association, or nomocracy, on the one hand; and *universitas*, or enterprise association, or teleocracy, on the other. Put simply, the former was based on the acceptance of common rules; the latter was animated by some collective purpose. Summing up this contrast, Oakeshott claimed that ‘civil associates are persons (*cives*) related to one another, not in terms of a substantive undertaking, but in terms of the common acknowledgement of the authority of civil (not instrumental) laws specifying conditions to be subscribed to in making choices and in performing self-chosen actions’.²⁶ An enterprise association or corporation, on the other hand, ‘is not composed of persons with divergent wants or interests associated in making bargains with one another for the satisfaction of the different wants or interests of each. Nor is it composed of convives, joined in speculative discourse. It is persons associated in reaching joint conclusions which are decisions to speak or act in relation to the pursuit of a common purpose’.²⁷

To these two mutually exclusive types of political association belonged two types of human character, or, put differently, two mentalities, sensibilities or dispositions that had developed specifically in modern Europe. On the one hand, there was what Oakeshott called the ‘morality of individuality’, on the other the disposition of what he bluntly referred to as the ‘individual *manqué*’, or, even more bluntly, the ‘anti-individual’. The latter type conformed more or less to what throughout the nineteenth and twentieth century was variously feared and maligned as the ‘mass man’ – an individual incapable of being one; according to Oakeshott, ‘unable or indisposed to make

²⁶ Michael Oakeshott, *On Human Conduct* (1975; Oxford: Clarendon, 2003), 313.

²⁷ OHC, 214.

choices' for himself; conscious of his inferiority vis-à-vis the true individual and therefore increasingly seething with resentment; craving direction from above and some sort of moral affirmation of his condition and therefore the easy target of any kind of political seduction promising meaning through 'common substantive purposes'. In short, according to Oakeshott, he was 'no hero'.²⁸

Oakeshott's account of the individual *manqué* adds little to what Burckhardt or Tocqueville had already said in the nineteenth century, or Ortega y Gasset in the twentieth, for that matter. And it's not unfair to point out that much of the latter part of *On Human Conduct* is suffused with a tone of patrician sneering at "the problem of the poor" (invariably in inverted commas), the 'so-called rising standard of living', and any other vulgar concerns of and about the great unwashed. Put simply: peace and security are not 'substantive purposes'; the relief of poverty is. Of course, why that should be so, Oakeshott never explained.

What is far more interesting here, however, is Oakeshott's ingenious re-invention of the aristocrat as *cives*, his attempt, one might say, to 'diffuse aristocracy downwards'.²⁹ It is here that the argument circles back to Hobbes as essentially the inventor of the form of political association fit for such quasi-aristocratic figures. Oakeshott variously affirmed that Hobbes had been 'the first moralist of the modern world to take candid account of the current experience of individuality' and, at the same time, that he had formulated the 'most intrepid and the least equivocal account' of the

²⁸ Michael Oakeshott, 'The Masses in representative democracy', in: *Rationalism in Politics*, 382.

²⁹ Credence to this notion as a specifically European approach to law is given by James Q. Whitman, 'The Two Western Cultures of Privacy: Dignity versus Liberty', in: *Yale Law Journal*, Vol. 113 (2004), 1151-1221.

state, with *Leviathan* as ‘a work of art of superb integrity.’³⁰ Most importantly, he had unequivocally presented his state as a civil association. According to Oakeshott’s mature presentation in *On Human Conduct*,

the notion that civil authority derives from or may be explicated in terms of a compact or covenant is deliberately used by Hobbes in order to confirm that the association he is concerned with is a *societas*; the covenant here is to “erect” and maintain a “sovereign” civil authority, not to unite covenanters in pursuit of a common substantive enterprise. The ruler is the emblem of the covenanters’ choice to have a law and a ruler; he is not the trustee or director of a common substantive purpose.³¹

Parallel to this argument about Hobbes as the progenitor of the conception of civil association ran a lengthy panegyric to the authentic modern European individual that once more reflected his peculiar character as a quasi-aristocrat: Oakeshott claimed that

in considering the characters of those who were brought together or held together in a modern European state there is something to be noticed in addition to this tacit acceptance of a reading of the human condition in which the race of men is recognized to be saddled with an unsought and inescapable “freedom” which in some respects they are ill-equipped to exercise; namely, the recognition of this condition as the emblem of

³⁰ Michael Oakeshott, *Morality and Politics in Modern Europe: The Harvard Lectures*, ed. Shirley Robin Letwin (New Haven: Yale UP, 1993)

³¹ OHC, 232-3

human dignity and as a condition for each individual to explore, to cultivate, to make the most of, and to enjoy as an opportunity rather than suffer as a burden.³²

In short, freedom and dignity were in fact inseparable, and what characterized the modern European individual (as opposed to the anti-individual, of course) was precisely his valuing the exercise of personal autonomy – irrespective of any particular conceptions of the good life or the actual outcome of pursuing any particular version thereof. And, importantly, the enjoyment of autonomy for its own sake went together with what Oakeshott called ‘an aristocratic recognition of one’s own unimportance, and a humility devoid of humiliation’.³³

Oakeshott’s description of civil association and the panegyric to the modern European individual did not simply run in parallel: the point was precisely that one gave legitimacy to the other. While Oakeshott also gestured towards the apparently ‘neutral’ character of the modern European state, its (non-neutral) authority was justified because it allowed the flourishing of the ‘adventurers’, ‘frivolous travelers’, ‘heroes’ and even ‘*libertins*’ whose praises Oakeshott kept singing page after page. It was not so much that such characters could recognize *themselves* in the state as that they could recognize civil association as a condition of possibility of their unfettered self-realization. This was not at all a Hegelian picture, as some readers of Oakeshott have claimed, and in no way re-working of what Oakeshott himself had termed the tradition of Rational Will; rather, it

³² 236

³³ OHC, 238.

was a matter of a libertarianism, with a diffused notion of aristocratic-heroic conduct, and authoritarianism standing side by side – without much obvious mediation.

At the same time, it's certainly plausible to argue, as many have done, that Oakeshott's description of what *cives* did and why they did it had a distinctly aesthetic ring: the emphasis on the non-instrumental and the un-purposive; the recurring language of the 'arts of agency' which true individuals would acquire and refine in practice; the idea of a 'self-enactment' which would turn individual lives into works of art – all this appears to confirm the by now rather conventional perception that behind Oakeshott the Hobbesian authoritarian simply hides the dandyish Cambridge aesthete.³⁴

And yet, it seems to me, this would be too hasty a conclusion. Behind the panegyric to the modern European as aristocrat in turn one finds a peculiar fusion of what can only be called *Lebensphilosophie* (though precisely *not* vitalism) on the one hand, and a most peculiar interpretation of Christianity on the other – a fusion which Oakeshott had developed as early as the late 1920s and traces of which can still be found in his writings of the 1970s.

Oakeshott's Augustinian god

Two things strike the careful reader of *On Human Conduct*: on the one hand, the emphasis Oakeshott placed – in almost Millian, Tocquevillian or Burckhardtian manner – on energy, initiative, adventure, risk, confidence and engagement. More energy seemed a

³⁴ Witness Anderson saying that 'the real gist of *On Human Conduct* is a conception of politics taken from aesthetics' and that 'the controlling imagery is of literary taste or musical skill'. *Spectrum*, 21.

value in itself, and confident enactment of an adventure – even if it resulted in failure – infinitely preferable than any secure achievement of ‘suburban pleasures’. Now, time and again this particular perspective was in turn strengthened and more fully expressed with religious allusions. One was the image of civil association as a *civitas peregrina* that Oakeshott memorably described as

an association, not of pilgrims traveling to a common destination, but of adventurers each responding as best he can to the ordeal of consciousness in a world composed of others of his kind, each the inheritor of the imaginative achievements (moral and intellectual) of those who have gone before and some joined in a variety of prudential practices, but here partners in a practice of civility the rules which are not devices for satisfying substantive wants and whose obligations create no symbiotic relationship.³⁵

The idea of a *civitas peregrina* had, of course, been taken from Augustine, and Oakeshott was to develop this Augustinian theme even more explicit when he re-emphasized the importance of the

disposition to be “self-employed” in which a man recognizes himself and all others in terms of self-determination; that is, in terms of wants rather than slippery satisfactions and of adventures rather than uncertain outcomes. This is a disposition to prefer the road to the inn, ambulatory conversation to deliberation about means for achieving ends... And since

³⁵ OHC, 243.

men are apt to make gods whose characters reflect what they believe to be their own, the deity corresponding to this self-understanding is an Augustinian god of majestic imagination, who, when he might have devised an untroublesome universe, had the nerve to create one composed of self-employed adventures of unpredictable fancy, to announce to them some rules of conduct, and thus to acquire convives capable of “answering back” in civil tones with whom to pass eternity in conversation.

Already earlier in the book Oakeshott had identified Montaigne and Charron with ‘a reading of the human condition in which a man’s life is understood as an adventure in personal self-enactment’, only to continue by claiming that ‘there was only a prompting not to be dismayed at our own imperfections and a recognition that “it is something almost divine for a man to know how to belong to himself” and to live by that understanding. Augustine come again and to confound both Gnostics and Pelagians’.

None of this was new for Oakeshott; it was a retrieval of his earliest understanding of religion, but an understanding now in the service of a fuller picture of the conditions of true legitimacy in the circumstances of modernity. As early as 1929 he had written that

the worth of life is measured, then, by its sensibility, not by its external achievement of the reputation behind which it may have been able to hide its lack of actual insight. The legacy of the past will no longer be appropriated mechanically, for, when all opinion that is not the outcome of

a living sensibility – no matter what the opinion be – is known to be merely parasitic and worthless, men see more clearly how dangerous it is to be an inheritor...The religious man will inherit nothing he cannot possess by actual insight.³⁶

Anticipating the later emphasis on the aristocratic and the non-purposeful, he claimed that the religious man (also already characterized as ‘frivolous’) ‘will maintain a kind of candid detachment in the face of the very highest actual achievements’. Life lived in the present, and a possession of oneself (*‘Wenn wir uns selbst fehlen, fehlt uns doch alles’*) – these themes culminated in the surprising claim that *‘Memento vivere* is the sole precept of religion; and the religious man knows how easy it is to forget to live’.³⁷ In the same vein, he argued that ‘since the religious life ... is synonymous with life itself at its fullest, there can be no revival of religion which is not a revival of a more daring and more sensitive way of living’.³⁸

Of course one could argue that this particular understanding of Christianity was simply yet another aestheticizing projection – a precursor, so to speak, of the later projections of aesthetics onto politics. But Oakeshott’s actual religiosity or lack thereof need not concern us here. What we find a constant in the development of Oakeshott’s thought is the celebration of a particular kind of sensibility; and it is this sensibility that ultimately explains for Oakeshott ‘what holds the state together’.

³⁶ Michael Oakeshott, ‘Religion and the World’, in: *Religion, Politics and the Moral Life*, ed. Timothy Fuller (New Haven: Yale UP, 2003), 27-38; here 33.

³⁷ *Ibid.*, 37.

³⁸ *Ibid.*, 35. See also OHC, 81-6.

Here one finds yet another highly peculiar characteristic of Oakeshott's picture of politics and the moral life: for all its language of adventurousness and risk, and recurrent exhortations not just to accept difficulty and imperfections, but to treat them with disdain, it is not obvious whether Oakeshott's large and yet subtle canvas actually contains what one would think any political theory would have to deal with: the possibility of conflict, and moral conflict in particular. Oakeshott stressed time and again that war was the enemy of civil association, and that it would fatally boost enterprise association. But since civil association was neither about balancing interests, nor resolving fundamental disagreements about the good life, it remained rather unclear how precisely it would address any kind of clash between 'adventurers' and 'travelers'. Perhaps the language of travel and tourism is revelatory in this context: chasing not after the same attractive destinations, but after experiences as intense as possible (irrespective of actual location and local circumstances), Oakeshott's *cives*-travelers would simply not tend to get in each others' way. But then it was also unclear what was to generate 'loyalty' in such a scheme. After all, Oakeshott himself had stressed that

the idea of *societas* is that of agents who, by choice or circumstance, are related to one another so as to compose an identifiable association of a certain sort. The tie that binds them, and in respect of which each recognizes himself to be *socius*, is not that of an engagement in an enterprise to pursue a common substantive purpose or to promote a common interest, but that of loyalty to one another, the conditions of which may achieve the formality denoted by the kindred word "legality".

Juristically, *societas* was understood to be the product of a pact or an agreement, not to act in concert but to acknowledge the authority of certain conditions in acting.³⁹

In theory, *cives* could indeed find commonality in acknowledging a common authority – but presumably rather than loyalty generating legality, it was the legitimacy of a legality that allowed for the pursuit of individual adventures which made for loyalty to civil association. According to this logic, the real loyalty – here one might circle back to one of Oakeshott's earliest ethical themes -- was in fact to oneself. The right kind of authority could be acknowledged precisely because it allowed one to belong to oneself – that is, if one, as a proper individual, was capable of such a thing.

So what had Oakeshott actually done? A clue comes from an unpublished comment by Carl Schmitt on Oakeshott.

Schmitt on Oakeshott – and on Hobbes again

Schmitt, very late in his life, actually came to read Oakeshott on Hobbes and wrote in a letter:

Alles in dem Buch ist für mich hochinteressant, aber der Gipfel ist doch der broadcast-talk "Leviathan: a myth" vom Jahre 1947. Diese 5 Seiten

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(p.150-154) sind Satz für Satz, Wort für Wort, für mich eine Begegnung,
die ich von England her nicht mehr erwartet hätte.⁴⁰

To what was Schmitt referring? A text from 1946 that Oakeshott himself had called ‘a conversation piece, a flight of fancy’.⁴¹ In this ‘conversation piece’ he had pointed out that

Leviathan has passed for a book of philosophy and a book about politics, and consequently it has been supposed to interest only the few who concern themselves with such things. But I believe it to be a work of art in the proper sense, one of the masterpieces of the literature of our language and our civilization.

Oakeshott did not want to narrow the ‘art’ of *Leviathan* to the frontispiece or to Hobbes’ prose or to a single emblem; rather, its real artfulness lay in a profound re-imagining of civilization, and in particular the ‘mystery of human life’. As he put it:

We are apt to think of a civilization as something solid and external, but at bottom it is a collective dream... What a people dreams in this earthly sleep is its civilization. And the substance of this dream is a myth, an

⁴⁰ ‘Everything in the book is highly interesting for me, but the greatest thing is the broadcast-talk “Leviathan – a myth” from 1947. These five pages (pp. 150-154) are, sentence by sentence, word for an encounter for *me* which I would not have expected from *England* anymore’. Copy of a letter from Carl Schmitt to Ellen Kennedy, 6th November 1979, Michael Oakeshott Archive, London School of Economics, London. I am indebted to Professor Kennedy and Professor Jürgen Becker for permission to quote from the letter.

⁴¹ Michael Oakeshott, ‘Leviathan: a myth’, in: *Hobbes on Civil Association*, 150-4; here 150.

imaginative interpretation of human existence, the perception (not the solution) of the mystery of human life.⁴²

Hobbes, or so Oakeshott contended, had effected a ‘genuine revision of the myth of our civilization’; *Leviathan* had not simply been ‘the private dream of an eccentric or the malicious invention of an outcast’. Rather, Hobbes had subtly reframed the ‘civilizational myth’ that he had inherited from the middle ages, de-emphasizing man’s pride and fall from grace; and instead recalling ‘man to his littleness, his imperfection, his mortality, while at the same time recognizing his importance to himself’.⁴³

As I’ve argued above, Oakeshott subsequently revised his vision of Hobbes, detecting another ‘mood’ in *Leviathan* and ‘moralizing’ pride, before himself offering a ‘civilizational myth’ that made sense of and sustained civil association. Oakeshott’s collective dream for our civilization was one of self-possessed, quasi-aristocratic civic adventurers companionably journeying side by side, one of which, supposedly, Augustine and Hobbes had both been dreaming already. Again, this was the very opposite of any reading of *Leviathan* as a lowering of humanity’s sights – it was an unashamed celebration of civil association based on a conscious re-fashioning of Hobbes’s re-fashioning of Augustine’s supposed myth.

But of course by the time Schmitt commented on Oakeshott he himself had revised the interpretation of Hobbes that he had put forward in 1938. In Schmitt’s 1965 review article on the ‘Completed Reformation’, Hobbes was no longer a ‘technocrat’, nor was he marching at the head of the secularization and neutralization process, nor was he a

⁴² *Ibid.*

⁴³ *Ibid.*, 154.

mechanistic thinker eager to become the ‘Galileo of political science’.⁴⁴ Hobbes’ thought, Schmitt now contended, had to be understood, above all, as a form of practical philosophy; furthermore, Hobbes’ juristic construction of the state had retained a distinctively personal element. All along, Schmitt now claimed, Hobbes’ goal had been to preserve the political unity (‘politische Einheit’) of a Christian Commonwealth. Hobbes’ specific answer to the central question *quis iudicabit?* had remained a distinctively Christian one: the affirmation that ‘Jesus is the Christ’; and thus, according to Schmitt, Hobbes’ theory of the state was clearly a part of Hobbes’ distinctive political theology. A real process of neutralization, Schmitt claimed, would have meant the neutralization of Christianity as such -- for instance, if the sentence ‘Jesus is the Christ’ became exchangeable for ‘Allah is great’, followed by any general belief in God, then any belief whatsoever and, finally, a ‘little bit of the philosophy of values’.⁴⁵ Only then a total *Gleichschaltung* – now in the specific Schmittian sense of ‘neutralization’ -- would have been effected. At the same time, Schmitt’s ‘*Hobbeskristall*’ now showed the Hobbesian state as open to transcendence, as opposed to being an agent of neutralization and secularization.⁴⁶

What did this apparent reversal signify? Schmitt now characterized Hobbes’ position within European modernity as peculiar (*eigentümlich*), and it seems plausible to argue that Hobbes’ state now appeared to Schmitt as one possible concrete order – in the sense of an enduring institutional arrangement animated and sustained by a substantive ethos. More particularly, it was an order capable of preserving meaningful access to the

⁴⁴ Carl Schmitt, ‘Die vollendete Reformation: Bemerkungen und Hinweise zu neuen Leviathan-Interpretationen’, in: *Der Staat*, Vol. 4 (1965), 51-69; here 62.

⁴⁵ *Ibid.*, 63.

⁴⁶ Carl Schmitt, *Der Begriff des Politischen: Text von 1932 mit einem Vorwort und drei Corollarien* (1963; Berlin: Duncker & Humblot, 1996), 121-3.

transcendent (thereby saving the world from being devoted to mere ‘play’ and ‘entertainment’), while also ensuring peace within a broadly Christian framework. In Schmitt’s eyes, it appeared as the last instance when legitimacy and legality had actually been properly united. Such an interpretation counters the conventional view that Schmitt would have been content with any meaning-generating politics, that is, a politics that might have been capable of rescuing humanity from a world devoted to mere ‘play’ and entertainment.⁴⁷

Concluding Thoughts

Both Schmitt and Oakeshott profoundly disagreed with conventional readings of Hobbes as propounding a materialist or ‘scientific’ philosophy. But, even more surprisingly, both consistently de-emphasized, or entirely discounted, Hobbes’ contractualism – both cut off any possible route from Hobbes’ thought to liberal theories of explicit or tacit consent.⁴⁸ Instead, in their engagement with questions about ‘political unity’ and state authority under twentieth-century conditions, both started and ended with a concern with what might, very broadly, be called the cultural preconditions of political order. But, as indeed we suspected from the very beginning, they came to almost opposite conclusions. It’s just that it would be difficult, it seems to me, to reduce this contrast to a

⁴⁷ Schmitt viewed much of the post-war world under the sign of ‘play’. See, for instance, Carl Schmitt, ‘Dem wahren Johann Jakob Rousseau: Zum 28. Juni 1962’, in: *Zürcher Woche*, 29th June 1962, where he claimed: ‘Im Wohlfahrtsstaat, in der Konsumgesellschaft, mit Automation und Abundanz, ist eher eine Philosophie des Spiels an der Zeit oder besser Freizeit’.

⁴⁸ This might still be much less obvious for Oakeshott. But Oakeshott even kept changing his own texts on Hobbes to delete any consent-related concepts or formulations, as shown nicely in Steven Anthony Gerencser, *The Skeptic’s Oakeshott* (New York: St. Martin’s, 2000).

straightforward one between a ‘politics of faith’ and a ‘politics of skepticism’, as has sometimes been done.⁴⁹ Schmitt insisted that a state without ‘substance’ – a technologically perfected machine producing positive law – was vulnerable to the attacks and subversions of ‘indirect powers’; he also insisted that, with Hobbes (as Schmitt saw him), a state both open to transcendence and capable of ensuring peace was a viable, coherent and substantive vision – though it remained unclear whether that vision could still be salvaged in the circumstances of the twentieth century. And it was equally unclear what the symbolic ‘self-representation of state order’, which Schmitt considered indispensable for a state to survive over time, might have looked like in this case.⁵⁰

Oakeshott, on the other hand, ingeniously placed a peculiar version of life-affirming religion *within* the commonwealth, or civil association: a quite different kind of ‘openness to transcendence’ was to come out of the curious pursuit of individual lives as adventures and as speculative exercises in remaining faithful to oneself.⁵¹

As I’ve argued throughout, neither in the end had much of an answer to the possibility of serious moral conflict or contending visions of the good life: for Schmitt, a Christian commonwealth would indeed have had its essentially pre-determined enemies, whom it was mandatory to suppress; in Oakeshott’s civil association, conflict is simply assumed away and authority is just acknowledged, rather than debated or even just tacitly consented to.⁵² For Oakeshott, politics was a ‘necessary evil’; the endless conversation he envisaged was not the one Schmitt famously attacked as both a liberal fallacy and a

⁴⁹ Ian Tregenza, ‘Leviathan as Myth: Michael Oakeshott and Carl Schmitt on Hobbes and the Critique of Rationalism’, in: *Contemporary Political Theory*, Vol. 1 (2002), 349-69.

⁵⁰ Schmitt, ‘Die legale Weltrevolution’, 323.

⁵¹ One might add that in both Schmitt’s and Oakeshott’s vision, there was in fact no need for theology; if anything theology was likely to be damaging or even dangerous.

⁵² As indeed Anderson recognizes: ‘The collision of moral codes within the same state is the stuff of the political life which the dream of civil association represses.’ *Spectrum*, 23.

typical Romantic form of escapism: it was a conversation neither in nor about politics. But in the end this meant that there was little politics of any kind.

Yet there remains something more general to be said beyond such a compare-and-contrast, that is, something about the nature of illiberal state theories in the circumstances of the twentieth century: arguably both Schmitt and Oakeshott took to heart Leo Strauss' injunction decisively to move beyond the horizon of liberalism. Strauss had claimed that 'a radical critique of liberalism is ... possible only on the basis of an adequate understanding of Hobbes'.⁵³ One might be permitted to reformulate this point by saying that 'a radical critique of liberalism is ... possible only on the basis of an adequate misunderstanding of Hobbes'.⁵⁴ Oakeshott performed such a reinterpretation, or just plain reinvention, much more subtly and in the end also more successfully than Schmitt: he de-liberalized Hobbes and disabled the logic of contractualism and collective authorization to such an extent that civil disobedience became a contradiction in terms. Oakeshott's Hobbes minus consent was much less obviously illiberal, let alone anti-modern, than Schmitt's vision – his Hobbesian civil association looked individualist, when in fact there was only a civilizational myth of individualism to sustain a vision of authoritarianism and libertarianism co-existing side by side.⁵⁵

But for all their quirks, Schmitt's and Oakeshott's visions, it seems to me, are in fact two paradigmatic ways of thinking about the modern European state under twentieth-century conditions and beyond: for Oakeshott social integration could be accomplished on the basis of individualism – but as a contingent, civilizational achievement that can't

⁵³ Strauss, 'Anmerkungen', in: Meier, *Carl Schmitt*, 125

⁵⁴ See now also Lucien Jaume, 'Hobbes and the Philosophical Sources of Liberalism', in: Patricia Springborg (ed.), *The Cambridge Companion to Hobbes' Leviathan* (CUP, 2007),

⁵⁵ Oakeshott's authoritarian side is also usefully explored in Gerencser, *The Skeptic's Oakeshott*.

be reproduced anywhere else and that can't be for export: the modern European state is only for some. In Schmitt's vision, conflict is contained through a kind of comprehensive public ideology, a Christian commonwealth (or even one subscribing to 'Allah is great') with essentially pre-determined enemies inside and outside, but no way of actually dealing with them other than suppression or outright destruction. This leaves us with a very peculiar choice, as far as political order is concerned: an idealized picture of the West, with aristocracy diffused downwards, and some spilt Christianity – or a kind of deeply authoritarian fusion of political and religious elements, a sort of neo-Erastian dictatorship.

Put differently: Both Schmitt and Oakeshott strayed very far from Hobbes's own central idea that men and women can, after all, reason themselves out of the state of nature, and that a cultural transformation is not the precondition of political order, but rather its consequence.

We are still left with a troubling question, though: if we don't accept Oakeshott's vision of the state as essentially a very peculiar civilizational achievement, what are the choices for liberal theory in answering questions about the preconditions of liberal political order? One is essentially to assume that no historical account and no sociology of the liberal state are needed in the first place: essentially Kelsen's answer, with his 'state theory without a state' (Kelsen on Kelsen). But is there a good justification for this assumption?⁵⁶

Another is to provide an entirely different historical account (or, put differently, a philosophy of history), which can even be admitted to be essentially a fiction – but which

⁵⁶ For an attempt to answer no see the afterword of *A Dangerous Mind: Carl Schmitt in Post-War European Thought* (London: Yale UP, 2003).

can perhaps help to make for more liberal outcomes (Rawls), though at the risk of liberal myth-making.⁵⁷ And a third is to say that some people (in the West) just got lucky, and that the successful establishment of more or less liberal political order will always be highly contingent.⁵⁸ It is obviously a difficult choice, one that liberal political thought, as it opens itself up to more historical perspectives and to serious exercises in comparative political thought, has yet fully to understand and grapple with.

⁵⁷ I have tried to reconstruct Rawls' philosophy of history and his 'as-if' account of a historical trajectory from a *modus vivendi* to a liberal political culture in 'Rawls, Historian: Remarks on Political Liberalism's "Historicism"', in: *Revue Internationale de Philosophie*, vol. 60 (2006). If myth-making seems too strong, one might speak of 'construction' on the basis of 'historical deposits', as Bernard Williams did in 'From Freedom to Liberty: The Construction of a Political Value', in: *Philosophy and Public Affairs*, 30 (2001)

⁵⁸ Frivolous-sounding, perhaps, but essentially what many contemporary theorists argue.