OAKESHOTT ON HEGEL'S 'INJUDICIOUS' USE OF THE WORD 'STATE'

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Abstract: This article attempts to make sense of Oakeshott's enigmatic comment in *On Human Conduct* that it was perhaps injudicious of Hegel to use the word state in the *Philosophy of Right* for his conception of a bounded association. But the article does not confine itself to making sense of Oakeshott's meaning: it compares Oakeshott's conception of *societas* to Hegel's conception of *der Staat*, Oakeshott's conception of philosophy as an unconditional consideration of conditional objects with Hegel's conception of philosophy as a reflexive consideration of the rationality immanent within unconditional objects, and Oakeshott's avoidance of divinity with Hegel's involvement in it. It is part of the purpose of this article to illustrate the suggestion that conceptions of God and conceptions of the state are closely related in the thought of both philosophers — and possibly in all philosophy: and that the problem of the state is therefore a problem as much religious as secular.

The state has been abandoned since the nineteenth century as a necessary, adequate or even possible subject of political philosophy. But it has not entirely been ignored, although many political philosophers have attempted to ignore it. The philosopher who has done most, in embattled conditions, to generate a modern and yet properly philosophical account of the state is Oakeshott. But even he has no theory of the state as such. In his early writings on politics he sought such a theory. But by the time he came to write *On Human Conduct*, the state — or what he called the modern European state — was for him an 'ambiguous association':[3] not a unity which could be explored in terms of its supposed philosophical coherence but, rather, a disunity, something which had to be understood in terms of two separate ideal associations before it could be subjected to philosophical consideration. It was, as he put it in the third essay of *On Human Conduct*, 'an unresolved tension between the two irreconcilable dispositions represented by the words *societas* and *universitas*'.[4]

The state has a vexed history, for it is an actual association as, say, Roman *imperium* was: it is a consequence of practice rather than of philosophy. It still

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[3] Michael Oakeshott, *On Human Conduct* (Oxford, 1975), p. 128.

[4] *Ibid.*, p. 201.

bestrides the world, or divides it up between itself, as it were. But it is also an ideal association as, say, the Greek *polis* was, in that at every stage of its development, it has been, unlike *imperium* — which was eulogized by poets, enacted by jurists and explained by historians — the subject of the sort of philosophical endeavour which means that it is conceived in terms of its ends, which are supposed to be limited but perhaps as great as can be achieved by mortal men in a mortal situation. The state is, above all, literally limited, or bounded: it is not concerned with extending its boundaries, as *imperium* was; nor is it concerned with opening itself to the world, as *kosmopolis* was. It is an ideal — a bounded ideal; and it has obsessed clusters of men at certain points in history whose writings have enchanted even men far less obsessed throughout the centuries so that we still have fairly full records of the adventures in considering entities which have been known, at one time or another, in general terms, as *polis*, *res publica*, *civitas* or *commonwealth* and, in less general, particular, even poetic, terms as *Kallipolis*, *Utopia*, *Atlantis*, *Leviathan* or *Oceana*, to name but a few of the more famous. The *state* is the generic modern term for this object of philosophical adventure, but it is also the accustomed name for the varieties of governmental, administrative and territorial entities which have existed, or been supposed to exist, in Europe since any time between the thirteenth and eighteenth centuries. The term has its own history, its own etymology,[5] but this, if anything, conceals the fact that the state is part of a more or less continuous, although not unbroken, fascination with conceptualizing bounded associations. The novelty of the state, as opposed to the *polis* or even, its derivative Roman form, *res publica*, is that it emerged out of, or after, one of the longest attempts made by man to understand his world, his destiny and his hopes of existing in law in terms of an unbounded engagement with God — an engagement through *faith* which made any concern with a mere city, republic or state secondary. That every soul be subject unto the higher powers was both a spiritual and a temporal encouragement: and the greatest *basileus*, *imperator* or *papa* had to acknowledge this. Caesar stepped aside for God. The question was, what followed if God was supposed to step aside for Caesar? The state, as it emerged, was not merely an engagement with whatever Plato, Aristotle or Cicero had been concerned with in antiquity: whatever classicists or humanists might innocently think. One of the great insights of that historical modernity which has emerged since the late eighteenth century — of which Hegel was an early and Oakeshott, perhaps, a late example — is that nothing is *sui generis*, and nothing *ex nihilo*: everything has a history, in terms of itself, and in terms of what is not itself — its situation, its opposites, its struggles. The state is the shadow of the ancient *polis* or *res publica*, indeed; but it is only so, and this must never be forgotten,

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[5] For which, see Quentin Skinner, 'The State', in *Political Innovation and Conceptual Change*, ed. Terence Ball, James Farr and Russell Hanson (Cambridge, 1989), pp. 90–131.

ex post Christianitas. It carries with it, in its essence, some spiritual taint of the aspirations of the theologians, clerics and lawyers whose conceptions shaped the world in the eras of Constantine, Charlemagne and Charles V. It is this — as well as, perhaps, the so-called scientific revolution and the so-called discovery of the world — which have led to the complications of political theory since the fifteenth century. But, of these, the religious influence is the darkest, deepest and most intractable: it is intensive, inward, and thrusts down into the roots of what it is possible for men to think. Hegel's *Staat* and Oakeshott's *societas* are, in this sense, late variants of that general entity, the state, particularized in so many forms since the time of Machiavelli, but conceived in terms of a sensitivity to history, especially the influence of religion in history.[6]

It is the endeavour of this article to say that these two men were more conscious of the sort of activity they were engaged in than most others who have thought about politics — even if, in the case of Oakeshott, he considered it necessary to say that the *actual* state could no longer be understood as a simple or philosophical entity in itself but as a historical tension between two philosophical entities.[7] If this were the case, he insisted, this was still something which deserved philosophical contemplation.

Although the state was said to be a tension between *societas* and *universitas*, Oakeshott distinguished *societas* and *universitas* in order to disparage the latter; and, since the third essay of *On Human Conduct* was a historical essay, he argued that the preference for *societas* was one which had been shared, anticipated and theorized by Bodin, Hobbes, Spinoza, Kant, Fichte and Hegel. Of these anticipations of *societas*, Bodin's was said to be the 'most sketchy', Hobbes's 'the most intrepid and the least equivocal' and Hegel's 'the most sophisticated'.[8] Presumably because he had already written a great deal about him, he ignored Hobbes, but he went on to demonstrate that what Bodin had meant by *république* and what Hegel had meant by *der Staat* was what he now meant by *societas*. In the six or seven pages of what remains Oakeshott's only adventure in understanding Hegel, he attempted to show that the meaning of the *Philosophy of Right* was his own meaning.[9] And at the end, after having characterized Hegel's ideal conception of association, he commented, almost

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[6] It is the intention of the author, some time in the future, to order these possibly apparently sketchy suggestions into an entire philosophy of political history entitled *Polis, Imperium, Cosmopolis*.

[7] For an earlier discussion of Oakeshott's distinctions in a different context, see James Alexander, 'An Essay on Historical, Philosophical and Theological Attitudes to Modern Political Thought', *History of Political Thought*, 25 (2004), pp. 126–33.

[8] Oakeshott, *On Human Conduct*, p. 252.

[9] For Oakeshott's interpretation of Hegel, see *ibid*., pp. 256–63. There is nothing significant about Hegel in Oakeshott's recently published *Lectures in the History of Political Thought*, ed. Terry Nardin and Luke O'Sullivan (Exeter, 2006).

as an aside: '. . . and (perhaps injudiciously) he called such association *der Staat*'.[10]

This aside was made in the middle of a historical essay but its significance was not merely historical. That essay attempted to explain the character of modern European states in terms of a highly abridged history of the interaction of two conceptions of association; and insofar as it was historical, it was the history of the imperfect manifestations of these incommensurable ideals. Oakeshott called these ideals *societas* and *universitas*, but they were philosophical ideals, the analogues of the 'civil association' and 'enterprise association' he had delineated in the second, philosophical, essay. The discussion of Hegel's *Philosophy of Right* was, as a consequence, an exercise in philosophical reconstruction rather than an exercise in historical contextualization — except in the sense that Oakeshott contextualized *all* antique, medieval and modern political reflection by locating it within the continuities of European history. It is perhaps necessary to add that the resolute separation of the historical and philosophical modes which Oakeshott insisted on in his early work *Experience and Its Modes* was abandoned by the time he wrote *On Human Conduct*. This is because he now thought that political philosophy was a 'conditional' understanding. The structure of *On Human Conduct* involved a sort of dialectic whereby Oakeshott shifted from philosophy to history: the first essay was a philosophical study of 'conduct' which argued that conduct was the ideal character of substantive action which was, as substantive action, necessarily contingent and therefore 'in principle' subject to historical rather than philosophical understanding.[11] The shifting modality was evident in the next two essays, where he moved from the consideration of mere (solitary) conduct to civility: for in the second essay he understood the civil condition philosophically, in terms of its ideal character, but in the third essay he understood it historically, in terms of the substantive and contingent events, both in thought and deed, by which it had been manifested.

Oakeshott's comment about Hegel's *Staat* was therefore not only of historical significance but also of philosophical significance. There is no reason why reflection on it should be confined either to Oakeshott's meaning or to Hegel's meaning. There is a sense that this comment goes to the root of the

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[10] Oakeshott, *On Human Conduct*, p. 262. In this article *der Staat* and 'the state' will be used interchangeably. It would cause unnecessary confusion to try to distinguish them: although, of course, it should be recognized that, in the course of an English essay on the subject, *der Staat* will obviously refer to Hegel's conception of the state rather than any other conception of the state or any mere state. But it should nonetheless be understood that the ambiguity Oakeshott complained of in the word *Staat* cannot be distinguished from that evident in the word 'state'.

[11] The important passages are in *ibid*., pp. 31 and 106–7.

problem of attempting to subject the state to *any* sort of philosophical consideration. It is, in other words, not merely a scholarly matter but also a philosophical matter. This is not to say that scholarship is irrelevant: but it is to say that in the existing scholarship there has been little attempt to derive any broader significance from it. One scholar has argued that Oakeshott's attempt to assimilate *der Staat* to *societas* succeeded in restating Hegel's argument more effectively than it had originally been stated by Hegel — an argument for which there is *something* to be said (although it would require more subtlety were it to be made effectively);[12] while most others have argued more plainly and plausibly that Oakeshott's account of Hegel's argument is only doubtfully Hegelian but certainly Oakeshottian.[13] But neither of these arguments has amounted to an explanation of Oakeshott's reason for equating his own philosophical sketch of *societas* with Hegel's philosophical sketch of the state. And neither has dealt with the enigmatic comment about the injudiciousness of using the word 'state'. It is a comment which cannot be understood in itself: it appears to be an aside, a parenthetical remark, but it is something which cannot be understood except in terms of what Oakeshott meant by *societas*, what Hegel meant by *der Staat*, what both Oakeshott and Hegel meant by philosophy, and what it is possible for *anyone* to think about understanding human conduct in terms of its postulates (to put it in Oakeshott's terms) or about achieving self-consciousness of the immanent rationality within objective mind (to put it in Hegel's terms). Is it, in short, possible to have a theory of the state?

To understand Oakeshott's comment is to understand something about why modern political philosophy is ambivalent about the state. Oakeshott's particular reticence about using the word state is as revealing as Hegel's determination to use it. Whether right or wrong about Hegel, Oakeshott's is the subtlest expression of doubt about the state which has been made by any modern political philosopher. Other commentators have questioned the state, but without Oakeshott's subtlety: for where he refused to abandon philosophy, even if it was necessary to abandon the state as a philosophically coherent conception, others have come to consider that the state requires not philosophical but historical or sociological attention.[14] Yet unless modern political philosophy is to dismiss the problem of the state altogether, it is necessary to

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[12] See Paul Franco, *The Political Philosophy of Michael Oakeshott* (New Haven, 1990), pp. 207–10.

[13] See Efraim Podoksik, *In Defence of Modernity: Vision and Philosophy in Michael Oakeshott* (Exeter, 2003), p. 189; and Luke O'Sullivan, *Oakeshott on History* (Exeter, 2003), pp. 210–13.

[14] See, for instance, Philip Abrams, 'Notes on the Difficulty of Studying the State (1977)', *Journal of Historical Sociology*, 1 (1988), pp. 58–89; Michel Foucault, 'Governmentality', in *The Foucault Effect: Studies in Governmentality*, ed. Graham Burchell, Colin Gordon and Peter Miller (London, 1991), pp. 87–104; Timothy Mitchell, 'The Limits of the State: Beyond Statist Approaches and their Critics', *American Politi-*

accept that either it, or the conceptual elements which together compose it, *can* be subjected to proper philosophical study. Hegel and Oakeshott are two of the greatest political philosophers in our tradition because they saw the necessity of preventing political philosophy from ending in an acknowledgement of the entire irrelevance of philosophy for politics.

Oakeshott's criticism could not be ignored even if it did justice to neither Hegel's *Philosophy of Right* nor the state, because it does do justice to political philosophy. Three questions will be asked here: first, why Oakeshott considered it injudicious of Hegel to use the word state; second, whether he fully understood Hegel in saying so; and, third, what the significance of such silent misunderstanding or possibly deliberate partial understanding was for both Oakeshott's and Hegel's conceptions of the state. It should come as no surprise to anyone familiar with the works of Hegel or Oakeshott that the significance is not simply a matter of politics but also a matter of religion. For, where Oakeshott attempted to distinguish philosophy from theology, Hegel did not (or did so dialectically in a manner which preserved in philosophy what he thought was the real content of theology): and it is only in considering Hegel's willingness — perhaps too great a willingness — to confront both *Gott* and *Staat* in his political philosophy and Oakeshott's reluctance — perhaps too great a reluctance — to dismiss both mere gods and mere states in *his* which will allow us to understand the importance for modern political philosophy of the injudiciousness or otherwise of using the word state. The subject here is secularity: and how far political philosophy can be meaningful if founded only in secular and not in theological, or even secularized theological, certainties.

If this were a simple article it might simply venture an exposition of Oakeshott's meaning, or, further, attempt to demonstrate that Oakeshott did not do justice to Hegel. But this would be superficial. This article is deliberately not simple because the initial question is not whether or not Oakeshott understood Hegel correctly but how he understood him; and the eventual question is not whether *On Human Conduct* or the *Philosophy of Right* had a better interpretation of the conception of the state but what follows from an attempt to understand the differences between them. Hegel and Oakeshott were both concerned with political philosophy; and the purpose of the article is to contribute to a better understanding of not merely Hegel or Oakeshott but political philosophy itself.

So the article is structured as follows. The first part considers how Oakeshott interpreted Hegel's *Philosophy of Right* in order to suggest that *der Staat* was an anticipation of his own *societas*. Oakeshott's and Hegel's philosophies had

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cal Science Review, 85 (1991), pp. 77–96; and David Runciman, 'The Concept of the State: The Sovereignty of a Fiction', in Quentin Skinner and Bo Strath, *States and Citizens* (Cambridge, 2003), pp. 28–38. For the confusions involved in any contemporary attempt to theorize the state see Raymond Geuss, 'The State', in *History and Illusion in Politics* (Cambridge, 2002), pp. 14–68.

a certain amount in common; but it was the difference between them which means that *societas* cannot be considered more than an abridgement, reduction or minimization of *der Staat*. The second part of the article makes the difference between *societas* and *der Staat* clear by showing how the entire philosophical understanding Oakeshott developed in *On Human Conduct* differed from the entire philosophical understanding Hegel had developed in the *Philosophy of Right*. The third part goes on to consider those elements which are abandoned, ignored or obscured if *der Staat* is taken to be no more and no less than *societas* — the elements which Oakeshott ignored and Hegel did not — namely, the religious elements. In other words, we will consider first *der Staat* as *societas*, then *der Staat* in and for itself, and finally *der Staat* and *societas* as varieties of what we might call — after Hobbes or Schmitt — some sort of *mortalis deus*. We will shift, then, from the limitations of Oakeshott's understanding of the state to the limitations of Hegel's understanding, and then onto the limitations of an understanding which is not so much a separate understanding of the state as much as a characterization of what possibly lies behind any attempt to understand the state *either* as an unconditional object *or* as a conditional and contingent combination of conditional ideal objects.

I

Oakeshott wrote nothing decisive about the philosophy of the state until he put forward in *On Human Conduct* his conviction that the state was not an unconditional object in itself but an unresolved tension between two conditional conceptions of association, *societas* and *universitas*. The incorporation of Hegel's *Staat* into *societas* may not have been one of Oakeshott's greatest achievements. In terms of the entirety of *On Human Conduct* it was not of much importance. But, for Oakeshott, it was the resolution of a difficulty he had encountered first in the twenties, sidestepped in the thirties and forties, and not seen his way to resolving until the seventies. This difficulty was the difficulty of knowing what could be said about the state — and, for Oakeshott, the state was never the mere state of history but the philosophical state of the idealists and especially Hegel. The six or seven pages in *On Human Conduct* were a belated tribute to an overwhelming influence, a determined recovery after years of an apparent reluctance to say anything about the state in philosophical terms, and a triumphant reorientation in which the obscurities of Hegel's understanding were finally resolved.

Oakeshott first attempted to deal with the problem of the state in the twenties as if a theory of the state were possible.[15] In the only essay he wrote on that subject his view of the state was heightened and rather severe: he argued that

[15] This paragraph is indebted to Gerencser's observation about the importance of the early essay 'The Authority of the State' as an idealist statement from which Oakeshott receded. See Steven Anthony Gerencser, *The Skeptic's Oakeshott* (New York, 2000), pp. 59–65. Whereas Franco emphasizes, as it seems, wrongly, Oakeshott's philosophical

most understandings of the state were 'abstract' or 'ideal' and therefore insuf-
ficient. The state had to be understood as something which was not partial,
abstract or ideal, but a unity. It was a 'complete conception' and a 'fact': but a
'fact' only when it was understood as complete in itself, and a 'complete con-
ception' only when it was seen to supersede all other partial conceptions of it
so they were seen 'neither as possible alternative, nor as contradictions, nor as
contributions, but as abstractions to be supplanted'. The state was, in this
sense, a 'truth' not an 'abstraction', something 'self-subsistent', something
'which carries with it the explanation of itself': it was a unity which would not
need to be related to any other greater unity in order to be understood and it
was, in fully Hegelian manner, 'the totality in an actual community which
satisfies the whole mind of the individuals who compose it'. Oakeshott him-
self had difficulties with the height of this conception — 'I cannot now enter
into all the implications of this conception of the state, and indeed I do not pre-
tend that they are all as clear to me as I should wish' — but he dealt with the
problem of saying where such a state might exist by remarking that 'the state
exists insofar as such a satisfaction exists, and wherever that satisfaction is
found, there is the state'.[16]

   This recasting of Hegel's obscurities evidently did not convince Oakeshott
in the twenties, and it seems that conviction was lacking until the publication
of *On Human Conduct* fifty years later. That there was a problem about the
idealist conception of the state can be seen from his silence about Hegel; that
the problem was resolved can be seen from the end of that silence. Oakeshott
had always admired Hegel. In the thirties he mentioned Hegel and Plato as
exemplary philosophers,[17] in the forties Plato, Hobbes and Hegel as exem-
plary *political* philosophers,[18] and in the seventies, as we have already seen,
Bodin, Hobbes, Spinoza, Kant, Fichte and Hegel as exemplary political phi-
losophers of *societas*.[19] Whenever he alluded to Hegel's *Philosophy of Right*,

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continuity, Gerencser observes, as it seems, rightly, that all of Oakeshott's writing from
Experience and Its Modes onwards are signs of philosophical reorientation. See,
Gerencser, *The Skeptic's Oakeshott*, pp. 61, 63 and 65. For Franco's strongest statement
of his conviction that *On Human Conduct* was intended to be, and was, a modern restate-
ment of the *Philosophy of Right*, see Franco, *The Political Philosophy of Michael
Oakeshott*, pp. 209–10.

   [16] Oakeshott, 'The Authority of the State' (1929), in *Religion, Politics and the Moral
Life*, ed. Timothy Fuller (New Haven, 1993), pp. 80–4.

   [17] Oakeshott, *Experience and Its Modes* (Cambridge, 1933), p. 7.

   [18] Michael Oakeshott, 'Introduction', in Thomas Hobbes, *Leviathan or the Matter,
Forme and Power of a Commonwealth Ecclesiasticall and Civil*, ed. Michael Oakeshott
(Oxford, 1946), p. xii; or Michael Oakeshott, 'Introduction to *Leviathan*', in *Rationalism
in Politics and Other Essays* (Indianapolis, 1991), pp. 227–8. In this article references to
both editions will be given.

   [19] He also paid tribute in *On Human Conduct* to Aristotle, along with Hobbes and
Hegel, for distinguishing the ideal from the actual, and, at a lesser level, to Cicero,

it was in heightened terms — as, for instance, a 'grand and subtle creation'.[20] But there was a problem about Hegel, as there was not, for instance, about Hobbes.[21] It has been argued by at least one scholar that the failure to understand politics philosophically became obvious to Oakeshott at some point between the late twenties and late thirties but was a failure he recovered from after the late thirties by abandoning the heightened or total claims of absolute idealism and by turning instead to the rather more sceptical, intrepid and yet minimal idealism he developed through an encounter with Hobbes.[22] If this is the case, as it may be, then it would explain why Oakeshott could not have written anything effective about Hegel before the reorientation begun in the thirties was theorized in philosophical terms — something which did not happen until he wrote *On Human Conduct*. And since Oakeshott's thought had emerged as a recession from absolute idealism, it is possible that when he finally managed to generate his own philosophical approach to the state he needed to demonstrate that even Hegel's *Staat* was something which could be interpreted not merely in a heightened sense — as it was usually understood — but also in this sceptical, intrepid and minimal sense.[23]

Whatever the case, it is evident that there was no reinterpretation of Hegel's *Staat* in Oakeshott's writings until the late sixties and early seventies. In a review of an edition of Marx's critique of Hegel's *Philosophy of Right* written a few years before the publication of *On Human Conduct*, Oakeshott was dismissive about Marx, who 'belonged to a generation of unfortunates who could not think about anything without engaging in the often tedious business of explaining exactly how their thoughts related to what they took Hegel to have said'. Oakeshott thought that while Hegel had been 'a masterful original thinker' — in other words, a philosopher — his followers had sought to make his philosophy into a matter of belief and salvation. Marx was merely one of many who 'cast his thoughts into the form of a critique of Hegel'; although, as

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Montesquieu, Von Humboldt and Constant, for characterizing the association he called *societas*. See Oakeshott, *On Human Conduct*, pp. 109, 181 and 245–6. Oakeshott's hall of fame was sometimes erratic. See below, footnote 27.

[20] Oakeshott, 'Introduction', p. xv or p. 231.

[21] Oakeshott wrote a great deal about Hobbes from the thirties onwards. He reflected on the new literature on Hobbes written between 1925 and 1934 in 'Thomas Hobbes', *Scrutiny*, 4 (1935–6), pp. 263–77; then about what he considered to be the best exposition of Hobbes in 'Leo Strauss on Hobbes', *Politica*, 2 (1936–7), pp. 364–79; then he contributed his own understanding in his 'Introduction' to *Leviathan* (1946) and the further essay 'The Moral Life in the Writing of Thomas Hobbes' (1960), which were collected in Michael Oakeshott, *Hobbes on Civil Association* (Oxford, 1975).

[22] See Gerencser, *The Skeptic's Oakeshott*, pp. 108 and126.

[23] The question of Oakeshott's relation to Hegel is discussed in Wendell John Coats, 'Oakeshott and Hegel', in his *Oakeshott and His Contemporaries: Montaigne, St Augustine, Hegel et al* (Selinsgrove, 2000), pp. 39–51, and Paul Franco, 'Oakeshott's Relationship to Hegel', in *The Intellectual Legacy of Michael Oakeshott*, ed. Timothy Fuller and Corey Abel (London, 2005), pp. 117–31.

it happened, the critique was 'an odd performance', and, so far as Hegel was concerned, 'totally worthless'. Marx was said by Oakeshott to have misunderstood Hegel particularly on the subject of the state.

> Instead of understanding Hegel to be asking the question, What is the character of a society of rational free agents — persons in respect of being wills?, that is, What is the idea *State*?, Marx understands him to be offering a demonstration of how the Absolute Idea (regarded as a kind of cosmic demiurge) *creates* the empirical actualities of political sentiments and relationships. He turns Hegel's speculative philosophy into the vulgarest kind of Platonism to be disposed of by the Feuerbachian formula. And he mistakes Hegel's not always felicitous attempt to find the quantum of rationality in some of the well-known institutions of European law and government for an attempt to *deduce* some of the more antiquated of these institutions from the Absolute Idea and thus to *justify* them. In short, Marx fathers upon Hegel everything Hegel himself expressly disclaimed.[24]

Oakeshott wanted to preserve Hegel from any vulgar interpretation of his philosophy and so suggested on the one hand that the state was an ideal and on the other that philosophy was the attempt to locate the 'quantum of rationality' in the modern European politics — the *quantum*, note — with everything else presumably a consequence of Hegel's 'not always felicitous attempt' to do so.

In a review of Avineri's book, *Hegel's Theory of the Modern State*, published a few years later, Oakeshott went further. He distinguished Avineri's achievement in making sense of the 'miscellaneous, fragmentary and often obscure' materials which displayed Hegel's continuous engagement with politics from his failure to explain what the *Philosophy of Right* was really about. Oakeshott maintained that it *was* possible to use Hegel's observations, comments and views on contemporary political matters to explain much of the *Philosophy of Right*, because it was a 'dreadfully miscellaneous piece of writing' which made 'considerable excursions into matters of contingency'. But he considered that it was *not* possible to understand Hegel's attempt to explain the state in philosophical terms as if it were merely the culmination of his reflections on contemporary politics. Avineri's book left the 'deep obscurities' — philosophical obscurities — of Hegel's *Philosophy of Right* untouched. It could not explain, for instance, what Hegel had meant by *der Geist*, *das Subjekt*, *der Wille*, *das Recht* and *das Gesetz*. And it could not explain what Oakeshott repeatedly referred to as the 'notional' or 'ideal' association which Hegel 'call[ed] *der Staat*'. Oakeshott was extremely cautious. What Hegel had meant by the state was not 'the current German conception of a state'; nor was it the modern European conception of a state. It was an *ideal*: it was a philosophical attempt to sketch an ideal. He did not say in this review that it

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[24] Michael Oakeshott, 'Michael Oakeshott on Marx on Hegel', a review of Karl Marx, *Critique of Hegel's Philosophy of Right*, ed. Joseph O'Malley (Cambridge, 1970), in *Spectator* (6 February 1971), pp. 192–3.

had perhaps been injudicious of Hegel to use the word state for such an ideal; but he emphasized that it was the word Hegel had chosen for his ideal with such emphasis that it is evident when this review is read in relation to what he wrote in *On Human Conduct* that he wanted to suggest that Hegel need not have used it.[25]

In the third essay of *On Human Conduct* Oakeshott left Hegel's own conceptions — of *der Geist*, *der Wille*, *das Gesetz*, *das Recht* and *der Staat* — in the original German, but explained them in terms of his own characteristic conceptions. It would be possible, although it will not be attempted here, to indicate exactly how each of Hegel's conceptions was interpreted in such a way as to encourage the sense that Hegel had meant in the *Philosophy of Right* what Oakeshott meant in *On Human Conduct*. It is enough to say that Oakeshott's explanation was relentless, thorough and subtle — more than that, it was plausible. But it was simpler than it seemed: for each part of the interpretation was there simply to support the fundamental equation which Oakeshott insisted existed between *societas* and *der Staat*.

Oakeshott's entire criticism of Hegel was framed in such a way as to make such an equation inevitable.[26] Hegel was the last and the greatest of those who 'were alike in their recognition of a state in the terms of *societas*'. This meant he was the inheritor, as Oakeshott considered himself to be, of the tradition which emphasized the 'sentiment of individuality': which saw life as an adventure carried out by a subject in a world of uncertainty (contingency) rather than an end achieved by a substance in a world of certainty (teleology). It was 'the strongest strand in the moral convictions of the inhabitants of modern Europe'; it was the ideal of '*civitas peregrina*: an association, not of pilgrims travelling to a common destination, but of adventurers each responding as best he [could] to the ordeal of consciousness in a world composed of others of his kind'; and it was found not only in Bodin, Hobbes, Hegel and the rest, but also found in every element of the Christian, Stoic, Epicurean and Roman Law traditions Oakeshott could bring himself to admire and in everyone from St Francis, Ockham, Abelard and Cervantes — through Machiavelli, Constant and Montesquieu — to Burke, Paine, Salisbury and Acton.[27]

Oakeshott took Hegel to have been a 'resilient European who recognized what was afoot as a modernity to be responded to'.

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[25] Michael Oakeshott, Review of Shlomo Avineri, *Hegel's Theory of the Modern State* (Cambridge, 1973), in *European Studies Review* (1975), pp. 217–20.

[26] Oakeshott's interpretation of Hegel's meaning constituted the last part of the long section in the third essay of *On Human Conduct* which dealt with the varieties of historical understanding of the state as an 'enterprise association' or *societas.* For this, see pp. 233–63.

[27] See Oakeshott, *On Human Conduct*, pp. 235–51, and especially pp. 239, 242 and 243. For Maurice Cowling's comment on this 'eclectic pedigree' see M. Cowling, *Religion and Public Doctrine in Modern England* (Cambridge, 1980), pp. 275–6.

> He thought he discerned in the French Revolution and in the Napoleonic
> shake-up of Europe the emergence of human associations in many respects
> unlike (and superior to) anything to be found in the earlier history of Euro-
> pean relationships, and he calls these associations 'states', meaning 'states
> in the proper sense'.[28]

But even though Hegel had responded to a particular historical experience, he
had done so as a philosopher 'determined to understand everything in terms of
its postulates and engaged in a tireless exploration of the conditions of condi-
tions which nevertheless recognised the conditional autonomy of whatever
revealed itself to be conditional'.[29] Oakeshott's interpretation of Hegel's philo-
sophical consideration of *der Staat* was therefore minimal and restrained: in
translating Hegel's German into English it assimilated it into a philosophical
perspective which emphasized the conditionality of understanding. Accord-
ing to Oakeshott, Hegel began with human beings conceived as 'individual
exhibitions of *der Geist*'. *Der Geist* was not 'a substance or impersonal force
loose in the universe' but, instead, the 'reflective intelligence' which existed
in 'the characters, the adventures, the works, and the relations of human
beings'. Oakeshott emphasized the individuality of those possessing this
intelligence.

> In respect of being an exhibition of *der Geist* each man is self-moved by his
> own self-understanding and what he is generically (*Geist*) is the specifica-
> tion of his individuality. He is *in* himself what he is *for* himself. *Geist* is
> *Subjekt*, not *Substanz*. Thus, although such human beings may, perhaps, be
> said to have a common engagement which may be recognised as participa-
> tion in the continuous self-enactment of *der Wirkinde Geist* (an adventure,
> not a teleological process), they have no common substantive purpose; they
> are an irreducible plurality of *Subjekte*.[30]

With this established, such subjects could only be associated in terms of
'learned and understood conditions of association'. Oakeshott went on to
show how humans were not only exhibitions of *der Geist* but also *der Wille*:
not abstract reflective intelligence but an 'engagement' of that intelligence
with the world. Against mere objects, the subject had 'the unconditional right
of *Geist* over Nature (not-*Geist*)' but against other subjects, the subject had no
unconditional right. The subject in possession of *der Wille* amongst other sub-
jects was capable of right and wrong; and this necessitated, as a condition of
association, *das Recht*, or what Oakeshott called 'considerations of right con-
duct'. Oakeshott located the sophistication of Hegel's account of this in terms
of the importance of each subject's acknowledgement of *das Recht*.

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[28] Oakeshott, *On Human Conduct*, p. 256.

[29] *Ibid*., p. 257.

[30] *Ibid*.

> The only conditions of conduct which do not compromise the inherent integrity of a Subject are those which reach him in his understanding of them, which he is free to subscribe to or not, and which can be subscribed to only in an intelligent act of Will. The necessary characteristic of *das Recht* is not that the Subject must himself have chosen or approved what it requires him to subscribe to, but that it comes to him as the product of reflective intelligence and exhibiting its title to recognition, and that it enjoins not a substantive action but the acknowledgement of a condition which can be satisfied only in a self-chosen action.[31]

Das Recht could be manifested in many forms, one of which was 'that in which persons are related to one another in continuous transactions to procure the satisfaction of their wants'; but Hegel emphasized the 'moral' association in which 'the associates [were] not merely instruments of one another's satisfactions'. This was *der Staat*: 'a system of known, positive, self-authenticating, non-instrumental rules of law' or *Gesetze*. To be associated in terms of *das Gesetz* was 'to be related in terms of conditions which [could] be observed only in being understood'. And it was in this acceptance and understanding of *das Gesetz* that *das Recht* was acknowledged and *der Staat* achieved. Oakeshott summarized his understanding thus:

> In the *Philosophie des Rechts*, then, Hegel was concerned to characterize the ideal mode of association postulated in persons understood in the conditional terms of *der Wille*. He concluded that it is a relationship in terms of *das Gesetz* and (perhaps injudiciously) he called such association *der Staat*.[32]

This was the essence of Oakeshott's understanding of Hegel's philosophy of the state: an association of free individualities through their own conscious acceptance of conditions laid down in law such that the association itself had no further end of its own: one which existed solely in order to formally, or morally, relate individuals. It was an ideal association, this state, minimal and abstract: and, according to Oakeshott, it was indistinguishable from his own conception of *societas*.

Oakeshott's criticism of Hegel was that he had written as if *der Staat* was not merely an ideal but an actuality. Hegel's attempts to relate his ideal to 'certain of the legal and governmental institutions of modern Europe' had been 'often far-fetched', although he had not been wrong to suggest that *der Staat* had been intimated in some of the experience of 'the so-called political associations of European peoples: in the ancient Greek *polis*, in the medieval realm, and particularly in modern European states'. Nonetheless Oakeshott doubted Hegel's conviction that 'the states of modern Europe were on their way to acquiring the character of *der Staat*' and commented that 'no modern

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[31] *Ibid*., p. 260.
[32] *Ibid*., p. 262.

European state could be *identified* as an unambiguous example of the idea *Staat*'.[33]

Oakeshott's meaning, then, was straightforward. If no modern European state could be identified as an unambiguous example of the idea *Staat* then it had been injudicious of Hegel to use the very word which made it possible for less careful philosophers to confuse the idea *Staat* with any particular actual state. But it is important to recognize that this was not the only reason, although it was the most overt. For by distinguishing two philosophical conceptions by which he supposed the merely contingent state was to be ideally understood, Oakeshott was declaring that the state itself was not something which could be considered an unconditional philosophical conception — nor, for that matter, was it an unconditional actuality. Although Oakeshott did not say this, it lay behind his comment that it was injudicious to call the association *der Staat*. It was evident in every translation of Hegel's terminology he effected, but especially the one that he effected when he translated *der Staat* in the third essay of *On Human Conduct* as *societas*.

II

Some commentators admired Oakeshott's explication of Hegel; others called it a misrepresentation. Riley wrote, soon after Oakeshott's death, that 'the half-dozen pages on the *Philosophy of Right* eclipse many full-length treatises'.[34] But Pitkin wrote, soon after the publication of *On Human Conduct*, that the same pages displayed 'an account marred by distortions so obvious and of such a kind that they seem understandable only as a denial or rejection of the dialectic in Hegel's thought'.[35] Neither noticed that it was not Oakeshott's purpose to render all of Hegel's philosophy, but only that part of it which could be rearranged within his own philosophy.

So far, this article has suggested that Oakeshott thought it was injudicious of Hegel to have called his ideal association *der Staat* because in doing so he blurred the distinction between the ideal and the actual; and in so doing allowed later writers such as Marx to assume that Hegel's *Staat* was an actual institution. This was, in a sense, an unexceptional criticism: indeed, a Hegelian one: it criticized Hegel for not being Hegelian enough. But it is one which is likely to mislead us if we consider it apart from what distinguished Oakeshott from Hegel, which was the fact that the former saw the state as something conditional while the latter saw it as something unconditional. *Der Staat* was an actual unity — the state itself; whereas *societas* was a conception which when related to the rival conception of *universitas* made sense of the state. It is

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[33] *Ibid.*

[34] Patrick Riley, 'Michael Oakeshott, Philosopher of Individuality', *The Review of Politics*, 54 (1992), p. 659.

[35] Hannah Fenichel Pitkin, 'Inhuman Conduct and Unpolitical Theory: Michael Oakeshott's *On Human Conduct*', *Political Theory*, 4 (1976), p. 304, and also p. 318 n. 11.

necessary to emphasize that the difference between these two views of the state was the consequence of two different but related conceptions of philosophy. Even though Oakeshott's comment was made midway through the third essay of *On Human Conduct*, it was not a mere aside: it was a comment consistent with the entirety of his argument. The book of course took the form of three related essays: the first on the understanding of human conduct, the second on the ideal association which he called the 'civil condition' or *civitas*, and the third on the unresolved tension between *societas* and *universitas* which he supposed could be used to explain the history of the modern European state. But the book was, nonetheless, an attempt to sketch an entire philosophy — an attempt to do justice to its own argument.[36] The purpose of the six or seven pages on Hegel was certainly not to do justice to Hegel's argument in its entirety.[37] Nor was it to do justice to *der Staat*. The purpose was to do justice to the conception of *societas*, to demonstrate that it was a conception which had been anticipated in the writings of earlier philosophers, and to ignore, dismiss or criticize any inconvenient elements of those writings. So when Oakeshott took *der Staat* as his ostensible object he was interpreting it not in terms of Hegel's philosophy but in terms of his own. And Hegel's conception of *der Staat* was no longer Hegel's *Staat* once it was justified in terms of Oakeshott's philosophical conceptions.

The reason the six or seven pages by Oakeshott about Hegel in *On Human Conduct* cannot be understood without an entire sense of the *Philosophy of Right* (and not simply the section on *der Staat*) or without an entire sense of *On Human Conduct* (and not simply the section on *societas*) is because both Oakeshott and Hegel understood politics, right or association — the particular name does not matter — within the frame of philosophy. They were concerned to establish understandings of the objects subjected to understanding, to establish an understanding of that understanding itself, and to relate the objects understood to the understanding understood. Both had a heightened sense of what it was to be a philosopher and, consequently, both acknowledged — although to different extents — the circularity of the enterprise they were engaged in. The difference between them was that Oakeshott's circularity was clear in the parallels which existed between the philosophical activity

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[36] As Oakeshott urged against Pitkin. See Oakeshott, 'On Misunderstanding Human Conduct: A Reply to My Critics', *Political Theory*, 4 (1976), p. 353.

[37] Oakeshott himself acknowledged this: 'What I have to say is no more than a brief account of his thoughts on this theme [of the philosophy of human association], omitting much that falls within the folds of his reflection, rearranging the argument, and taking short cuts with some of its transitional passages.' Oakeshott, *On Human Conduct*, p. 257. He was too modest: he did not say that he was deliberately interpreting the meaning of the *Philosophy of Right* in terms of his own understanding.

by which the state would be considered and the idea of *societas* to which his philosophical activity tended — it was analogical; whereas Hegel's circularity was in the absolute identity between the philosophical activity which realized the state and the idea of the state to which philosophical activity tended — it was teleological. This is why Pitkin said Oakeshott misunderstood Hegel: because Hegel was dialectical, and Oakeshott undialectical.[38] To use words they both used, Oakeshott's circularity was formal without being substantial while Hegel's was formal *and* substantial.

Oakeshott's conception of philosophy, by the time he came to write *On Human Conduct*, was of an 'engagement of understanding' which was 'unconditional'. It began with something understood, a 'fact', and subjected this to a critical engagement on the grounds that 'every understanding is recognised as a not-yet-understood and therefore as an invitation to understand'. It was an endless engagement in the sense that it was concerned with the adventure of understanding and not the supposed end to be reached by an understanding. And so 'the notion of an unconditional or definitive understanding' had no part in the adventure: all that was unconditional was the engagement to understand: any understanding was itself taken to be 'conditional'.[39] This doctrine, expressed in the first essay of *On Human Conduct*, had obvious consequences for his view of the state in the later essays: only the engagement to understand was unconditional — everything else, even the state, and certainly any understanding of the state, was conditional.

In the twenties he had taken the state to be a 'fact' which was above and beyond any abstract conception of it; but in *On Human Conduct* the implication was that insofar as the state was a 'fact' it was, as such, no more than the 'contingent starting-point of a critical enquiry'.[40] An object when identified was not 'a verdict to be accepted' but 'an invitation to interrogate it'.[41] And to subject an object to philosophical consideration was to understand it as an 'abstracted identity in terms of its conditions'. Oakeshott called this an understanding 'poised between heaven and earth'.[42] He was, like Daedalus, wary of both heaven and earth but especially, in this regard, heaven. He dismissed the attempt to discover 'an unconditional understanding' of anything: any end, *telos* or unconditional understanding was, he thought, a sign of a 'visionary' temperament which was out of place in his conception of philosophy.[43]

Oakeshott avoided teleology, but he did not avoid circularity, although he did not draw attention to it. The circularity consisted in the fact that in *On Human Conduct* both the unconditional engagement of philosophy and the

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[38] See Pitkin, 'Inhuman Conduct', pp. 303–4.

[39] Oakeshott, *On Human Conduct*, pp. 2–3.

[40] *Ibid*., p. 2.

[41] *Ibid*., p. 8.

[42] *Ibid*., p. 25.

[43] *Ibid*., p. 29.

ideal association generated by the conditional engagement derived from it were understood in terms of adventure. At the very beginning of the book, philosophy, or the engagement of understanding, was said to be an 'adventure' and not the 'end' sought by that understanding, while at the very end of the book *societas* was associated with the disposition to seek 'adventure' and *universitas* with the disposition to seek 'ends'.[44] Neither the engagement of understanding, nor the engagement of enacting oneself, nor even the engagement of being associated in terms of a recognition of a shared civil condition — none of these was to do with ends. They were all adventures. There was no 'substantive' purpose to *either* Oakeshott's philosophy *or* his ideal association.[45] Thus, although in retreat from absolute idealism, Oakeshott's philosophy was fully circular. Philosophy was in harness with *societas*. The circularity was the circularity of adventure: but nothing was unconditional in political philosophy but philosophy itself. Neither the state nor Hegel's *Staat* — and not even his own *societas* — was unconditional.

Oakeshott's dialectic was, by comparison with Hegel's, like his conception of *societas* — abstract, ideal and minimal. It is likely that Oakeshott agreed with much of what was in Hegel but expressed himself far less emphatically, because far more modern: more sceptical, that is, more emphatic that metaphor was metaphor. Hegel could declare that the 'content' of philosophy was 'essentially inseparable from the form'.[46] Oakeshott, who may well have agreed with him, was far more reticent about any circularity in his system; for he emphasized far more the open, endless nature of proper philosophical understanding. This is the root of the structural difference between the two philosophical systems: it explains why Oakeshott, who structured his argument in twofold divisions, tended towards separation, while Hegel, who structured his argument in threefold divisions, tended towards reconciliation. Oakeshott's was, formally at least, an open system; Hegel's was, formally at least, a closed one.

Whenever Oakeshott approached a problem he distinguished two possibilities — sometimes as conditional and unconditional, sometimes as *logos* and *telos*, sometimes as adventure and end — and emphasized the superiority of adventure, *logos* or the conditional over the end, *telos* or the unconditional. When he came to consider the 'common good' he was insistent that 'the teleological suggestion it contain[ed]' had to be abandoned. For the common good, when correctly understood, was not a 'substantive satisfaction' but the

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[44] *Ibid.*, pp. vii and 324.

[45] *Ibid.*, p. 119. This is why, amongst many others, Josiah Lee Auspitz called his philosophy 'empty, formal, negative and ambitious', in J.L. Auspitz, 'Individuality, Civility and Theory: The Philosophical Imagination of Michael Oakeshott', *Political Theory*, 4 (1976), p. 264.

[46] G.W.F. Hegel, *Elements of the Philosophy of Right*, trans. H.B. Nisbet (Cambridge, 1991), preface, p. 10. References other than to the preface will be given by section number and page number in this English edition.

achievement of 'a practice without any extrinsic purpose'.[47] When he came to consider the difference between 'self-disclosure' and 'self-enactment' it was the same: the latter was admired more because it was not orientated towards the achievement of ends and therefore was not 'liable to frustration, disappointment and defeat'.[48] And when he came to deal with history he insisted on the conditional nature of the stories which made up history and dismissed any unconditional story as 'myth'.[49] On each occasion Oakeshott divided the object he subjected to understanding into two possibilities in order to dismiss one. What he dismissed was always what he supposed was the mythical unconditionality. So when he divided the state into *societas* and *universitas* he dismissed the latter because it anticipated an unconditional end.

Hegel's philosophy was not a matter of division and dismissal. He warred against two mistakes: one was the mistake which led philosophers to take refuge in abstract concepts; the other was the mistake which led them to become distracted by the merely contingent matters of actuality, particularity or, as we might call it, history. He too was wary of both heaven and earth; but he did not want to remain poised between them: he wanted to reconcile them. He did not, as Oakeshott did, divide the world into two: one of eternity (philosophy) and one of contingency (history), and then engage in an extremely sophisticated tying of small threads between them which did not conceal the problem of a fundamental divide. On the contrary, Hegel suggested not a twofold ordering of the world, always ending in division, but a threefold ordering, according to which abstract concepts — considered to be the first moment in thought — and the particularities encountered in experience — considered to be the second moment — were reconciled in a third moment. Sometimes he spoke of this as a progression; but at other times he called it a circularity. It was this circularity which constituted philosophy for Hegel: it was only when essences had existence that there was the 'complete interpenetration' of the abstract and the concrete which constituted what he called the idea. And thus, for him, philosophy 'form[ed] a circle'.[50] Since his philosophy was substantial and not merely formal it was no limitation to admit that it was a circular structure: whereas Oakeshott could only have explicitly admitted that his philosophy was circular at the cost of admitting that it was not open. And this he never did.

For Hegel, there was nothing in philosophy which could only be understood in terms of an opposite which was analysed separately: any opposite, any negative, was a mere moment opposed to a positive and therefore constituted part of the movement of that positive in the world. Hegel did not divide the world in two and dismiss half of it. Oppositions, he declared, when 'they

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[47] Oakeshott, *On Human Conduct*, p. 61.

[48] *Ibid.*, p. 73.

[49] *Ibid.*, p. 105.

[50] Hegel, *Philosophy of Right*, 1 and 2, pp. 25–8.

[were] not abstract determinations like positive and negative' in fact 'pass[ed] over into one another'.[51] To consider something rationally was 'not to bring reason to bear on the object from outside' because reason had to recognize that 'the object is itself rational for itself'. Hegel did not admire the sort of reasoning which 'takes an object, proposition, etc. given to feeling or to the immediate consciousness in general, and dissolves it, confuses it, develops it this way and that, and is solely concerned with deducing its opposite — a negative mode which frequently appears even in Plato'.[52] Philosophy was not about the opposition of ideas, or the abstraction of them: but about their manifestation, establishment or existence.

It was the threefold structure which enabled Hegel to achieve the reflexivity whereby the unity of separate moments was continually achieved, as 'particularity [was] reflected back into itself and thereby restored to universality'. He was aware of the difficulty of formally justifying his philosophical structure, and his writings and lectures are testimony to the fact that he demonstrated it by use rather than from first principles — even in his *Logic*. (This is why Marx remarked, according to what Oakeshott would have called the Feuerbachian formula: 'Logic is not used to prove the nature of the state, but the state is used to prove the logic.')[53] Hegel anticipated that other philosophers would find the first moment of abstract concepts easy to comprehend, and that even those who were not philosophers would be able to comprehend the second moment of determinacy and particularity because it corresponded to the usual world of experience. But he also saw that the 'third moment' was the hardest to comprehend, even for philosophers, because it relied on something akin to a leap of faith. Understanding, he declared, usually opposed any attempt to reconcile abstract concepts with concrete understanding and found such a reconciliation 'incomprehensible'.[54] Yet it was the highest task of philosophy to make such a reconciliation comprehensible.

In the *Philosophy of Right* Hegel was critical of philosophy which depended on mere abstractions. The danger of even unenacted abstract thought was that it 'dissolved' everything, leaving reality in a state of 'pure indeterminacy'.[55] Abstract ideals, if they remained abstract, were empty. The following — even if it is likely that Oakeshott would formally have agreed with it — can still be

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[51] *Ibid.*, 26, p. 56.

[52] *Ibid.*, 31, p. 60.

[53] Karl Marx, *Critique of Hegel's Philosophy of Right*, ed. Joseph O'Malley (Cambridge, 1970), p. 18. This is an instance of the arresting nature of the one-sided criticisms Marx made of Hegel; and to which Oakeshott did not perhaps do justice. What Oakeshott did not adequately acknowledge in his review of the *Critique* was that although an acceptance of Marx's critique was misleading about Hegel, an understanding of it certainly was not.

[54] Hegel, *Philosophy of Right*, 7, p. 41.

[55] *Ibid.*, 5, pp. 37–9.

considered a criticism of the conceptions Oakeshott's philosophy culminated in:

> Since philosophy is exploration of the rational, it is for that very reason the comprehension of the present and the actual, not the setting up of a world beyond which exists God knows where — or, rather of which we can very well say that we know where it exists, namely in the errors of a one-sided and empty ratiocination.[56]

Hegel was particularly contemptuous of philosophy which found rationality only in understanding. This was to display the world as if it were 'at the mercy of contingency and arbitrariness': to suggest that 'truth' lay outside the world, that the world was 'god-forsaken'. He convicted others, and might well have convicted Oakeshott, of putting forward an 'atheism of the ethical world'.[57]

It would be wrong to exaggerate this: Oakeshott could in some respects easily be seen as an almost perfect Hegelian. It is not that Hegel *simply* considered there was a duty to consider the rational within the present and actual (as in the famous claim that 'What is rational is actual; and what is actual is rational'); and it is not that Oakeshott *simply* considered there was a duty to distinguish the rational, or what he called the ideal, from the present and actual. All philosophy depends on distinction, categorization and generalization. But Oakeshott's philosophy in *On Human Conduct* originated and culminated in separation; whereas Hegel's in the *Philosophy of Right* originated and culminated in reconciliation. The question is what this tells us about the distinctive nature of Oakeshott's eventual philosophical views and the effect they had not only on the status of *der Staat* but also on the status of *societas*.

While Hegel accepted that certain objects were, to use Oakeshott's term, unconditional insofar as they possessed an immanent rationality of which philosophy was simply the coming-into-consciousness (the state existed); Oakeshott accepted no objects as unconditional (the state did not exist). It is likely that Oakeshott, writing at a later time than Hegel, considered that contingency had leached further through the bows of philosophy. It was still afloat, as far as he was concerned, but not as before. *Societas* was the ship of state only as a ghost ship; while *der Staat* was recalled as if it were the *Mary Celeste*, without obvious destination or crew. This is why his own ideal of the 'civil condition', which he called *civitas* in the second, historical, essay of *On Human Conduct* and *societas* in the third, philosophical, essay, was a 'formal, not substantial' association between men: 'that is, association in respect of a common language and not in respect of having the same beliefs, purposes,

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[56] *Ibid.*, preface, p. 20.
[57] *Ibid.*, preface, p. 14.

interests, etc., or in making the same utterances'.[58] It was an adventure, not an end: a minimal, formal, legal construction.

It is clear that Oakeshott's exposition of what he supposed the meaning of the *Philosophy of Right* to be was part of his philosophical exposition of his own ideas. He was using his own philosophy to explore the intimations of earlier thought just as, at the same time, he was using earlier thought to demonstrate that his philosophical theory of association was not a mere modern oddity but was something which took its place as part of a continuous series of attempts on the part of philosophers since at least the middle of the sixteenth century to make sense of politics in terms of human conduct. It is unnecessary to say that Oakeshott clearly thought that this attempt came, in its own way, to its modern height in his own conception of it: in the conception of association which was explored in the third essay in *On Human Conduct* in terms of the idea *societas*. It was in these terms that he was determined not only to distinguish Hegel's *Staat* from any particular state but also to distinguish his own *societas* even more firmly from any particular state. He thought Hegel should have put more distance between *der Staat* and modern European states; and he thought that Hegel's *Staat* was nothing other than an earlier consideration of what he called *societas*.

It is important not to be misled by Oakeshott's apparent determination to interpret Hegel's terminology. For it was by this means that he did justice to his own rather than to Hegel's philosophy. It was by distinguishing Hegel's language from his own that he was able to impose his own explanations on Hegel's conceptions: and, in so doing, to effect a fundamental reorientation. Oakeshott's philosophy, with its emphasis on the necessary conditionality of everything, was grounded on a deliberate reticence about using language carelessly. In *On Human Conduct* Oakeshott was perhaps more cautious about the terminology of political philosophy than anyone else before or since. The reason he used the words *societas* and *universitas* in the third essay and words such as *civitas*, *cives*, *lex* and *respublica* in the second essay was because he wanted terms for 'ideal conditions' and wanted to avoid the likelihood that they would be 'mistaken for the characteristics of historic and equivocal associations'. He chose words with Latin origins because 'these, being somewhat archaic, [were] more easily detached from contingent circumstances' and could not be confused with contemporary actual institutions.[59]

His aim throughout *On Human Conduct* was to avoid 'extraneous considerations': he did not want to explain the character of any *actual* association but rather wanted to characterize *ideal* associations.[60] So Oakeshott's suggestion

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[58] Oakeshott, *On Human Conduct*, p. 121.

[59] *Ibid.*, pp. 108–9.

[60] Oakeshott repeated his cautions again and again in the course of his exposition of the 'civil condition'. See Oakeshott, *On Human Conduct*, pp. 122 and 165 for reminders

that it had been injudicious of Hegel to use the word state was not simply a criticism of Hegel or about the state: it was a criticism of *any* possible misunderstanding within the framework of *any* philosophy about *any* piece of terminology. Of the philosophers Oakeshott most admired for having written philosophy which avoided 'extraneous conditions' — Aristotle, Hobbes and Hegel — he criticized not only Hegel for his use of *der Staat* but also Aristotle for his use of *polis*.[61] It is significant that he said nothing about Hobbes's terminology: nothing about *Leviathan* or 'commonwealth', or even Hobbes's passing use of *civitas* or 'state'.[62] All that can be said is that at the time when Oakeshott wrote about Hobbes, he was evidently not concerned with matters of terminology at all: his introduction to the *Leviathan*, written in 1946, was an excavation of Hobbes's mind and his argument, not his language. But, again, it may be significant that Oakeshott *was* concerned with what he called Hobbes's 'nominalist and profoundly sceptical doctrine', that is, the view that words are just names for things. Since language was the 'arbitrary precondition of all reasoning', it followed that reasoning was not the understanding of things but the understanding of the names of things and that knowledge was conditional, not absolute.[63] Now whether or not Oakeshott derived his later scepticism from Hobbes is, in a sense, unimportant: no more important than whether he derived his early idealism from Hegel.[64] What has to be said here is that Oakeshott was certainly expressing this sceptical doctrine by the forties, and by the time he wrote *On Human Conduct* in the seventies was sceptical about words such as *der Staat* and *polis*.

Oakeshott's comment that it was perhaps injudicious of Hegel to use the word *der Staat* was, then, not a mere aside but an expression of the coherent philosophy displayed in *On Human Conduct*. It was a silently circular philosophy which emphasized on the one hand the unconditionality of the engagement to understand and the conditionality of everything else, including the state, and the engagement to understand the state; and emphasized on the

that he was dealing with the ideal, not any particular actual, and pp. 128 and 161 for reminders that it was necessary to be careful with terminology. His comment about Hegel's use of the word *Staat* is just one of many repetitions of a general caution.

[61] See the footnotes in Oakeshott, *On Human Conduct*, pp. 110 and 118. Oakeshott was as willing to accommodate Aristotle to his own understanding as he was Hegel. Notwithstanding the apparent difference between Hobbes and Aristotle due to the Aristotelian *telos*, Oakeshott was willing to 'doubt whether, in the end, human excellence was, for Aristotle, anything more substantial than deliberative self-enactment, and whether the good *polis* was anything more than that which had the constitution best disposed for deliberating and reaching genuinely common decisions about what to do in contingent situations'. See 'Logos and Telos' (1974), in Oakeshott, *Rationalism in Politics*, p. 355.

[62] For Gerencser's convincing explanation of why Oakeshott might not have wanted to use 'commonwealth' see Gerencser, *The Skeptic's Oakeshott*, pp. 109–10 and 118.

[63] See Oakeshott, 'Introduction', pp. xxiv–xxvi or pp. 242–4.

[64] The former is emphasized by Gerencser in *The Skeptic's Oakeshott* and the latter by Franco in *The Political Philosophy of Michael Oakeshott*.

other hand the superiority of the conception of an ideal association in terms of adventure rather than of one in terms of ends sought. This ideal association was *societas*; and it was, in a sense, the political analogue of Oakeshott's philosophy as well as being the apparent consequence of it. The circularity was constituted by the relation between the minimal conception of philosophy and the minimal ideal of *societas*.

Although it would be possible to consider Hegel's *Staat* an anticipation of Oakeshott's *societas*, as Oakeshott did, this would be to ignore not only some of the distinctive characteristics of Hegel's *Staat* but also the entirety of the philosophy out of which Hegel's *Staat* came. Oakeshott himself seems to have treated even Hegel's *Staat* as a conditional entity (or understanding of an entity) which he then engaged with, interrogated and dissected in order to reach the further refinement of *societas*. This is acceptable in itself — it does justice to philosophy as Oakeshott conceived of it — but it did not do justice to Hegel's *Staat* which to some extent has to be seen as something unconditional, something in and for itself, if it is to be properly understood.

The state, for Hegel, was not a mere abstraction, not a mere 'empty and one-sided ratiocination', not a mere opposition to another abstraction. It was concrete, actual, existent. It was, according to the famous phrase, the actuality of the ethical idea. Not merely an idea, and not merely an ethical idea but also the actuality of that idea. An actuality: something which existed. It was impossible for the state to have essence without existence, for it was an idea, not a concept, and it was in the nature of an idea to exist. Hegel would have said that *societas* and *universitas* were mere concepts — the actualities of nothing at all, but mere conceptions of moral, legal or prudential association. He had to consider the state because it was something which existed: he could not baulk at existence. His purpose was to, for better or worse, portray the state 'as an inherently rational entity' — not a particular state, not a utopian state, not an ideal state but the state itself.[65] Now, this should make it evident that whatever this *Staat* was, it was not, when considered in and for itself — when seen in terms of a philosophy which was not 'an external activity of subjective thought' but saw that the object was 'itself rational for itself' — it was not Oakeshott's *societas*; although *societas* could be considered an attempt to salvage something from the wreckage of Hegel's *Staat* for modernity. In the *Philosophy of Right* it was unconditional. Shipwreck had not occurred.

It may seem that part of the argument of this article has involved an unsubtle attempt to deflate Oakeshott's association of *societas* and *der Staat*. This is not so: the argument is concerned to establish the temper of his approach to *societas* and of Hegel's approach to *der Staat*, and to consider how a comparison of the two affects the question of what it means to have attempted to generate a philosophical understanding of the state in the last two hundred years. It is with this in mind that it is here considered desirable to deal with what

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[65] Hegel, *Philosophy of Right*, preface, p. 21.

Oakeshott, in treating *der Staat* as an anticipation of *societas*, left out of his account of it.

III

The second part of this article has established that even though Hegel's *Staat* can be considered an anticipation of Oakeshott's *societas*, it can be so only if it is interpreted in terms of a minimal philosophy which renders it a minimal conception of the state. This is exactly what Oakeshott did in *On Human Conduct*: where only philosophy, or understanding itself, was considered to be unconditional. Everything else was conditional: actual states were conditional because they were contingent, historical and accidental in origin; and the two conceptions which Oakeshott supposed lay behind the state — namely, *societas* and *universitas* — were conditional because they were ideal and not actual. But the distinction between the ideal and the actual was not one which was found in Hegel's conception of philosophy: although it informed the earlier stages of understanding, Hegel never supposed that understanding should stop short of actuality. The ideal and the actual were reconciled in Hegel; and so he had to confront *der Staat*: he could not retreat from actuality, as Oakeshott did, but had to conceptualize, or, rather, understand the conception which existed within, *der Staat*. This is why Hegel did not think it was injudicious to call what Oakeshott considered a merely ideal association *der Staat*. If he had not called it *der Staat*, it would have existed nowhere: as Oakeshott put it, it would have been poised between heaven and earth, or, as Hegel put it, it would have hung in the air.[66] In the third and final part of this article it is necessary to consider what constituted *der Staat* insofar as it was not merely an anticipation of *societas* but as something in and for itself. In other words, what follows will consider what Oakeshott deliberately chose to ignore when he suggested it was injudicious of Hegel to have used the word state.

It is important to recognize that Hegel's *Staat* did resemble Oakeshott's *societas* in certain respects. Both involved a definite philosophical concern to avoid characterizing any particular historical state;[67] both involved an emphasis on the modern recognition of what could variously be called subjectivity, liberty or individuality;[68] and both involved an attempt to separate the

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[66] *Ibid.*, 265, p. 287.

[67] On their agreement on the importance of this distinction it is easy to find passages. See, for instance, Oakeshott, *On Human Conduct*, p. 122 and Hegel, *Philosophy of Right*, 3 and 258, pp. 30 and 276.

[68] In a sense this was one of the great themes of the *Philosophy of Right* and *On Human Conduct*. For instance, Hegel saw that 'in the modern world human beings expect their inner life to be respected' (261, p. 285); and that the state had to support 'the universal possibility which is available for the attainment of individual ends (236, p. 262). Oakeshott's *societas* was wholly dependent on his conception of the individuality which

engagement of seeking to satisfy one's wants and the engagement of constituting oneself in right. Neither the association Hegel called *der Staat* nor the association Oakeshott called *societas* was to be mistaken for any actual, historical, state: both were establishments which allowed freedom to be realized, and both were something more — or less — than an association constituted in terms of the ends it sought: both concerned the establishment, constitution and maintenance of law, justice and morality. But in each of these three respects there was a difference of emphasis which distinguished the idea of *der Staat* from *societas*.

In each case, Hegel emphasized, far more than Oakeshott did, the positivity of the state and the negativity of the moment which came before it, if taken by itself.[69] Hegel did this by emphasizing the difference between civil society and the state *not* by philosophically separating an association (*universitas*) which emphasized the satisfaction of wants from one which did not (*societas*) but by crowning the stage of right concerned with the satisfaction of wants (*bürgerlich Gesellschaft*) with another (*der Staat*) and by demonstrating that even though the state only emerged in the third part of the *Philosophy of Right* it was taken to be the actual precondition of those elements of right which preceded it dialectically, such as property, contract, morality, family and civil society — and it was, in addition, not merely the guarantee of freedom, as it was for Oakeshott, but the substantiality of freedom.[70] The state was the reconciliation of everything which came before, its achievement and also its precondition — *der Staat* actually constituted the circularity of the *Philosophy of Right*. This is why Hegel separated *der Staat* from every other form of right: so it remained, philosophically, at its great vertiginous height at the third stage of ethical life, 'at which the momentous unification of self-sufficient individuality with universal substantiality takes place'.[71]

The climactic arrival of *der Staat* in the structure in the *Philosophy of Right*, its priority actually to any form of right and its achievement of unifying the individual with the universal all suggest that there is reason to doubt that Hegel's *Staat*, when taken in itself, should be mistaken for Oakeshott's *societas*. Even though, in his own terms, Oakeshott was right to say that Hegel *could* have avoided misunderstanding, it is likely that it was *necessary* for Hegel to have risked misunderstanding. Hegel's heightened language about *der Staat* was not simply a contingent matter. The state was the 'actuality of the ethical idea', it was 'substantial', it was 'objective spirit', it was the 'highest duty': it was where self-consciousness had its 'substantial freedom' and

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had been recognized as an important part of European experience since the twelfth century. See Oakeshott, *On Human Conduct*, p. 239.

[69] Hegel, *Philosophy of Right*, 182, p. 220.

[70] See for instance *ibid*., 261, p. 285.

[71] *Ibid*., 33, p. 64.

where the individual himself had 'objectivity, truth and ethical life'.[72] It was the reconciliation of universality and individuality; it was the boundary where the infinite met the finite; it was the 'actuality of concrete freedom': not only 'an external necessity' but the 'immanent end' of those subordinate to it: 'its strength consists in the unity of its universal and ultimate end with the particular interest of individuals'.[73]

It would therefore be superficial to attempt to analyse *der Staat* in terms of *societas* and *universitas*: to portray it as either a heightened *societas*, a minimal *universitas*, or some combination of both. For Hegel's *Staat* was not the reconciliation of two irreconcilables; but the recognition of something which was already reconciled or rational in itself and had to be recognized to be as such at the outset. Hegel's heightened language about *der Staat* was there for a reason and, indeed, was not merely a secular heightening. The state was not merely an immanent, substantial and actual reconciliation of universality and particularity: it was 'the march of God in the world'. 'In considering the idea of the state,' he said, 'we must not have any particular states or particular institutions in mind; instead, we should consider the Idea, this actual God, in its own right.'[74] The emphasis on the state as an *idea* might have been the same as Oakeshott's had not Hegel signalled that his subject was not a mere ideal but an absolute unity beyond contingency, indivisible, universal, eternal: the state as an unconditional object; and he went so far as to liken it to God — 'this actual God'. Now, Hegel was not sketching a theological politics as such; but he nonetheless used divinity not only to suggest there was a relation between the state and religion but also to suggest that the state itself was divine or had, at least, inherited something of whatever divinity it was which had been manifested previously in the church.

It is not without significance that the longest section in the entirety of the *Philosophy of Right* was that on the relation between state and religion.[75] Hegel thought it was important to relate the state to religion because religion had as its content 'absolute truth'. It related everything to God 'as the unlimited foundation and cause on which everything depends' and insisted that 'everything else should be seen in relation to this and should receive confirmation, justification and the assurance of certainty from this source'. It followed that it was from God that 'the state, laws and duties all receive[d] their highest endorsement as far as the consciousness [was] concerned'. Since this was so, Hegel could not advocate the separation of church and state. If the church represented truth and justice and was separated from the state then the state could not be other than a 'secular regime of violence, arbitrariness and passion'. So, according to his conception of right, state and church were said to differ only

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[72] *Ibid.*, 257 and 258, pp. 275–6.
[73] *Ibid.*, 260, 261, 262 and 264, esp. pp. 282–3.
[74] *Ibid.*, 258, p. 279.
[75] *Ibid.*, 270, pp. 290–304.

in form and not content, because the principles of the church which related to ethical life necessarily harmonized with the state's right. This was partly a historical argument about the moment when a historic state came to know itself 'as the self-knowing ethical actuality of spirit' by distinguishing itself from the church (a distinction which, Hegel suggested, was only possible when the church became 'divided within itself', allowing the unitary state to stand above 'particular churches'). But it was not only a historical argument. For Hegel did not only think that the state had to some extent displaced the church at some point during the sixteenth century; he also thought that it had realized itself as a 'divine will as present spirit, unfolding as the actual shape and organisation of a world'. The state was not merely conceptual: it did not merely have an essence: it also had existence: it was a *subject*. And he went so far as to make an ontological argument for the state's existence.

> Those who refuse to go beyond the form of religion when confronted by the state behave like those who, in the cognitive realm, claim to be right even if they invariably stop at the essence instead of proceeding beyond this abstraction to existence.[76]

Much of Hegel's discussion concerned the actual relations between a church and the state. He admitted in his comments that any particular state was 'essentially secular and finite' whereas the church was infinite and universal but, at the same time, he insist that 'only a spiritless perception' could regard *der Staat* 'as merely finite'. No doubt a 'bad state' was 'purely secular and finite' but the 'rational state', or *der Staat*, was 'infinite within itself'. In *der Staat*, then, religion was properly neither subordinate to or superior to *der Staat* but sublimated within it. And this is why there were occasional suggestions that 'we should venerate the state as an earthly divinity'.[77]

It is almost unnecessary to say that almost all of this went beyond anything Oakeshott ever suggested about *societas*. In secular terms the difference between *der Staat* and *societas* was the simple philosophical insistence that the state should be understood as a unity — as an unconditional object. But Hegel did not put his argument in secular terms. He likened the state to some sort of divinity. 'Predicates, principles, and the like', he declared, 'get us nowhere in assessing the state, which must be apprehended as an organism, just as predicates are of no help in comprehending God, whose life must instead be intuited as it is in itself.'[78] And if *der Staat*, or the state, were a unity, like God, then it could not be broken into the sort of conceptual fragments which Oakeshott called *societas* and *universitas* without admitting that philosophy had failed.

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[76] *Ibid.*, 270. pp. 292–3.
[77] *Ibid.*, 272, p. 307.
[78] *Ibid.*, 269, p. 290.

The difference between Hegel and Oakeshott, between *der Staat* and *societas* and between the philosophy of the *Philosophy of Right* and that of *On Human Conduct* was not a matter of misunderstanding on Oakeshott's part. It was a matter of, if not the death of God, then certainly the abandonment of God — of the absolute necessity to be modern.[79] It was not just Oakeshott's attitude to the state but his attitude to God which shifted between the twenties and the seventies. As we have seen, he began with a Hegelian understanding of the problem of the state. In the early essay already mentioned he was aware of the difficulty of simply separating the secular and the religious if a 'complete conception' of the *anything* were to be sought. Indeed, he thought that 'the prospects of political thought today [were] darker even than those of theology'.[80] He did not think that a 'complete conception of the state' could be 'constructed from the contributions of lesser and different conceptions' for 'a complete conception was never achieved by adding together conceptions in themselves imperfect'.[81] Not only was the state, *on an analogy with* God, posited as something existing which mere philosophy had to attempt to reach: it was something which was not to be mistaken for a 'secular whole'. The state was something necessarily *in relation to* God.

> Were the state the mere secular whole it would be a vicious abstraction, something which results from an arbitrary analysis of any community as we know it and exists nowhere outside that analysis. This is not a question of the so-called establishment of religion, or of the so-called 'modern' state; society as it organises itself apart from God is an abstraction, and the state cannot be identified with this secular whole without becoming an abstraction, and a conception which ends in an abstraction requires no further evidence of its imperfection.[82]

Perhaps Oakeshott was not as clear about this conception as he could have wished in the twenties because it was a conception of the state which was not only related to God but in some sense modelled on God. 'No one', he declared, 'who has grasped the conception will require to be shown the *locus* of a totality, or suppose it to be non-existent because he cannot designate it.' This was theological language, although used perhaps mistakenly — as Hegel had used it — of political rather than spiritual determinacies. 'We are driven from the more abstract to the less abstract until we reach the complete',

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[79] This is why it is impossible to agree with the suggestion that 'self-enactment' — interpreted as authenticity — was, for Oakeshott, a 'city of God'. For this view, see Glen Worthington, 'Michael Oakeshott and the City of God', *Political Theory*, 28 (2000), p. 394. Oakeshott was no doubt always sensitive to or nostalgic about religion. But Cowling's view of Oakeshott's religion in *Religion and Public Doctrine*, pp. 251–82, remains unanswered (as well as unacknowledged in literature on Oakeshott).

[80] Oakeshott, 'The Authority of the State', p. 80.

[81] *Ibid.*, pp. 80–1.

[82] *Ibid.*, p. 82.

Oakeshott remarked, unashamed at this early stage, of alluding to divinity. 'When the gods appear, the half-gods disappear.'[83] This is what he wrote in the twenties; by the seventies the gods had died, the state with it, and the half-gods of *societas* and *universitas* had emerged.

In *On Human Conduct* Oakeshott did not only associate the two distinct ideals associations, *societas* and *universitas*, with two distinct dispositions, the disposition to seek adventure and the disposition to seek ends: but also associated each association or disposition with a distinct deity — 'since men are apt to make gods whose characters reflect what they believe to be their own'. The deity of *societas* or adventure was 'an Augustinian god of majestic imagination' who sought humans 'capable of answering back in civil tones with whom to pass eternity in conversation'; while the deity of *universitas* or ends was a god 'suspected of being somewhat niggardly' for he was 'the proprietor of an estate of vast resources' who sought to providentially offer humans the 'substantial benefits' of nature.[84] This was a final flourish: but it was not an insignificant one, for here Oakeshott more or less made it evident that God was something which philosophy could not discuss without bringing Him down into one-sided caricature. This was not Hegel's view of God; nor was it his view of *der Staat*. It is not too much to say that if Hegel had abandoned even the words '*der Staat*' he could not have written the *Philosophy of Right* at all. Perhaps he could only have written, as Oakeshott perhaps intended, an anticipation of *On Human Conduct*.

What we have by the end of this article is the judgment that Oakeshott's conception of *societas* was a sidestepping of the attempt to find totality, unity and conviction in either the state or, for that matter, in anything else. Except as a literary aside, Oakeshott abandoned the analogy between God and the state altogether. If he had a god at all by the end it was no more than Hobbes's *deus mortalis*, which, as Schmitt argued, was nothing more than the work of man, an artifice, a minimal state — not to be confused with the state of Hegel, and nothing to do with God.[85] But there is a silence about this subject in Oakeshott which is especially evident when one compares his conception of *societas* to Hegel's of *der Staat*. Perhaps this silence was his tribute to modernity — a gesture at an open infinity rather than a closed, bounded, one. What Oakeshott's comment on Hegel expressed was a remarkable attempt to sketch an ideal of the state in a lean, minimal and secular manner: for he managed to recover what he thought was of value in political philosophy in terms of a calculated

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[83] *Ibid.*, p. 84.

[84] Oakeshott, *On Human Conduct*, pp. 324–5.

[85] 'The state is not a work of art.' See Hegel, *Philosophy of Right*, 258, p. 279. For the difference between Hobbes's god and Hegel's god see Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes: Meaning and Failure of a Political Symbol*, trans. George Schwab and Erna Hilfstein (Westport, CT, 1996), pp. 32–3 and 100. It is of significance that nowhere did Oakeshott consider Hobbes's mortal god.

reticence about the possibility of using established or customary political language — such as *der Staat* in Hegel or *polis* in Aristotle — as the foundation for a proper philosophical understanding of association. Whether this was an advance or a retreat for political philosophy is a question of great contemporary importance. May it be considered elsewhere.

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