

# The Elusive Oakeshott

The great British philosopher defined conservatism less as a political program than as a way of life.

By Kenneth Minogue

AS A STUDENT, I felt at a disadvantage when facing radicals because they had a universal theory of what made societies tick. Indeed, the dominant Marxist version—about capitalism and its contradictions—claimed to be scientific. Hogwash, of course, but who was I to swim against the tides of history?

Michael Oakeshott destroyed such gullibility, which is one of the reasons he is such an indispensable figure. He was both a philosopher and a conservative. Many people want to put these things together and say that he was conservative philosopher, but Oakeshott would not have identified himself in that way. Understanding why is the beginning of wisdom in grasping his thought.

Those with a conservative temperament, he suggested, have a strong sense of their identity and are suspicious of innovation because change always means something lost as well as, perhaps, something gained. Put another way, the conservative enjoys the resources of his culture and is not forever fidgeting about big changes promising a better life.

That radicals are bold and adventurous and conservatives timorous is a claim that has confused many distinguished figures. F.A. Hayek, the great libertarian theorist, wrote one marvellously silly article on this theme. It appeared as an appendix to his *Constitution of Liberty* (1960) and was called “Why I Am Not a Conservative.” Hayek argued that conservatism was essentially a “timid”

refusal to take risks. Hayek was the theorist of a system in which prosperity depends on people taking risks—and facing up to the consequences. Successful risk-taking leads to fortune, unsuccessful to bankruptcy, and both are necessary in a free world. The essential feature of this economic adventure, of course, is that the risk-taker must be venturing his own life and capital. Hayek, of course, appreciated the horrors that result when politicians are able to gamble with other peoples’ lives and fortunes. On this, Hayek and Oakeshott, who were quite good friends, agreed.

Are conservatives merely timid sticks-in-the-mud? Let us push this question a little further. If timidity—which is to say, caution—is a fault, then boldness must be good. Hayek admired the excitement of a risk-taking capitalist system that created unprecedented prosperity for Europeans. But if it’s excitement you are seeking, there’s no doubt that is best supplied by radical doctrines such as socialism, communism, and fascism. Imagine the exhilaration of being a Bolshevik in 1917 and having the power to create a society, without rich and poor, in which everyone shared in prosperity. The same fervor moved those who believed in purifying the German race or overcoming social divisions through fascist totalitarianism in the Italy of 1922. Even the project of creating a welfare state in Britain after 1945 had a certain glamour. But these projects turned out to be

among the nastier passages of human history. Obviously some forms of radicalism are better than others, but all of these bids to radically transform society ended, at best, in reactionary boredom—and often in prodigious ugliness.

Such radical adventures, if they lasted long enough, brought about several generations of geriatric tedium. As we saw with Bolshevism, the old revolutionaries and their toadies clung to power, and radicalism resulted in a set of oligarchs with no higher ambition than to remain top dogs. Fortunately in our Western parts, democratic elections have provided happy relief from governmental folly, for the basic reason that we in the modern West are too restless to tolerate a supposedly perfect world. New generations have aspirations of their own.

Yet there is another reason why radical measures disappoint: they always promise improvement beyond the constant political adjustments that make up the politics of our lives. But perfection, by its nature, destroys the possibility of progress. And this helps to explain the necessity of conservatism as the basis of freedom. Our world is full of enthusiasts struggling to make the world a better place. Sometimes, poor devils, they succeed. There’s no disappointment like that of overblown expectations, even if not all are as dramatic as the collapse of the Bolshevik dream into the repressive backwardness of the Soviet Union. Constitutional government in democracies respects the ever-changing processes of

politics. Radical proposals promise substance and outcome—some superior final condition in which all needs are met.

At the end of his Inaugural Lecture at the London School of Economics, Oakeshott, whose conservatism rested on his skepticism of all grand plans for human improvement, expressed the conservative position in a famous image:

In political activity, then, men sail a boundless and bottomless sea: there is neither harbour for shelter nor floor for anchorage, neither starting-place nor appointed destination. The enterprise is to keep afloat on an even keel: the sea is both friend and enemy: and the seamanship consists in using the resources of a traditional manner of behaviour in order to make a friend of every hostile occasion.

It is clear that Oakeshott was a philosopher concerned not at all with what policies a government ought to adopt but with political reality as it is experienced through the haze of illusions in which we live. Unlike recent political philosophers, he was not interested in normative questions. The idea of human rights he thought a rather second-rate caricature of the inherited Common Law freedoms of English-speaking peoples. Social justice was merely a bit of political salvationism trading by its name on the real conceptions of justice found in any stable state. In most of these views, Oakeshott was part of that remarkable generation of political philosophers who lived through the totalitarian excesses of the 20th century and, after World War II, reflected on them. It is striking that those concerned with the reality of politics in that period—figures such as Leo Strauss, Eric Voegelin, and Hannah Arendt—still speak to us more directly than more recent figures dealing in normative argument.

The history of radicalism is encapsulated in the nervous breakdown John Stuart Mill experienced at the age of 20. Mill fell into melancholy and put to himself the question: “Suppose that all your objects in life were realized ... would this be a great joy and happiness to you? And an irrepressible self-consciousness distinctly answered, ‘No.’ At this my heart sank within me: the whole foundation on which my life was constructed fell down.” Here we have a dramatic version of another slower recognition of the problems of radicalism: the disenchantments liberals suffer when they are, as Irving Kristol put it, “mugged by reality.”

The paradox is that the exciting progressive ideals that attract the young end up in backwardness and boredom, while countries ruled in even moderately conservative ways create academic discoveries, grand projects such as interplanetary travel, and other such liberations and probes into the world. In other words, conservatism is not a timid refusal to take risks. That view is merely one of the self-flattering bits of chest-thumping found among radicals in thrall to their current illusion. Oakeshott made this point with his usual crispness when he remarked that someone may be conservative in politics but conservative in nothing else.

To be conservative in politics is to take one’s bearings not from the latest bright idea about how to make a better world, but by looking carefully at what the past reveals both about the kind of people we are and the problems that concern us. As we get older, we often become conservative in our habits, in our family practices, and in our recognition of the richness of our civilization, but this evolution of our character into a set of habits in no way blocks adventurousness. The old no less than the young may be found starting new enterprises, sailing around the world, and solving arcane academic questions. But it is in

the ordinary business of life that we find our excitement, not in foolish collective dreams of political perfection.

Conservatism is thus a form of practical wisdom, and Oakeshott was an analyst of the very idea of practice. In the title essay in *Rationalism in Politics*, he discusses practice in order to diagnose one of its corruptions, what he calls “rationalism.” In every activity, he suggests, some technical principles will be found that are useful in learning how to practice the skill. But technique alone is not enough. Cooks can learn a lot from books but only if they already have some grasp of what it is to go about preparing a meal. Every skill involves both technical and practical knowledge.

But what if one is a schoolmaster’s son, such as Lenin, with political ambitions but no background in politics? How does such a person learn the art? Lenin read a lot of Karl Marx, who claimed to understand the direction of history, and thought that he understood how to rule a country better than the czar. Successful rule requires some sense of the limits of power. Lenin’s solution to the problems of politics was simple; namely, if people disagree with you, shoot them. Stalin’s art of ruling was even more elementary: people didn’t even have to step out of line to end up dead. There was certainly excitement for a bit, but boredom and fear soon followed, and boredom is the nemesis of every radical project in politics. The best guide to radical politics is the story of “The Sorcerer’s Apprentice.”

Perfectionist dreams are never long absent from the margins of political life, though fortunately Anglophone countries have generally managed to avoid falling into dramatic radical follies. Our world is, however, full of ambitious people who want to take the world by the scruff of the neck and give it a good shaking. In Oakeshott’s view, the wise thing is to keep away from such people.

In his many brilliant and amusing essays, he tells us a lot about why ambitious plans to change the world fail.

But Oakeshott was much less a political theorist than a philosopher. Why did he believe the expression “conservative philosopher” to be a misunderstanding? Because he thought philosophy was purely explanatory and thus could not be practical. He took philosophy to be a higher level of inquiry into the many different ways in which we make sense of the world. Philosophy was a theory of theories, something isolated from practice in its abstract perfection. It sought to understand the world, not to change it. Practical men were quite right to use the term “academic” with derision. Philosophers were mostly found in universities, and those who pursued such inquiry, possibly bookish unfortunates, pursued it for its own sake.

Practice, Oakeshott argued, is a particular way of responding to the world, and nothing academic can be of practical use until it is translated into serving something we might desire to achieve. At just that point, however, the idea will lose its academic quality. No doubt we can learn a lot from history, but what we learn is limited by the fact that no new situation exactly replicates any earlier one. A powerful element in Oakeshott’s thought is skepticism about the causal relationships we so assert in political discussion. Many things are valuable but not useful, and judging everything in terms of practical usefulness is the very model of what is fatal in logic and boring in conversation.

It will be clear from this rather precious and exact attention to cognitive detail that Oakeshott was an Oxbridge don to his fingertips. On the other hand, when war came to Britain in 1939, he volunteered, and as a private was billeted with an illiterate cockney youth for whom he wrote letters home. He ended up as an officer in Phantom, an elite

group whose task was to monitor the effects of bombardment from close up. The young journalist Peregrine Worsthorne was also part of this group, and after the war returned to Cambridge to finish his degree. He was startled to find his old comrade giving the lectures on the history of political thought.

In 1951, Oakeshott was appointed professor of political science in the government department at the London School of Economics, where he remained until his retirement in 1968. He ran his department efficiently and economically. He had no difficulty in dealing with the problems of what he called, at times somewhat disdainfully, “the world.”

One of the questions to which Oakeshott devoted a great deal of thought was the nature of the modern state, which is perhaps the central question of modern political philosophy. In his last book, *On Human Conduct* (1975), he argued that it might best be understood in terms of two distinct forms of human association. The most common understanding of why individuals come together is because they share an interest in some common enterprise—advancing the fortunes of some sport, winning a conflict, sustaining a religion. The appropriate way of ordering such an “enterprise association” is managerial. There is also, however, another kind of association, less well understood but vital to free societies. Oakeshott called it “civil association.” In this case, the members of the association are joined together in nothing but their submission to a set of rules and laws to which they must conform. A civil association must have authority to sustain order, and the business of such an authority would be to keep the rules in good repair, change them when necessary, and make sure that they are enforced.

It must be admitted that many of the considerations Oakeshott detected in

the modern state are currently reces- sive. From Hobbes’s theory of the sov- ereign ruling by authority to Max Weber 250 years later, defining the state in terms of a monopoly of force is a slow loss of civil sensitivity. The term “democracy” is strictly a constitutional belief about how authority is generated, but today it most commonly commends rather than names a government that serves some particular interest, such as that of “the people.” The drift of these and other confusions of our political talk has always been to transform the subtle and balanced features attributed to the state in the past into an enterprise that facilitates our political preferences. It would be hard to deny that political sophistication has given way to a kind of partisan brutishness, some elements of which Oakeshott thought had already been recognized by Tocqueville in 1848: “... the passions of man, from being political, have now become social.” And this means that men care now far more about “the satisfaction of substantive wants” and the power of government needed to supply them than about free- dom and constitutionality.

One might assume that the unworld- liness of Oakeshott’s conservatism means that he was merely a dealer in ideals, but that would be a mistake. He was a historian with a grasp of the long stretches of political experience in which the character of men and states reveal themselves, and he supplied an infinitely better understanding of our condition than is possible with vague talk about raddled words such as “free- dom” and “rights.” To grasp how we have come to our present condition will not solve problems, but it may well help us discard some of our grosser illusions. ■

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# Coming Up Aces

Legalization of online gambling looks like a sure bet.

**By Freddy Gray**

INSIDE THE GLITZY OFFICES of the Poker Players Alliance (PPA) in Washington D.C., the furniture looks impressive, but the employees do not. Staff saunter about in Bermuda shorts and flip-flops. The atmosphere is one of easily gained affluence.

But don't be fooled by appearances. This is a dynamic organization that wields impressive financial and political clout. The PPA is a leading force in the struggle to legalize and regulate Internet gambling in the United States—a fight it seems to be winning.

Executive director John Pappas is clearly a sharp operator, too shrewd to be drawn into making predictions about when U.S. restrictions might be lifted. "We're not at that stage yet," he says with a shrug. "There's a lot of work to do."

But the PPA and its partners in the online-gambling lobby appear to hold the legislative aces. In Barney Frank (D-Mass.), chairman of the House Financial Services Committee, they have an influential and committed ally. Since the Unlawful Internet Gambling Act (UIGA) was passed in 2006, Frank has been a zealous advocate of the right to wager on the Web. Earlier this year, he introduced the Internet Gambling Regulation and Taxation Act to repeal—or at least significantly relax—the UIGA and remove online betting from legal limbo. A hearing is expected in September.

If Frank's bid fails, supporters of online betting can turn to Sen. Robert Menendez's (D-N.J.) bill, introduced on Aug. 6, which focuses more narrowly on legalizing Internet poker—the PPA's primary concern—and other "games of skill." "We

love both bills like they are our children," says Pappas. "We hope they get through."

Gambling websites are gearing up for full entry into the U.S. market. In January, Betfair, the hugely successful UK-based Internet betting exchange, announced its \$50 million acquisition of the Television Games Network, America's leading interactive racing channel. Asked if this signaled the company's intention to establish itself in the U.S. ahead of a change in the law, a Betfair spokesman refused to comment. Such tightlippedness could be telling. In July, Goldman Sachs advised investors to expect U.S. trade limitations on Internet gambling to be removed, prompting a surge in the share price of certain online operators. The smart money, it seems, is on gambling reform sooner rather than later.

At any rate, it is widely accepted that U.S. gambling laws as they stand are ambiguous and ineffective. The UIGA does not technically ban online poker or games of chance, but prohibits financial organizations or individuals from knowingly accepting payments made in connection with Internet gambling. More reputable websites have complied by abandoning U.S. operations, but plenty of other companies—based in places like Antigua—have fewer scruples. "It's a total gray area," says Pappas. "There is no definition of unlawful gambling anywhere on our statutes."

Online wagering on sports is more obviously illegal. In 2002, the Fifth Circuit Court of Appeals ruled that such activity is forbidden under the 1961 Federal Wire Act. But again, the pervasive nature of the Internet renders the law all

but futile. Like drinkers in the Prohibition era, online gamblers find ways of indulging their habit.

For Pappas, the right to bet through a computer or a cell phone is a matter of individual liberty. "This is not about making money for offshore gambling sites who want to get into the American marketplace," he insists. "This is about the rights and freedoms of individuals who like to play something online and don't want government coming in and taking that right away from them. For me, that's antithetical to what a conservative philosophy is supposed to be about."

He would say that, of course. Yet the Republican-led passage of the UIGA in 2006 did turn many libertarian-minded American gamblers against the GOP. "After that," Pappas recalls, "our membership grew quickly from 75 or 100,000 to over a million members. It's not just about poker players: lots of people have gravitated toward us because they see this as the camel's nose under the tent."

Pappas says that members of the online gambling sector felt "mugged" by the 2006 ban: "It was kind of ramroded through. There was never any proper or legitimate debate." He has a point. The law was attached to the bigger and unrelated Security and Accountability for Every Port (SAFE) Act. Former Majority Leader Bill Frist (R-Tenn.) inserted the UIGA clauses at the last minute before Congress adjourned for the 2006 elections—what politicians call a "midnight drop." The SAFE Act itself was a late "must pass" bill, designed to safeguard ports from terrorist infiltration. Any politician who objected to the legisla-