THE HEALTH OF NATIONS

Society and Law beyond the State

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1.1 The human world is humanity’s self-made habitat, a mind-world created by the human mind from its own substance. The reality of the human world is a species-specific reality made by human beings for human beings. The history of the human world is the history of the making of human reality, a self-consciousness of the self-creating activity of human consciousness, the mind’s mirror of the mind. To say such a thing is not merely to take a certain view of the metaphysics of history or
of the epistemology of historiography, aligning oneself, perhaps, with a sect of idealist historians.\footnote{Aligning oneself, perhaps, with R. G. Collingwood. ‘All history is the history of thought.’ ‘Historical knowledge is the knowledge of what mind has done in the past, and at the same time it is the redoing of this, the perpetuation of past acts into the present.’ The Idea of History (Oxford, Oxford University Press; 1946), pp. 215, 218. In An Autobiography (Oxford, Oxford University Press; 1939), Collingwood said: ‘My life’s work . . . has been in the main an attempt to bring about a rapprochement between philosophy and history’ (p. 77). Collingwood was influenced by the Italian philosopher-historian Benedetto Croce (1866–1952), who had taken up from Vico and Hegel the idea of historiography as the history of the actualising of consciousness, inextricably linking ideas and events, the ideal and the real. For further discussion of the history of historiography, see ch. 11 below.\footnote{Ernst Cassirer, another philosopher-historian, aligned himself with Voltaire in proposing that ‘the true object of history is the story of the mind’. E. Cassirer, The Philosophy of the Enlightenment (1932) (trs F. Koelln and J. Pettigrove; Princeton, Princeton University Press; 1951), p. 217. Cassirer contrasts Voltaire with Montesquieu, for whom political events still occupy the centre of the historical world, and the spirit of history coincides with the spirit of the laws: ‘In Voltaire, on the other hand, the concept of mind has gained broader scope. It comprises the entire process of inner life, the sum total of the transformations through which humanity must pass before it can arrive at knowledge and consciousness of itself. The real purpose of the Essay on Manners is to reveal the gradual progress of mankind toward this goal and the obstacles which must be overcome before it can be reached.’ Voltaire’s Essai sur les moeurs et l’esprit des nations (Essay on the manners and the spirit [mind] of nations) (1756) was published eight years after Montesquieu’s De l’esprit des lois (The Spirit of the Laws).}\footnote{‘Every day I become more convinced that theoretical work achieves more than practical work. When the realm of representation [Vorstellung] is revolutionised, reality cannot hold out.’ G. W. F. Hegel, letter to Niethammer (23.X.1808), in J. Hoffmeister (ed.), Briefe von und an Hegel (Hamburg, Meiner; 1962–81), i, pp. 253–4 (present author’s translation). ‘Without revolutionary theory there can be no revolutionary movement.’ V. I. Lenin, What is to be Done? (1902) (Moscow, Progress Publishers; 1947), p. 25. Lenin quotes F. Engels: ‘Without German philosophy, which preceded it, particularly that of Hegel, German scientific socialism – the only scientific socialism that has ever existed – would never have come into being’ (p. 27).} To say such a thing is itself a significant event within the history of the making of human reality, an event whose ironical power is centred in the word \textit{is}. To say what \textit{is} is to change human reality.

1.2 The human world is constructed from the word \textit{is}, an Istopia. The master-builders of Istopia are those whose task in the social division of labour is the fabrication of \textit{is}-sentences. A special burden of social and moral responsibility rests on the shoulders of those of us who are paid to think in the public interest, the social engineers of the human mind-world.

1.3 To change human consciousness is to change human reality. To change human reality is to change the course of human history.\footnote{Just as Hegel and his followers have emphasized, however, it is the domain of theoretical work and not of practical work that is revolutionised, reality cannot hold out. Hegel’s idealism is one of the chief sources of Marx’s method of analysis.}
follows that, if it is our purpose to make a new human reality, we must find a way to stimulate the self-consciousness, the sense of social responsibility, the moral awareness, and the intellectual creativity of the ruling class of Istopia and, especially, of those who hold responsible positions in the mental service-industries – religion, politics, administration, commerce, the law, mathematics and the natural sciences, literature and the fine arts, the media of information and entertainment. It is they whose responsibility is not merely to imagine a new human reality but also to transform the human world as it is into the human world as it will be.

1.4 Thinking in the public interest is a social function which rests on two far-reaching philosophical assumptions. In the first place, we thinkers are saying that reality is not as it is but as we conceive it to be. Secondly, we are saying that reality as we conceive it to be is a possible human world, a world we human beings can choose to inhabit.

1.5 The assumptions underlying all public thinking are, for most people and for most of the time, subliminal, but they are not unconsidered and they are certainly not uncontroversial. The history of philosophy in the particular tradition established in Greece by the end of the fourth century BCE is the history of the self-contemplating of human consciousness, a history of human consciousness considering the possibility of human consciousness. It is, in particular, the history of the work of those whose function in the social division of labour is to think about thinking, that is to say, of philosophers, of those who think about what thinking is.3

1.6 We may call it the Parmenides Moment, that moment of self-enlightenment when the self-examining human mind recognises the problem of what it is to say that anything is, whether we say it of a god or gods, of justice, of the state, of our own being, of our own mind. And, for each human being, the Parmenides Moment is an ever-present

3 Hegel referred to philosophy as ‘the Thinking of Thinking’, in the Introduction to The Philosophy of History (tr. J. Sibree; New York, Dover Publications; 1956), p. 69. He took the view that ‘history’, as opposed to historiography, is the march of the Universal Spirit towards Freedom.

Summarising his own philosophy of history, Ernst Cassirer said: ‘Human culture taken as a whole may be described as the process of man’s progressive self-liberation. Language, art, religion, science, are various phases in this process. In all of them man discovers and proves a new power – the power to build up a world of his own, an “ideal” world. Philosophy cannot give up its search for a fundamental unity in this ideal world.’ An Essay on Man, An Introduction to a Philosophy of Human Culture (New Haven, Yale University Press; 1944), p. 228.
possibility of self-enlightenment. We ourselves may never experience it. Or, having experienced it, we may choose to ignore it. But humanity cannot escape from it. The human mind cannot unthink the self-imposed problem of its own functioning.  

1.7 We perceive. We conceive. We become. We speak. Such is one possible expression of the reality of our reality-forming capacity. It is an expression which can be constructed as a product of twenty-seven centuries of the great philosophical tradition, as a product especially of the intense self-examining of the human mind in the period since the enlightenment of the twelfth century, when the residues of the thought of Greece and Rome became available again to intellectuals throughout Europe. The human mind accumulates its self-consciousness. We are the ever-entitled beneficiaries of that inheritance, able to draw on the current state of that accumulation at any time. The possible progress of the human mind is the potentiality of its self-consciousness at any given time.

1.8 We perceive. If being is the way in which some part of reality presents itself to us, then it is possible to take the view (traditionally associated with the iconic name of George Berkeley) that, at least so far as we humans are concerned, being is nothing more than being perceived by us. To be is to be perceived. Perceived reality is in the mind of the perceiver. We perceive reality.

1.9 We conceive. If perceiving is an activity of the mind, then it is possible to take the view (traditionally associated with the iconic name of Immanuel Kant) that it is something in the self-ordering of the mind which allows it to conceive reality as an orderly world – a world of space

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4 The obscure and intriguing ideas of Parmenides (c. 515–c. 440 BCE) inspired several different branches of Greek philosophy by raising the problem of being through denying the possibility of talking about not-being. Does this mean that by saying that something ‘is’ we are necessarily saying that it exists other than as a thought in our minds? For a variety of interpretations of his ideas, see F. M. Cornford, 27 The Classical Quarterly (1933), pp. 97–110; M. Furth, ‘Elements of elatic ontology’, in 6 Journal of the History of Philosophy (1968), pp. 111–32; S. Austin, Parmenides – Being, Bounds, and Logic (New Haven, Yale University Press; 1986); L. Brown, ‘The verb “to be” in Greek philosophy: some remarks’, in Language (Companions to Ancient Thought 3) (ed. S. Everson; Cambridge, Cambridge University Press; 1994), pp. 212–36. Plato discusses ideas attributed to Parmenides in two of his dialogues: The Sophist and Parmenides.

5 George Berkeley (1685–1753) took the extreme ‘idealistic’ position that, since the mind can only know its own contents, including the perceptions based on the data of the senses, the only reality we can know is the reality of our own thinking.

6 Immanuel Kant (1724–1804), seeking to reconcile idealism and empiricism, supposed an interactive effort between the ordering capacity of the mind and the putative order of a putative non-mind reality.
and time, of energy, things, persons, life, death. To be is to be conceived. Conceived reality is reality remade in the mind of the conceiver. We conceive reality.

1.10 We become. If our perceiving of reality and our conceiving of reality are an interactive activity between the human mind and what we conceive of as reality, then it is possible to take the view (traditionally associated with the iconic name of G. W. F. Hegel)\(^7\) that the making of human reality is itself a part of the continuous self-ordering of reality. To think is to become. Reality-for-us is a process of reality’s self-constituting within human consciousness. We become reality.

1.11 We speak. If our making of human reality is an activity of mind, it is also an activity of minds. We think socially. The human mind has recognised the idea (now commonly associated, in particular, with the iconic name of Karl Marx)\(^8\) that a society of human beings is a socialising of thinking and not merely a socialising of action. And we must take account of the view (now commonly associated, in particular, with the name of Ludwig Wittgenstein)\(^9\) that the reality-for-us which is formed when human minds communicate with each other has characteristics which are determined not merely by the mind’s capacity for perceiving and conceiving and becoming reality. It is determined also by the particular nature, and limitations, of our capacity to communicate. To speak is to act. To be is to be spoken about. In speaking about the world-that-is-for-me we make the world-that-is-for-us. We speak reality.

1.12 Such is the unprecedented self-consciousness of the human mind which is available to us as an inheritance at the beginning of the twenty-first century. We possess a form of philosophical self-consciousness which has not been available to any of our predecessors. Our intellectual inheritance is also an intellectual burden. We cannot unthink

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7 Georg Wilhelm Friedrich Hegel (1770–1831), in what was intended as a final reconciliation of idealism and empiricism, supposed that mind and what seems to be a non-mind reality are aspects of a third thing (Geist; Spirit or Mind) which manifests itself as inter alia an active force in both human thought and the products of human thought (human history).

8 Karl Marx (1818–83), in what was intended as a final reconciliation of idealism and materialism, took the view that the activity of the human mind cannot be separated from the rest of human-made reality, in particular that part of human reality which involves the transformation by human beings of material reality. Theory is practice and practice is theory.

9 Ludwig Wittgenstein (1889–1951) reflected a general crisis in the self-examining of the human mind, a crisis which concerned the status of all kinds of knowledge, including even the knowledge generated by the natural sciences. How can the human mind transcend itself to find the grounds of its ideas of truth and value when those ideas themselves are merely products of the mind?
what we have remembered of what we have thought. It has made our task of reality-engineering easier and more difficult. We have a more complex idea of ourselves, but it is an idea which makes us expect more of ourselves as we speak, publicly and in the public interest, about the nature and content and potentiality of human reality. We can think as nobody before us has thought. We can make a human reality which has never been made before. It is an intimidating power.

1.13 Friedrich Nietzsche (1844–1900), driven to distraction by the potentiality of human reality in the twentieth century, said that those whom he called genuine philosophers are commanders and legislators, saying ‘thus it shall be’. For once, he understated the case. Philosophers, including the kind of philosopher whom Nietzsche deplored, are commanders and legislators even when, especially when, they say, not ‘thus it shall be’, but ‘thus it is’.

1.14 If they are theorists of the human mind, they are saying to human beings in general: ‘these are the limits and the possibilities of your mental life, because this is what the mind is’. If they are theorists of society, they are saying to all those who participate in societies, that is, all human beings: ‘these are the limits and the possibilities of your communal life, because this is what society is’. And if they are theorists of international society, they are saying to all those involved in international society, that is, the whole human race: ‘these are the limits and the possibilities of human species-life, because this is what the life of humanity is’.

Theory and society

1.15 If thinking publicly is a social function, then public thinking is a system of social power with its own place in a society’s constitutional structure and its own place in a society’s history. A society’s public mind is

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10 F. Nietzsche, Beyond Good and Evil (tr. W. Kaufmann; New York, 1966), §211, p. 136. ‘With a creative hand they reach for the future, and all that is and has been becomes a means for them, an instrument, a hammer. Their “knowing” is creating, their creating is a legislation, their will to truth is — will to power.’ He was contrasting them with ‘philosophical labourers’, among whom he included Kant, who see it as their task merely to rationalise already received ideas. John Locke had said, with a modesty corrected by posterity, that, in the commonwealth of learning, not everyone can be among the ‘master-builders, whose mighty designs, in advancing the sciences, will leave lasting monuments to the admiration of posterity . . .; ’tis ambition enough to be employed as an under-labourer in clearing ground a little, and removing some of the rubbish that lies in the way to knowledge.’ An Essay Concerning Human Understanding (1689), Epistle to the Reader.
the place where a society constitutes itself ideally. The history of public thinking is an integral part of the history of a society’s self-constituting as a society. An analysis of the distribution of mental power in a society is as necessary, for an understanding of the functioning of that society, as an analysis of the distribution of political and legal power. In many societies, and many of the most successful societies, there has been a ‘separation of mental power’ analogous to the ‘separation of powers’ which has determined the distribution of political and legal power, with a mental ruling class which is functionally distinct from the classes which dominate political and legal power.

1.16 The class which dominates the means of mental production, distribution and exchange in a given society is an organ of its constitution. It is also a system within a society’s economy. To produce commodities is to re-produce the idea of production and the idea of commodity, and to re-produce ideas in the form of commodities. To consume commodities is to consume the idea of consumption and the idea of commodity, and to consume ideas which have been re-produced in the form of commodities. The monopolising of a society’s mental power is as much of a threat to freedom as the monopolising of its political or economic power. A failure in the creative energy of a society’s mental production, a decline in the value of its gross mental product, is likely to be a symptom, sometimes even a cause, of that society’s general decay. The corruption of a society’s mental production by an intellectually or morally corrupt ruling class is likely to be a symptom, sometimes even a cause, of a society’s general corruption.

11 For discussion of ideal self-constituting as one of the three interlocking dimensions of a society’s self-constituting, see Eunomia, ch. 6. In its ideal constitution a society constitutes itself in the form of ideas. In its real constitution a society constitutes itself through the day-to-day social struggle of actual human beings. In its legal constitution a society reconciles its ideal and real self-constituting in the form of law.

12 ‘The production of ideas, of conceptions, of consciousness, is at first directly interwoven with the material activity and material intercourse of men, the language of real life. Conceiving, thinking, the mental intercourse of men, appear at this stage as the direct efflux of their material behaviour. The same applies to mental production as expressed in the language of politics, laws, morality, religion, metaphysics, etc., of a people. Men are the producers of their conceptions, ideas, etc. – real, active men… Morality, religion, metaphysics, all the rest of ideology and their corresponding forms of consciousness, thus no longer retain the semblance of independence. They have no history, no development; but men, developing their material production and their material intercourse, alter, along with this their real existence, their thinking and the products of their thinking. Life is not determined by consciousness, but consciousness by life.’ K. Marx and F. Engels, The German Ideology, ch. 1, in K. Marx and F. Engels, Selected Works (Moscow, Progress Publishers; 1969), i, pp. 24–5.
1.17 Can a successful and dynamic society survive as a successful and dynamic society without an intellectual aristocracy? Western society, having dispensed with an intellectual aristocracy, is now the scene of a hazardous experiment which will provide an answer to that question.\textsuperscript{13} Even as recently as the late nineteenth century, an intellectual aristocracy was able to speak to the political ruling class with authority because they were normally, in origin or by assimilation, members of the same social class. But there was also a new dominant socio-economic class, an intensely energetic and productive middle class, with new values and no instinctive respect for an old, seemingly unproductive intellectual class, an intellectual class speaking with the authority of an accumulated intellectual inheritance which seemed exclusionary to the new class. The French Revolution had shown that the exclusionary customs of an aristocracy (its 'privileges') can come to seem like an unnecessary and unjustifiable abuse to those who are seeking to destroy an old regime. The French Revolution had also shown the way in which ideas generated by a small intellectual elite can flow into a much more general process of social transformation.\textsuperscript{14}

1.18 But there were two other classes competing for a new kind of dominance over the forming of the public mind – the ever-increasing mass of the urbanised working class and the new self-identifying and self-judging elite of the professional bureaucracy.

1.19 For Robert Owen (as for Plato, Bacon and Rousseau, among others), the radical re-forming of the contents of the 'public mind' had

\textsuperscript{13} 'If the convulsive struggles of the last Half-Century have taught poor struggling Europe any truth, it may perhaps be this as the essence of innumerable others: That Europe requires a real Aristocracy, a real Priesthood, or it cannot continue to exist.' T. Carlyle, \textit{Past and Present} (1843) (London, Oxford University Press (The World's Classics); 1909), p. 247.

\textsuperscript{14} '[T]he French Revolution derives from the force, truth, and universality of the ideas which it took for its law, and from the passion with which it could inspire a multitude for these ideas, a unique and still living power; it is – it will probably long remain – the greatest, the most animating event in history.' M. Arnold, 'The function of criticism at the present time' (1875), in \textit{Essays in Criticism} (ed. R. Supor; London, Macmillan; 1962), pp. 258–90, at p. 265.

The question of the role of ideas in the making of the French Revolution has been the subject of intense study and controversy. The Revolution is a continuing social and mental phenomenon, generating a permanent debate as to its significance. Among more recent contributions to the debate, see G. C. Comminel, \textit{Rethinking the French Revolution: Marxism and the Revisionist Challenge} (London, New York, Verso; 1987) (especially ch. 1); W. Doyle, \textit{Origins of the French Revolution} (Oxford, Oxford University Press; 3rd edn, 1999) (especially pt. 1 and ch. 7); F. Furet, \textit{La Révolution en débat} (Paris, Gallimard; 1999) (especially ch. 2).
been an essential part of the making of a new kind of social order. In his passionate excoriation of the new industrial bourgeoisie-led society, Thomas Carlyle spoke of the new self-consciousness of the exploited urban masses, ‘these wild inarticulate souls, struggling there, with inarticulate uproar, like dumb creatures in pain, unable to speak what is in them!’ John Stuart Mill referred to ‘the political consequences of the increasing power and importance of the operative classes’ and said that ‘the prospect of the future depends on the degree in which [the poor] can be made rational beings’. In Britain, it was an intellectual aristocracy within the new bourgeoisie who would raise the cry ‘educate your masters’ and bring about the beginnings of universal compulsory education in the Education Acts of 1870 and 1876.

On the continent of Europe, the new imperative of rational and ends-directed education had long since established itself, but in a social order in which popular democracy would not be the impetus for change. The new class of the professional bureaucracy were the successors-in-function of the old-regime political class who were themselves in direct line of descent from the councils and courts of kings. It was to be an elite specially selected and trained to exercise rationalistic social power through public decision-making. Their task was conceived as being meta-political, not merely acting as the interpreter and agent of dominant social values, but representing and enacting some sort of universal meta-cultural value-system. Their social status seemed to be in

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16 ‘And, first of all, what belief have they themselves formed about the justice of it all? . . . Revolt, sullen, revengeful humour of revolt against the upper classes, decreasing respect for what their temporal superiors command, decreasing faith for what their spiritual superiors teach, is more and more the universal spirit of the lower classes.’ T. Carlyle, Chartism (London, J. Fraser; 1840), pp. 6, 40.
17 J. S. Mill, Principles of Political Economy (1848) (ed. J. Riley; Oxford, Oxford University Press (The World’s Classics); 1994), pp. 136, 139. Mill referred to the view held by some people, a view which he labelled the theory of dependence and protection and which he rejected, to the effect that ‘the lot of the poor, in all things which affect them collectively, should be regulated for them, not by them. They should not be required to think for themselves, or to give to their own reflection or forecast an influential voice in the determination of their destiny. It is supposed to be the duty of the higher classes to think for them’ (p. 132).
18 The reform of the Prussian administration by Baron von Stein (1757–1831), the rational reformism of Napoleon and the central place assigned by Hegel to the ‘universal class’ in his newly conceived rational ‘state’ led Europe into a form of bureaucratism which, a century later, would be the focus of the prophetic anxiety of Max Weber. See further in ch. 6 below, at §§ 6.20ff.
the tradition of an intellectual aristocracy, but classless or beyond class, with the arrogance of the old monarchies transmuted into a new spirit of paternalism. They were the inheritors of some of the nostalgic prestige of the old intellectual aristocracy – medieval Schoolmen, Renaissance humanists, the French Academy, the ‘natural philosophers’ and mathematicians of the (British) Royal Society (with equivalent bodies in other European countries), the French philosophes, the master-minds of the Scottish Enlightenment.

1.21 The survivors of the shipwreck of the old intellectual ruling class diagnosed the early stages of a profound cultural crisis. At first the cultural crisis was analysed (in the 1830s, by Coleridge and others) as a problem of the relationship between religion and society. But the true nature of the problem was detected, with characteristic prophetic clairvoyance, by Alexis de Tocqueville. As the democratic principle of social equality takes possession of society, the intellectual and moral centre of gravity of the public mind, and hence control over society’s dominant ideas, comes to be located in aggregative social forces rather than in the minds either of the self-appointed aristoi or of the thrusting new middle class or of the most socially mobile members of the working class. Democracy contained within itself a new risk, the ‘tyranny of the majority’.

19 There was a theory that it was religion, especially Evangelical rather than Anglican Christianity, which had allowed Britain to escape violent social revolution after 1789. Coleridge proposed that a specially educated semi-secular clergy, a clerisy, should be posted around Britain to diffuse and protect good morals and the right values which were under threat from the more or less peaceful social transformation which was destroying the old order of society. In the troubled mental development (intellectual, religious, moral, sexual, political) of W. E. Gladstone (1809–98), four times British Prime Minister, we can see a vivid epitome of the revolutionary reconstituting of the British social mind. See, in particular, John Morley’s biography of Gladstone (1903), a liberal rationalist writing sympathetically about a liberal believer. It is interesting that Coleridge’s moral argument (rather than Hegel’s idea of the universal class or even the impressive precedents of the new Prussian bureaucracy) seems to have been the spark which inspired Gladstone in his commissioning of the Northcote-Trevelyan report (1854), leading to the creation of a highly selective ‘administrative’ class in the British civil service.

20 ‘Thus intellectual authority will be different, but it will not be diminished; and far from thinking that it will disappear, I augur that it may readily acquire too much preponderance and confine the action of private judgment within narrower limits than are suited to either the greatness or the happiness of the human race . . . [so] that, after having broken all the bondage once imposed on it by ranks or by men, the human mind would be closely fettered to the general will of the greatest number.’ A. de Tocqueville, Democracy in America (1835–40) (London, David Campbell Publishers (Everyman’s Library); 1994), pt 2, ch. 2, p. 11.

21 ‘In political speculations “the tyranny of the majority” is now generally included among the evils against which society requires to be on its guard . . .; there needs protection also
1.22 Culture-critics frantically condemned the detranscendentalising, the philistinising and the materialising of the mental life of society, the crude mental hegemony of the actual, the popular, the practical, the material, the economic. By the 1920s the struggle seemed to be lost. The French culture-critic Julien Benda, writing in 1928, called it the Betrayal or the Treason (la trahison) of the intellectual class (les clercs). Coleridge’s natural clerisy, whose ideal function was to perfect their ‘inward cultivation’ on behalf of society as a whole, and so to take responsibility for society’s higher thinking, had been swamped by mass phenomena and economic phenomena. The new masters of the social mind were preaching a new anti-transcendental metaphysic – the cult of the particular, scorn for the universal; adoration for the contingent, and scorn for the eternal.

1.23 Theory had become dominated by politics. The central problem of purposive social organisation had become the problem of politics. In the period between the World Wars, the problem of politics became the problem of ideology. After 1945, after the experience of totalitarian ideologies (nationalism, militarism, nazism, fascism, Stalinism), the idea of ‘the end of ideology’ presented itself as a liberating ideology. Lippmann’s ‘good society’ and Popper’s ‘open society’ postulated an ideal in which the individual ‘is confronted with personal decisions’, a society in which individuals ‘base decisions on the authority of their own intelligence’, a society in which the autonomous individual is free against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices. . . ; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways . . . ’. J. S. Mill, On Liberty (1859) (London, Dent (Everyman’s Library); 1910), ch. 1, p. 68.

1.22 ‘[M]umbling to ourselves some vague janglement of Laissez-faire, Supply-and-demand, Cash-payment the one nexus of man to man: Free-trade, Competition, and Devil take the hindmost, our latest Gospelyet preached’. T. Carlyle, Past and Present (fn. 13 above), p. 175.

1.23 J. Benda, La Trahison des clercs (1927) (Paris, Bernard Grasset; 1977), pp. 244, 245; The Treason of the Intellectuals (tr. R. Aldington; New York, Norton; 1969), pp. 99, 100. Benda compares modern Europe to the brigand in a story by Tolstoy. After he had made his confession to a hermit, the hermit said: ‘Others were at least ashamed of being brigands, but what is to be done with this man, who is proud of it?’ (pp. 319, 183 respectively).

1.24 Thomas Mann and Max Weber addressed the problem of politics at a time when the fate of Germany as a democratic society was in the balance. See P. Gay, Weimar Culture (New York, Harper & Row; 1970), ch. 4.


to design a personal way of living. It was an ideology which, during the Cold War, could conveniently define itself simply as a negation of the evidently ‘closed’ societies of Marxism-Leninism.

1.24 By the end of the twentieth century, we had learned another meaning of ‘open society’. We found ourselves living in societies in which reality is, for the individual society-member, a heteronomy, societies so complex that we can no longer identify the processes by which social reality is formed, societies in which the public mind contains, in a turmoil of mutual conditioning, the despotism of rationalistic bureaucracy, the anarchic order of extra-parliamentary politics, the imperious order of the market-place, and the fantasy-forms of popular culture.

Theory and the university

1.25 The decline of high culture coincided with the rise of the professionalised university. It coincided also with the astonishing rise in the social significance of mathematics and the natural sciences, with the rise of totalitarian capitalism, with the decline of religion as a dominant social force. The professionalising of the universities coincided also with the emergence of the modern omnipotent state-system, that is to say, the rise of rationalistic bureaucratic absolutism in some European countries, the rise of rationalistic democratic absolutism elsewhere. So many coincidences suggest that they are the outward signs of some more general social transformation. But it is possible also that the new social role of the universities was itself a major causative factor in the general transformation of the public mind.

1.26 Germany was already the land of universities (more than 200 of them) when Savigny helped to reform the University of Heidelberg in the 1790s, when he and Humboldt founded the University of Berlin in 1810. In Britain, after the founding in the late 1820s of what would be a serious modern university in London, an intense and remarkably clear-minded debate was joined about the reform of the older universities. What is a university for? What is education for? The debate was closely related to a much wider debate about the state of the public mind in the new social order, a debate which Matthew Arnold caused to be focused on

27 University College and King’s College were authorised to grant degrees in 1836 as ‘the University of London’.
the idea of ‘culture’. The ideal of a ‘liberal education’ was becoming as anachronistic as the nostalgia for ‘medieval’ arts and crafts. A more or less fantasised nostalgia for high culture and humanist higher education was meeting the pragmatic imperatives of the new social order and, in Britain, a perennial anti-intellectualism.

1.27 When the question of the reform of the Universities of Oxford and Cambridge was referred to Royal Commissions in 1849, a central theme of the ensuing great debate was whether or not to follow what was seen as the German model of a ‘professors’ university. Should university professors, following the German model, ‘devote themselves to the pursuit of special departments of knowledge, and acquire high

28 Arnold defined culture as ‘a study of perfection, and of harmonious perfection, general perfection, and perfection which consists in becoming something rather than in having something, in an inward condition of the mind and spirit, not in an outward set of circumstances’. M. Arnold, Culture and Anarchy. An Essay in Political and Social Criticism (London, Smith Elder; 1869), p. 14. Culture is ‘particularly important in our modern world, of which the whole civilisation is, to a much greater degree than the civilisation of Greece or Rome, mechanical and external’ (p. 15). And it was above all necessary in Britain: ‘Indeed nearly all the characters of perfection meet in this country with some powerful tendency which thwarts them and sets them at defiance’ (p. 15). (See M. Arnold, Culture and Anarchy and Other Writings (ed. S. Collini; Cambridge, Cambridge University Press; 1993), pp. 62–3.)

29 ‘A liberal education has for its object to impart the highest culture, to lead youths to the most full, vigorous, and harmonious exercise, according to the best ideal attainable, of their active, cognitive, and aesthetic faculties.’ H. Sidgwick, in Essays on a Liberal Education (ed. F. Farrar; London, Macmillan; 1867), p. 222.

30 Arnold divided British society into three classes – the barbarians (the aristocracy), the philistines (the middle class) and the populace (Culture and Anarchy, ch. 3). He quoted The Times newspaper: ‘Art is long, and life is short; for the most part we settle things first and understand them afterwards. Let us have as few theories as possible; what is wanted is not the light of speculation... The relations of labour and capital, we are told, are not understood, yet trade and commerce, on the whole, work satisfactorily’ (p. 233).

 Cf. Walter Bagehot: ‘I fear you will laugh when I tell you what I conceive to be about the most essential mental quality for a free people whose liberty is to be progressive, permanent, and on a large scale; it is much stupidity.’ ‘I need not say that, in real sound stupidity, the English are unrivalled... In fact, what we opprobriously call stupidity, though not an enlivening quality in common society, is nature’s favourite resource for preserving steadfastness of conduct and consistency of opinion.’ W. Bagehot, Letters on the French coup d’état of 1851 (letter 3: ‘On the New Constitution of France, and the Aptitude of the French Character for National Freedom’) (1852) in The Collected Works of Walter Bagehot (ed. N. St John-Stevas; London, The Economist; 1968), iv, pp. 50–1, 52. Bagehot was later to be an editor of the Economist newspaper and the author of The English Constitution (1865).

31 The Royal Commissions on the Universities of Oxford and Cambridge of 1852–3 were followed by Royal Commissions on the Universities of Durham (1863), London (1911) and again on Oxford and Cambridge (1922).
eminence in learning.32 Or was the purpose of the university to perfect the whole person of the student?33 In the end, a characteristic compromise was found.34 a compromise which haunts universities to the present day. University professors would aim to optimise both learning and teaching.35

Theory and the philosophers

1.28 One of the fears expressed by those who had taken the trouble to inspect the German ‘professorial’ universities was that the obsessive and rigorous pursuit of ‘learning’ leads to a ‘widespread doubt of the certainty of any knowledge, alike in theology and philosophy.’36 Whether

32 This was the view of Henry Vaughan of Oxford, a leading protagonist in the debate. Benjamin Jowett, Master of Balliol College (who was not unlearned and knew it), said that Vaughan was advocating an ‘intellectual aristocracy’, whereas the university’s job was to teach the governing and professional elite. T. Heyck, The Transformation of Intellectual Life in Victorian England (London, Croom Helm; 1982), p. 165.
33 Edward Pusey was Vaughan’s antagonist. ‘The object of Universities is, with and through the discipline of the intellect, as far as may be, to discipline and train the whole moral and intelligent being. The problem and special work of an University is, not how to advance science, not how to make discoveries, not to form new schools of mental philosophy, nor to invent new modes of analysis; not to produce works in Medicine, Jurisprudence, or even Theology; but to form minds religiously, morally, intellectually…Acute and subtle intellects, even though well disciplined, are not needed for most offices in the body politic. Acute and subtle intellects, if undisciplined, are destructive both to themselves and to it, in proportion to their very powers. The type of the best English intellectual character is sound, solid, steady, thoughtful, patient, well-disciplined judgment. It would be a perversion of our institutions to turn the University into a forcing-house for intellect.’ E. Pusey, Collegiate and Professorial Teaching and Discipline: in Answer to Professor Vaughan’s Strictures (Oxford, Parker; 1854), quoted in H. Liddon, The Life of Edward Bouverie Pusey (London, Longmans Green; 1894), iii, p. 390.
34 It seems that the compromise was designed, not least, to preserve the college system of Oxford and Cambridge, whose graduates were prominent in the government which introduced the relevant legislation in 1854.
36 E. Pusey, quoted in H. Liddon, Life (fn. 33 above), p. 382. Pusey, in the language of another era, said: ‘Intellect, by itself, heightened, sharpened, refined, cool, piercing, subtle, would be after the likeness, not of God, but of His enemy, who is acuter and subtler far, than the acutest and the subtlest’ (p. 390). Another of his prophetic observations was that German professors seemed only to concern themselves with books published in the past twenty-five years. That is, they were only reading each other’s books, and not the great books of the past.
or not this opinion was correct at the time, it has proved to be remarkably prophetic of a major effect of the professionalising of the modern university. But the process by which such a profound intellectual and moral effect has been produced within general social consciousness has been extremely complex.

1.29 Large numbers of intelligent scholars, and some genuine intellectuals, are abstracted from the rest of society and are made to inhabit a world apart, to cultivate an academic hortus conclusus. And the hidden garden of this New Monasticism is a strange parallel unmoral universe whose high values are not moral values, but academic values – intercommunicative values of neutrality, objectivity, detachment, rigour, propriety, loyalty, professional ambition. Other social systems and forces determine what, if any, social effect can be given to the mental production of the universities. In the academic division of labour, the three classes of academics (artists, labourers and entrepreneurs) sell into such differing mental markets as are available to them. The potential social utility of mathematics and the natural sciences was very soon recognised, both in the wider mental markets of commerce (making possible products and processes) and government (serving the rationalistic arrogance of public decision-making). But the social utility of the academic activities bearing the obscure brand-name of ‘the arts and humanities’ has always been uncertain. What soon became clear is that their proper social function is not to prophesy, to enlighten, to lead or to elevate the human spirit. Least of all are they expected to sit in judgement, to aspire to be the guardians of society’s guardians. The controllers of the political and economic public realms can be confident that our graduates, cultural orphans, will pose no threat to established social order by reason of anything that they have learned or experienced at a university. They leave us with added-value, but what values have we added?37

1.30 Professionalisation, as predicted by the Victorian elite, has meant ever-increasing specialisation, as the realm of the mind is partitioned into ever-smaller intellectual territories, each an island entire unto itself, protected by the territorial sea of its own exclusionary

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37 Virginia Woolf described university graduates as ‘pale, preoccupied and silent’. She went on to say that it was as if, during their three years at Cambridge, ‘some awful communication had been made to them, and they went burdened with a secret too dreadful to impart’. L. Gordon, Virginia Woolf, A Writer’s Life (Oxford, Oxford University Press; 1984), p. 123. We may be inclined to reveal that the secret communicated to them is that the university has no secret to communicate – a sad secret, at least.
academic method and discourse. It soon became virtually impossible to cross the academic frontiers, let alone to look down, in the tradition of Renaissance humanism, on the whole edifice of the self-contemplating and self-creating human mind. The human mind came to contain the anguished presence of an absence, the absence of an image of its own achievement.

1.31 Learning for its own sake became cosmopolitan, not merely mathematics and the natural sciences, which are nothing if not universal, but also the arts and humanities. Samuel Johnson’s world-wide ‘community of mind’, formed by the educated classes of all advanced societies, became the global campus of an invisible college. The globalising of learning, good and natural in itself, also carries a heavy price in the deracinating and alienating from their own society of scholars and, more importantly, of intellectuals, that is to say, of scholars who recognise the social and moral responsibility attaching to thinking in the public interest.

1.32 And, fatally, even philosophers professionalised themselves. Professional philosophers (surely, a contradiction in terms) have devoted themselves, obsessively and rigorously, to studying philosophy, rather than doing philosophy. And, such was their intellectual rigour, they came to convince themselves, after much self-examination, that philosophy is, after all, impossible. We must salute this as a remarkable achievement of twenty-six centuries of European philosophy – the


39 It seems that Robert Boyle invented the term Invisible College, rather than Francis Bacon, with whose name it is usually associated. Bacon’s imagining of Salomon’s House (of natural philosophers) in New Atlantis, his various recommendations for the internationalisation of learning through co-operation among European universities, and the general spirit of his new philosophy of science were factors in the creation of scientific societies which preceded the founding of the Royal Society, including a Philosophical College, which was also called the Invisible College. See M. Purver, The Royal Society: Concept and Creation (London, Routledge & Kegan Paul; 1967), chs 2 and 3. See also F. Bacon, Advancement of Learning, in Bacon’s Works (eds J. Spedding, R. Ellis, and D. Heath; London, Longman; 1858), bk ii, iii, pp. 323–4, 327; and the preface to the second book of Bacon’s De augmentis scientiarum (1623), in Works, iv, pp. 285–6.

40 Wittgenstein insisted that the job of a philosopher is to ‘philosophize’ or to ‘do philosophy’, rather than to study or write about philosophy, and he himself made very little reference to the work of previous philosophers. ‘...from the bottom of my heart it is all the same to me what the professional philosophers of today think of me; for it is not for them that I am writing.’ Letter of 8 August 1932 to M. Schlick; quoted in R. Monk, Wittgenstein: The Duty of Genius (Harmondsworth, Penguin; 1990), p. 324.
impossibility of philosophy philosophically demonstrated. The American Willard Quine put the matter cheerfully and chillingly in his John Dewey Lectures: ‘I hold that knowledge, mind, and meaning are part of the same world that they have to do with, and that they are to be studied in the same empirical spirit that animates natural science. There is no place for a priori philosophy.’ An *is*-sentence with overtones of the Cretan Liar. Schelling, philosophical bridge between Kant and Hegel, would have said (and did say): ‘without philosophy he cannot know that there is no philosophy’.

1.33 The ethos of the professionalised university produced its own post-mystical religion, the religion of naturalism. The human being, a being-for-itself, product of human consciousness in human consciousness, became a being-in-itself, an object, not of self-contemplating, but of study. Subjectivity became an object. The universities created a material human world to be studied by the ‘human sciences’ or the ‘mind-sciences’ (*Geisteswissenschaften*), a world in which we are not morally engaged through value and purpose, in which everything human is present, other than the moral responsibility of the observer for the situation of the observed.

1.34 Derrida has called it heterological thought, humanity studying itself as an object. Humanity became for itself a thing, a thing which speaks about itself (to borrow a phrase from Lacan). And there was certainly a lot of speaking. The poverty of philosophy proved to be remarkably rich in the philosophy of human impoverishment. The unphilosophers went rushing in again, where angels had feared to tread – utilitarianism, positivism, pragmatism, behaviourism, phenomenology, logical positivism, analytical philosophy, structuralism, post-structuralism. Derrida calls all these -isms *empiricism* – a thousand times

denounced, he says, but still going strong.45 We may call it *naturalism*, which is also the word used by Husserl to make much the same point.46 Marcuse called it academic sado-masochism, self-humiliation, self-denunciation.47 We might also call it the philosophy of misanthropy, misanthropology. The academy has surrendered itself to a masochistic and misanthropic ecstasy of human self-denying.

1.35 It was not, as is so often supposed, simply that human studies adopted the methods of the natural sciences, nor even that they adopted what Quine, in the sentence quoted earlier, called ‘the empirical spirit’ of natural science (as if the natural sciences were a single intellectual phenomenon), or even what Georges Canguilhem called the scientific ideology, which, as he said, is something supposed by philosophers of the non-sciences, rather than by natural scientists themselves.48 The religion of human naturalism, the religion of the universities, is expressed rather in those most sinister words in the Quine sentence: ‘knowledge, mind, and meaning are part of the same world that they have to do with’.

1.36 Terrifying words. They deny the possibility of human self-transcending. They condemn humanity to become the by-product, the surplus social effect, of its totalising systems. Human consciousness and human language become merely an object of study like any other. Epistemic relativism becomes what Quine called ontological relativity. All we can know about the nature of things is what we can say to each other ‘usefully’ about them, which is not very much.

1.37 Or we might recall one of Rorty’s charming sayings: ‘the very idea of a “ground” for “propositional attribution” is a mistake. ‘A concept is just the regular use of a mark or noise’ which human beings use ‘to get what they want’.49 This reminds us also of the notorious description of

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abstract concepts which Ogden and Richards offered years ago: ‘symbolic accessories enabling us to economize our speech material’.\textsuperscript{50} Academic naturalism is dogmatic anti-transcendentalism, as dogmatic as any old religion. It is philosophy for the unphilosophical. In Lewis Carroll’s \textit{The Hunting of the Snark}, the ship’s crew of snark-hunters were grateful to the Bellman for bringing a large map representing the sea, without the least vestige of land: ‘And the crew were much pleased when they found it to be,/A map they could all understand.’\textsuperscript{51}

\textbf{Theory and imagination}

1.38 The human species is the species that tells stories – stories about gods and heroes, about the forces of nature, about the history of a nation, about our selves. We re-present our experience to ourselves in the mirror of our own consciousness. And it is not only the experience we have experienced, but unlimited possibilities of experience. We can imagine that which has not existed and that which could not exist. Imagination allows us to invent reality at will, and the reality we invent may become part of the human reality of the human world in which we actually live our lives.

1.39 Plato was much troubled by the problem of the place of works of the imagination in the ideal society. Works of the imagination present have value only if he could still be counted among the naysayers or, perhaps, among the not-say-either-ways.

Cf. J. Bentham: ‘While Xenophon was writing his History and Euclid teaching Geometry, Socrates and Plato were talking nonsense, on pretence of teaching morality and wisdom and morality.’ \textit{Deontology}, in \textit{The Collected Works of Jeremy Bentham: Philosophy} (ed. A. Goldworth; Oxford, Clarendon Press; 1985), p. 135. (Euclid was not a contemporary of Socrates or Plato.) M. Arnold said that reading this passage ‘delivered me from the bondage of Bentham! The fanaticism of his adherents can touch me no longer; I feel the inadequacy of his mind and ideas for being the rule of human society, for perfection.’ \textit{Culture and Anarchy} (fn. 28 above), p. 45.


\textsuperscript{51} L. Carroll, \textit{The Hunting of the Snark} (1876), Fit the Second, lines 7–8. Francis Bacon defined ‘metaphysics’ as ‘the investigation of forms, which are (in the eye of reason at least, and in their essential law) eternal and immutable’. \textit{The New Organon and Related Writings} (1620) (ed. F. H. Anderson; Indianapolis, New York; 1960), p. 129. Of ‘the received and inveterate opinion’ that the human mind cannot find out the ‘essential Forms’, he said that such knowledge is ‘of all other parts of knowledge the worthiest to be sought, if it be possible to be found. As for the possibility, they are ill discoverers that think there is no land, when they can see nothing but sea.’ \textit{(Advancement of Learning} (fn. 39 above), bk ii).
an *is*-world whose essence is its non-existence but whose non-existence may be indistinguishable from existence. In the epistemology of Plato’s theology there was no coherent place for the fictional. *God – the world of the Ideal – the world of the mind – the world of the actual – the world of appearances.* The mind mediates between what is above it and what is beneath it to produce true knowledge. Through education the mind can realise its potentiality for true knowledge. Fiction can confuse the mind, at best, but, more probably, it will corrupt the mind, making it incapable of true knowledge.\(^{52}\)

1.40 For Plato, the corrupting power of the imaginary was not only epistemological. The imaginary could be a form of moral corruption. Virtue is an aspect of true knowledge. The crux of the problem was in the Homeric inheritance, a sublime soap-opera of the lives of gods and heroes. The Homeric *is*-world was all-too-human in its situations and its moral ethos, but was confusing in its representation of causation and motivation, with the incomprehensible interaction of the human and the super-human, of fate and guilt. Something of the same thing could be said of the Greek tragedians. Their effect was achieved through emotional identification on the part of the audience, the recognition of possible truths about the human world, rather than through the higher, dialectical power of the mind, finding more universal truth through the universalising of more particular truths. And, still more practically, how can a society be an ordered realm of human flourishing if the minds of the people are a junk-heap of sense and nonsense, fact and fiction?

1.41 All works of the imagination contain human consciousness, the consciousness which has given them their material form, in stone and paint and sounds and words and physical movement and projected image. The imagination-work modifies the consciousness of the spectator, the modification being the net product of the work of the two minds and of countless contextual circumstances. In a spectrum ranging from high art through functional art (including the making and selling of commodities) to entertainment-art, works of the imagination modify the state of private minds and of the public mind of society. We may reassure

\(^{52}\) One of Plato’s discussions of the matter focuses on a painting of a couch. What is its relation to reality? ‘The painter, then, the cabinetmaker, and God, there are these three presiding over three kinds of couches.’ Like ‘the maker of tragedies’, the painter is ‘three removes from nature’. *Republic* (tr. P. Shorey), x. 597b, in *The Collected Dialogues of Plato* (eds E. Hamilton and H. Cairns; Princeton, Princeton University Press; 1961), p. 822.