



"Volupté"

The Political Thought of Michael Oakeshott

The role of the state in education

The right of a state to organize the education of its young people in pursuit of some purpose of the state is felt by most people living in a free society to be no right at all, and not at all right. Oakeshott's discussion of the role of the modern state in society provides Kelebay with a base from which to mount an attack on recent developments in Quebec initiated by its Ministry of Education. He points out that the notion of parliamentary supremacy in such matters was never meant to exclude from jurisdiction the roles of such other competent authorities as the learned authorities - the scholars and teachers; and argues that to yield to politicians on this point would be to neglect the duties of both intellect and will.

One of the biggest problems with current political discourse (in Quebec and elsewhere) is that our discussion is not based on a clear grasp of the proper role of the state in a society. This problem was first posed by Plato and is, of course, one of the oldest problems in Western political thought. It is not my intention to review the complete history of that discussion. I simply wish to draw attention to what, in my view, is "the best that has been thought and said" on the subject in contemporary political scholarship, and that is in a book written by Michael Oakeshott called "On Human Conduct".

This book is composed of three connected essays. The first deals with human conduct and the engagement of theorizing it. Here Oakeshott critically dismantles modern sociological and psychological "behaviourism", and in its place elaborates a theory of free and reasoned "human conduct". The second essay deals with the ideal mode of human relationship called "civil association". Two modes of "civil association" are described: one based on "common purpose", and another based on "conditions to be subscribed to." The third deals with "That

ambiguous historic human relationship called a modern (European) state." This third essay is the one which should be of most interest to us.

Oakeshott begins this essay with a few definitions. He argues that the notion of the state should not be confused with notions such as "society", "community", "family", or "organism". Those who engage in such confusions are unfortunately "under the spell of supremely inappropriate analogies." Nor is the state to be confused with "government", the "apparatus" for governing, or the "procedure" of choosing (or arriving at) a government. The state is not something fixed, given, created by God, or the result of some mysterious and unexplained "economic forces". The word "state" is simply "a metaphor for an emerging association which is both changing and changeable by human conduct." Therefore our understanding of a modern state is what the effort to understand this problematical association has made of it.

Then Oakeshott outlines the history of this effort to understand the state. He argues that as modern states began to emerge from the realms, principalities, and lordships of medieval Europe, the medieval ideas of **societas** and **universitas** (both of which predate the state) offered themselves as aids to reflection on the character of the state. Hence, the ambiguous character of the modern state can be grasped through an understanding of the content of the two medieval analogies, "societas" and "universitas".

Societas and universitas

Societas originated from the traditional notions of "regnum", "civitas", and the "human race". It referred to "free agents loyal to one another". It was understood to be an "agreement" or pact based on the "authority of conditions" and was "formal in terms of rules". Put another way, it was a "moral relationship" based on a "system of conditions". Societas was founded on the "rule of law", and the ruler in a societas was akin to a master of ceremony under the law. Professor Oakeshott describes this mode of civil association as being based on a "nomos" (or law) and therefore calls it a "nomocracy".

On the other hand, universitas originated from notions such as "imperial city", "cathedral", or "university". It represented a partnership or corporation based on a "charter" and was a creature of an "act of authority." It was always created for some "common purpose" and was a "common engagement" or a "joint enterprise". Membership was granted to those who voluntarily agreed with the "undertaking" of a given corporation and therefore often took some kind of vow. In universitas the ruler was like a manager of a purposive concern. Universitas was said to have a "mission" and to be based on "the rule of a cause." Professor Oakeshott says this mode of civil association is based on a "thesis" (or teleos) and therefore calls it a

"teleocracy".

With time, the two analogies of *societas* and *universitas* became alternative interpretations of the state. Therefore, a modern state may be understood as an unresolved tension between two irreconcilable dispositions, represented by the words *societas* and *universitas*. In fact, another way of defining "state" is to call it a "*societas cum universitate*". Understanding this tension is central to grasping the character of the modern state and the various engagements of its government.

Beginning in the 16th century, and until recently, most political thinkers like Bodin, Hobbes, Spinoza, Kant, Fichte, Hegel, Hume, Locke, and Mill were alike in their recognition of the state in terms of *societas*. But as modern states emerged they also acquired features which suggested the appropriateness of the *universitas* analogy. Therefore, writers who gave expression to this understanding of the state also appeared. For example, in Bossuet's works the ruler of a state was described as a "*Ministère de Dieu*". In DeMaistre's writings the state was akin to a "religious corporation", and with the Calvinists the state became a "beleaguered community" and a type of "school".

Probably the man most responsible for equating the state with *universitas* was Francis Bacon. According to Bacon the state was a "corporation" primarily concerned with the exploitation of natural resources. In his writings the state was deemed to **be**, and not merely to **have**, an economy. A state was understood as a territory whose inhabitants, incorporated in the relentless exploitation of its resources, have a common interest in the continuous success of their enterprise. Bacon saw the government of a state as the custodian of this common interest and the manager of the enterprise.

The reverberations of Bacon's thoughts are felt in each successive generation of his followers, particularly in the writings of Fourier, Owen, Louis Blanc, Bellamy, Comte, Marx, Webb, and Lenin. All these thinkers contributed to the notion of the state as a joint enterprise and not as an association of free agents bound only by an obligation to considerations of civility. To govern such a state was recognized to be a managerial and tutorial undertaking, and not merely an engagement in civil prudence. This, indeed, was what the words *despotism* or *le despotisme éclairé* ("enlightened despotism") were invented to describe.

In short, over the centuries *societas* was characterized by a practice (the rule of law or *nomos*) and *universitas* by a purpose (the rule of cause or thesis). Both analogies admittedly lent themselves as aids to reflection and both informed our understanding about the character of the modern state.

Societas and *universitas* still stand, each, for an independent self-sustaining mode of association; and they are both characteristics of a state, not because they have an inherent need of one another (indeed, they deny one another), but because they have become contingently joined by the

choices of human beings in the modern state.

Any state, at any historical moment, can therefore be seen as a unique mixture of *societas* (or law) and *universitas* (or purpose) joined by the conduct of the human beings and leaders who live in it. Oakeshott's central concern is that our contemporary understanding of the "welfare state" shows a disturbing inclination to understand the state exclusively in terms of *universitas*, or as a corporation with a substantive purpose. It may be our unexamined acquiescence in this one-sided understanding of the state as a corporation which today (in Quebec and elsewhere) has resulted in our being ruled by a government's causes rather than being governed by our laws.

Quebec - increasingly a *universitas*

Quebec (in or out of Canada) can be deemed to be a state in Michael Oakeshott's sense of the term. In the course of its history, Quebec's self-understanding was also informed by the two analogies of *societas* and *universitas*, so that today Quebec is also a unique mixture of laws and substantive engagements, and therefore a distinct version of the "welfare state".

Over the years, Quebec's government has ventured to various extents into some engagements and enterprises (like hydro-electric power, steel production, rent control, or language hygiene) and not into others (like computer dating, mousetraps, or designer jeans). This selective cupidity has tended to be rationalized by a number of popular slogans such as "the threat of assimilation", "survival", "the greatest good of the greatest number," and most recently, "the will of the collectivity" and "social justice".

As a result, in recent years the "public sector" has steadily expanded and the "private sector" has been steadily diminished. The reason for this is that, in the course of the "Quiet Revolution", Quebecers have exhibited a pronounced inclination to understand the state almost exclusively in terms of *universitas* or a "corporation" with a substantive aim and purpose. On the other hand, the analogy of *societas* has tended to be neglected. To the same extent as Quebec's government has been expanded and its projects have become more collectivized or "publicized", therefore, the mode of association of Quebecers, and their private goings-on, has become increasingly "deprivatized" and deprived.

Today, what increasingly disturbs people in Quebec is the sense that, in spite of a long list of trivial liberations by the government, there has been a vast increase in the state's ability and disposition to control things. This is evident in the government's entry into such varied matters as landlord-tenant relations, broadcasting, language of discourse, baseball terminology, school curriculum, and school-board organization. And this is the problem most frequently referred to in political

discourse in Quebec.

When self-understanding in terms of state-as-societas was the order of the day, conflict between the state and any private, chartered, law-abiding, voluntary association (or institution) was unlikely. However, when the notion of state-as-universitas becomes dominant, private voluntary associations (or institutions) with aims different from those of the state, or engaged in enterprises into which the state wants to venture, tend to become obliterated. The state understood in terms of universitas tends to choke the life out of mediating institutions that have traditionally stood between the individual and the state or which can be seen to compete with the state. So the extent to which Quebec's government continues to understand itself as universitas is the extent to which it will continue to display the characteristics of what can be called a parliamentary absolutism or parliamentary "despotisme."

Education as an indicator

Historically, one of the most reliable indicators of the self-understanding of a state has been its disposition toward education. Education has always been a rope pulled from two ends: the Church at one end and the State at the other. In the past, rulers often played a considerable part in education as patrons of learning, but never as managers of a system of education. It is the enlightened despots of the 18th century who altered the situation, not to change the character of existing schools and universities, but rather as a project to provide some alternative apprenticeship to adult life. The children of "the people" were to be instructed in skills by virtue of which they might become more of an asset and less of a liability to "the state", and so that they might recognize themselves more clearly as intelligent components of its natural resources - or its human "capital". This was the project of the Prussian "Landschulregiment" of 1763, the most ambitious of many similar undertakings in Europe at that time.

Michael Oakeshott says: "The project emerged clearly when attendance was made compulsory, when its purpose was more exactly formulated, when it was placed under the management of a minister of education, and was seen to promise a genuine 'education nationale', the emblem of the central doctrine of enlightened government: the right and the duty of the government of a modern state to 'school the nation' in such a manner that each of its human components might recognize himself as a member of the corporate association and be made fit to contribute to the pursuit of the corporate enterprise, according to his abilities and in relation to the current managerial policy."

The rhetoric of this policy was for the most part the invention of French writers, a rhetoric in which servility was confidently identified as emancipation. In 1763 La Chalotais

claimed in his *Essai d'Education Nationale* that the children of "la nation" were the property of the state. And while this doctrine at first concerned only "the poor", it was gradually extended to all "subjects" wherever this understanding of the character of a state flourished. Indeed, the degree to which in any state this notion of a compulsory and uniform "éducation publique", managed by its government, has swamped all other educational engagements, may be taken as an indication of the strength of this conception of the state.

In light of this, it is not unreasonable to argue that the recent so-called educational reforms of Quebec, from the Régime Pédagogique to the proposed nationalization of our school boards, do not represent progress, pluralism, and modernization, but in fact are a piece of reaction. They may represent a return to the thinking of the "enlightened despots" of the 18th century.

With the election of the Parti Québécois government in 1976, the new Minister of Education, Jacques-Yvan Morin, held hearings across the province to inquire about the condition of education in Quebec. The most dramatic finding was that, after the reforms-toward-equality of the 1960's, Quebecers were again interested in "quality education". The result was the Plan d'Action, the new Régime Pédagogique, and the White Paper on the restructuration of Quebec's school boards which we face today.

While the hearings were held and the Régime Pédagogique was being announced, no one seriously questioned the propriety of the government's interest in the quality of education. We all presumed and conceded that the government could inquire into and, if necessary, take steps to improve education in our schools. There was no public discussion of this issue. Education, after all, was under the exclusive jurisdiction of the provincial government.

What is government's proper role?

Our mistake was that we misunderstood the notion of provincial parliamentary "supremacy" in the field of education. Historically, provincial parliamentary "supremacy" over education was intended to exclude the Federal Parliament only from any jurisdiction in the field of education, but **not** to exclude all other competent authorities. The principle of parliamentary "supremacy" (in constitutional law) was never intended to mean "entirety" or "exclusivity". "Supremacy" (or ultimate authority) has traditionally admitted the existence of other rightful, but admittedly non-ultimate, authorities. (On the other hand, the principle of "entirety", or total authority, denies the proper claims of all other authorities.)

Provincial parliamentary "supremacy" to pass laws fair to all, under which citizens and institutions could pursue their lawful enterprises or engagements (including education), was thus

misunderstood to mean that the provincial parliament could venture into any area under its jurisdiction and to the extent it wanted. Under the spell of clichés like "social justice", we forgot that the history of democracy is the history of limiting, not enhancing, government power. We forgot that liberty has always meant shackling governments into the iron chains of law. And we could not bring ourselves to believe that the Parti Québécois' appetite for governing and regulating society, like that of all social-democratic (or socialist) governments, is insatiable.

We did not ask the question then, but it is not too late to ask it now. What is the government's proper relationship to school boards and to the content and quality of education?

School boards are chartered creatures of law. As such, their character is analogous to what Michael Oakeshott calls a *universitas*. Historically, this means school boards are akin to an "imperial city", a "cathedral", or a "chapter". As creatures of an "act of authority" they are a partnership or corporation created for a "substantive purpose". That purpose or "mission" is to promote schooling and learning in the province. To properly understand this "mission" we must briefly digress to the nature of learning.

Notwithstanding fashionable prejudices among many of our "interdisciplinary" friends, the nature of any serious intellectual exercise is to think about the inseparable separately. As a result, over the centuries, human knowledge has become delineated into various discernible fields or separated into the various sciences or disciplines. Education and learning can be conducted only by venturing into these various disciplines or fields of knowledge. The question is, who can claim proper authority in these fields? Who is to judge what should be learned and how learners should be guided through these fields of knowledge?

The judges of that can only be men and women who are **learned** in each field, that is, "authorities in the field". In each field, the authorities comprise what is called the "relevant community". Only this "relevant community" can map out each field of knowledge by discussing, agreeing (more or less), and publicly establishing the "classics" in each field. These "classics" are the thought and writings of intellectual venturers, discoverers, pioneers, and authors of "the best that has been thought and said" in that field of knowledge. Together, these "classics" comprise our intellectual heritage and are the only proper curriculum for our educational institutions. Only a curriculum which reflects learned judgement (or a map which accurately represents a given territory) can properly guide learning (and students) in these fields of knowledge.

The proper custodians

Governments and bureaucrats can contribute partially by assisting in the creation of suitable conditions for the work of the learned "relevant community". But it is the community of scholars, teachers, educational administrators, and governors of our educational institutions who are the proper custodians of education and curriculum in any civilized society. No amount of unlearned mendacity, political arrogance, or bureaucratic imperialism can change that.

In Quebec today, the power to venture into education and the curriculum has been confused with the right to do so. This confusion can properly be called the abuse of power. That is why Quebec school boards have to be, and are, fighting valiantly for their lives.

School boards and school board personnel, particularly the Directors-General, administrators, teachers, and unions, will be faithful to their mission only so long as they fulfill their chartered purpose. The extent to which they forget their duty, lessen their vigilance over curriculum, or capitulate to the state's intrusion, is the extent to which they will have withdrawn from education, diluted their authority, and betrayed their duty.

It is high time for us in Quebec to stop believing that history and politics are something that inevitably "happen to us". We must begin that fundamental intellectual revision necessary to re-educating public opinion and conduct, restoring civil association, and re-capturing control of our state from its present democratically elected usurpers. Today, after several years of narrow-minded, moralizing majoritarianism in Quebec, we are in dire need of true democracy again.



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