

ARTIGOS

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MICHAEL OAKESHOTT ON SOCIAL POLICY

A POLÍTICA SOCIAL NA OBRA DE MICHAEL OAKESHOTT

ABSTRACT:

Michael Oakeshott is considered one of the most important political philosophers of the last century. Although his name is bound to certain political conservatism, his work has been revisited from different ideological standpoints. This paper aims precisely to dialogue with recent interpretations of the work of Oakeshott regarding state interventionism. The question that emerges in this paper is as follows: the political philosophy of Michael Oakeshott provides a useful framework for the study of social policy? If so, what are the limits and possibilities of this framework? We demonstrate that the work of Michael Oakeshott can be useful to a *reformist* view of social policy.

Keywords: Michael Oakeshott, Social Policy, Radical Democracy, Reformism

RESUMO:


Michael Oakeshott é considerado um dos preeminentes politólogos do século passado. Embora seu nome seja ligado a certo conservadorismo em política, sua obra tem sido revisitada por autores das mais variadas diretrizes teóricas. Este trabalho busca dialogar com interpretações recentes da obra de Oakeshott no que tange à esfera da intervenção estatal. O problema desta pesquisa é o seguinte: a filosofia política de Michael Oakeshott pode ser considerada um arcabouço teórico útil para a política social? Em caso afirmativo, quais são os limites e possibilidades deste arcabouço? O trabalho procura demonstrar que a obra de Oakeshott pode ser bastante útil para uma visão *reformista* da política social.

Palavras-chave: Michael Oakeshott, Política Social, Democracia Radical, Reformismo.

INTRODUCTION

Michael Joseph Oakeshott (1901-1990) is considered one of the most important conservative philosophers of the last century, although his name is quite unknown in Brazilian academic circle. A graduate of the traditional Gonville and Caius College in Cambridge, Oakeshott served as faculty fellow and assistant professor in History Department. With the end of World War II, he taught briefly at the University of Oxford until his appointment as Professor of Political Science at the London School of Economics and Political Science (LSE), London, in 1951.

Among his most important works are: *Experience and its Modes* (1933), *Rationalism in politics and other essays* (1962), *On Human Conduct* (1975) and *On History and other essays* (1983). As a distinguished scholar, Oakeshott wrote on various topics, having been prominent particularly in the theory of history and political philosophy. On Oakeshott's contribution, Bhikhu Parekh (1996) views his work as a "highly original statement of conservatism that disengaged it from its traditional associations with religion, historicism, moralism, nationalism and social hierarchy (p. 504).

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Taking into account the importance of Oakeshott as a theorist of Modern State, this paper aims to dialogue with recent interpretations of his philosophical work regarding State interventionism. Precisely, it questions whether Oakeshott's political philosophy provides a useful theoretical framework for the study of social policy. If so, what would be the limits and possibilities of this reference?

The work is divided into two parts. Firstly, crucial concepts of Oakeshott's political philosophy will be presented, with a special regard to political activity and Modern State. After, Oakeshott's stand on Social Policy will be analyzed from two different kinds of interpretation. Background of this analysis insinuates an ambivalent view of social policy, sometimes in its *reformist* aspect or as a *utopian* project.

1. MICHAEL OAKESHOTT AND THE AMBIVALENCE OF MODERN STATE

Michael Oakeshott argues that what is known as the Modern State contains an ambiguity involving two extreme styles or modes over which the activity of governing is understood (OAKESHOTT, 1996). The emergence of this State does not occur from a complete break with the past. Nor was there any particular historical event to indicate the point of separation between medieval period and modernity. Its formation takes place continuously, from the renewal of practices inherited of the medieval period.

The *ideal* character of these styles does not imply any state of affairs to be desired. It is *ideal* precisely in sense of the characteristics logically necessary to identify them. Political ideologies, in general, are related to two aspects of government, synthesized *ideally* from the following questions: (a) Who shall rule and by what authority? (b) What shall government do?

The controversy of this ambiguity does not lie in the first question, since, for Oakeshott, European political history has been represented by the assertion that constitutions authorize government. Difficulties occur when second question is an-

swered as a natural consequence of the first. In other words, government shall do what constitutions provides. Once the question of authority was resolved, objectives would be immediately defined.

Political vocabulary has been marked by ambiguity the same way political conduct has suffering from ambivalence. It is not a case of a mere corruption of language or an eventual concealment by governments and scholars. According to Oakeshott, it is the result of two styles of politics, opposites and extremes, which he called *politics of faith* and *politics of scepticism* (OAKESHOTT, 1996). Both are hardly found in pure form, constituting much more tendencies than doctrines themselves. A confusion of such styles conform the reality of modern European politics.

Politics of faith is characterized by an incessant search for perfection of humanity. As such perfection is never present, it must be pursued at any cost, using every human effort. Perfection is imposition of a single path to be followed, the creation of a state of affairs, a purpose to be shared. A certain perception of what common good is entails a decision over which path must be pursued, not a temporary expedient to let things flow (OAKESHOTT, 1996).

Government is responsible for ensuring such perfection. Regardless of any comprehensive view of the common good, this style believes on the possibility of achieve it through human power. Not only does it seek, but overestimates this power, leaving government with an almost unlimited competence to rule society. Consequently, style requires a double confidence: a conviction of necessary power is available or can be generated, and a conviction that, even if one does not know exactly what constitutes perfection, at least knows the path to be followed (OAKESHOTT, 1996, p. 24).

In this style of politics, formalism is no longer relevant. Governing is "a godlike adventure, and a nice observance of rules and constitutions will readily be felt to hinder its impetus" (OAKESHOTT, 1996, p. 29). As legitimate representative of common interest, government's duty to direct human conduct is based on actions meticulously related

to manage and maximize the desired purpose.

The abstractly opposed style to the *politics of faith* is called the *politics of scepticism*. This opposition, already explained, is merely ideal. Both comprise the complex and ambivalent way of governing and the equally complex and ambiguous understanding of what the office of governing properly means.

Unlike faith, scepticism is suspicious of human capacity to achieve perfection. It sustains that government has a specific function: to establish a system of rights and duties whose purpose is to avoid conflicts and guarantee peaceful coexistence (OAKESHOTT, 1996). Subjects have opportunity to fulfill their desires and wishes in the best possible way, always respecting the limits established by general rules of conduct. According to Oakeshott, government is not an architect of a perfect way of life, or (as faith prescribes) an improved way of life or any way of life at all.

Utterances of the *politics of scepticism* concerning the activity of governing are not based on a doctrine about human nature, but through a reading of human conduct. Political skeptic notes that men live in close proximity, each pursuing various activities, making conflict almost inevitable. When it reaches certain dimensions, not only can make life barbaric and intolerable, but even end abruptly. Therefore, the activity of governing subsists not because it is good, but because it is necessary.

Government has a very limited role (OAKESHOTT, 1996). It does not intend to establish what the truth is or to guide society in a certain direction. A generic system of rights and duties expresses its true scope, avoiding the temptation to interfere unduly in social relations.

This disposition on the role of government is *conservative*. For Oakeshott, *conservatism* does not have same bases from what common sense normally indicates. Being conservative does not mean making an apology to the past or to certain values, nor does it consist of contemplating tradition simply because it is tradition.

Being conservative is an attitude of distrust regarding concentration of power and also a call for self-contained government (FULLER, 1991).

Oakeshott does not see in government an enthusiastic mission to promote some peculiar political project, calling subjects to unite around it. Scepticism distrusts humanity's idea of perfection or ultimate destiny. It does not seek to inflate passions and beliefs in people, but recognizes the dangers that such feelings can represent in social life.

For this reason, conservatives prefer rules of conduct that impose order without directing any enterprise. Such type of rule is value because individuals can easily recognize it in ordinary life, without impeding each person's projects, but moderating most invasive actions.

Faith and *scepticism* are preliminary outlines, carefully reformulated in *On Human Conduct*. In this book, Oakeshott presents his main contribution to political theory: *civil association* and *enterprise association*, two theoretical models of Modern State.

How subjects relate and recognize each other is what distinguishes these models. In Oakeshottian language, every human action or choice has both a formal and substantive attribute. *Substance* of an action is the concrete performance of someone who acts seeking to satisfy a need. *Form* of an action is the way that performance is practiced; it is action with respect to the recognition of a procedure. Oakeshott calls this procedure a *practice*: "a set of considerations, manners, uses, observances, customs, standards, canon's maxims, principles, rules, and offices specifying useful procedures or denoting obligations or duties which relate to human actions and utterances".

A practice is *instrumental* when there is a purpose to be achieved (*substance*), and its procedure (*form*) indicates merely convenience or usefulness of promoting that purpose. A church, e.g., can aim to praise the word of the Lord; all its rules and canons, such as praying, not coveting other's wife, or even paying tithing are always understood as ways of maximizing that purpose. They are, therefore, instrumental practices.

On the other hand, Oakeshott recognizes the existence of a non-instrumental practice, a practice with no extrinsic purpose. In this case, procedure deals only with conditions to be sub-

scribed by agents in their own choices and actions - providing only means to achieve a large number of different purposes whose entirety is unknown.

We take as an example a recipe book and rules of chess. The first is made of instrumental rules; the book demonstrates what precautions and steps must be taken for those who want a tasty cake or a succulent roast. Rules of chess, on the other hand, present no extrinsic purpose or a single purpose to be pursued, but only the definition of which rules players must attend in every move: opponents move only one piece at time, bishop moves only diagonally, pawn cannot go back, etc. The strategy of each player and decision he makes throughout the game are indifferent to the rules itself. Non-instrumentality characterizes precisely by this indifference.

Returning to Oakeshott's terminology, *enterprise association* is a mode in which agents are bonded through a substantive purpose, such as "putting out fires, exchanging for mutual profit, or insuring collective prosperity and defense" (MAPEL, 1990, p. 395). Individuals recognize themselves as partners in the same enterprise. This association is qualified precisely by the existence of common purpose.

In *civil association*, on the other hand, there is no common purpose. It is not merely impartial, but indifferent to any purpose. It does not prescribe commands or choices, not compel agents to act in a certain way. It simply establishes conditions to be taken into account when agents decide to pursue their personal desires (OAKESHOTT, 1975, p. 147). Agents are free to make their choices, being careful only to subscribe them under the restrictions imposed by general rules to which they are bound.

Otherwise, individuals in *civil association* are not identified by personal interests or because of a collective project. The only thing they share is a normative language, a subjection to the same legal authority. For this reason, Oakeshott considers *civil association* to be a purely formal type of association, based only on recognition of same authority and not on comprehensive purposes (MAPEL, 1992, p. 78).

An important observation to take into account is how government operates in these modalities. For *enterprise association*, government is responsible for managing the common purpose that unifies the association. Coordinates individuals' actions, using all possible power to maximize this objective. On the other hand, in *civil association*, government does not pursue any purpose, because there are no purposes to promote. It remains to *maintain order*, that is, to make sure laws are strictly signed by individuals, ensuring a peaceful and safe life for all.

Oakeshott terms public interest as *respublica*, contingent considerations about what is right/wrong, convenient/inconvenient, fair/unfair within *civil association*. Rules of *respublica* form the system of rights and duties resulting, establishing limits to interpersonal relationships (OAKESHOTT, 1975). In other words, *respublica* concerns to general rules of conduct to be subscribed when an agent act seeking to satisfy his own interests. A typical example is traffic laws: they do not dictate where a person should go and when they should travel, but only describe conditions to be observed by drivers and pedestrians when they take to the streets - a car must stop with a red light, sign indicates maximum speed, etc.

Politics determines which rule is part of *respublica*: a decision on convenience of a civil relationship rule. It should not be confused with the act of legislating. *Politics* is a deliberative intellectual exercise, which involves persuasion and dialogue about a current rule or even an eventual future rule (OAKESHOTT, 1975). To legislate is an authoritative, formal expedient, resulting a mandatory normative prescription for all citizens.

Here, two points deserve to be highlighted. First, contingency of choice falls upon a general rule of conduct. Although universe of choices is potentially unlimited, there are contents clearly excluded of these rules. As general rules of conduct, its formulation eliminates, in principle, deliberation on the purposes of the association and equalization of cooperative terms between individuals. Oakeshott is very accurate:

There is, of course, much that this necessarily excludes, and I have noticed some of it already: benevolent plans for the general betterment of mankind, for diminishing the discrepancy between wants and satisfactions or for moral improvement cannot, as such, be political proposals. But, coming closer to the matter, proposals for awards of benefit or advantage to ascertainable individual or corporate interests claimed on account of the merit, the bargaining-power, or any other alleged property of such interests clearly declare themselves not to be political proposals. And such claims are not merely contingently excluded from political discourse; they are necessarily excluded by the character of *respublica* (OAKESHOTT, 1975, p. 168-169).

Social rights and welfare programs, since they are instrumental (that is, they have a comprehensive purpose), would, at first, be excluded from deliberation process of *civil association*. As Oakeshott would say later, rule of law “bakes no bread, it is unable to distribute loaves or fishes (it has none), and it cannot protect itself against external assault, but it remains the most civilized and least burdensome conception of a state yet to be devised” (OAKESHOTT, 199, p. 178).

2. THE DIFFICULT RELATIONSHIP BETWEEN CIVIL ASSOCIATION AND SOCIAL POLICY

One preliminary conclusion to be drawn from the concept of *civil association* is government has a very limited scope of action. At first glance, it seems to contradict social policy, which demands an intervention in social relations in order to provide services and income distribution.

However, Oakeshott's conceptual distinction about Modern State has been revisited by scholars from the most diverse ideological positions. In this section, will be analyzed the opinions of Chantal Mouffe (2.1) and Steven Telles and Matthew Kaliner (2.2).

2.1 CIVIL ASSOCIATION AS A RADICALLY DEMOCRATIC MODE

According to Chantal Mouffe, liberalism is unable to understand the nature of political element because it requires to approach power and antagonism at its very center. Any apprehension of social relations is eminently political and constituted by acts of power, carrying with it features of this exclusion in its own constitution (MOUFFE, 2005).

Acceptance of pluralism makes power relations part of social identities, so that exclusion is always inevitable. Any social objectivity is, therefore, contingent. In such a society, no one can legitimately attribute a moral sense to its foundations or to try to represent it in its entirety. Truly democratic alternative for moral agents is to accept the partiality of their own moral conceptions and to recognize *conflict* and *antagonism* as inevitable, seeking an arrange of institutions to limit domination and violence (MOUFFE, 2000).

In accepting the irreducibility of power relations, the main question for democracy is not to eliminate power, but how to constitute forms of power compatible with democratic values. This is a sort of deliberative model Mouffe calls agonistic pluralism (MOUFFE, 1992). Her argument starts with a distinction between *politics* and the *political*. For *politics*, Mouffe refers to the dimension of antagonism inherent in human relations, which can take many forms and emerge in different types of social relations. *Politics*, on the other hand, is a set of practices, discourses and institutions seeking to establish certain order, although their conditions, inevitably conflictive, are always affected by the dimension of the *political*.

As a result, antagonism can never be eliminated and is an ever-present possibility in politics. Radical democracy implies to recognize existence of power relations and a need to transform them, while renouncing the illusion of being freed from power.

A vibrant democracy needs free public deliberation, not restraining any matter of common

interest. An eventual political decision must be understood as a temporary result of a provisional hegemony, inevitably attached to a form of exclusion. “Consensus is, in my view, harmful to democracy because it tries to silence dissenting voices, which is why I believe that an approach that reveals the impossibility of establishing a consensus without exclusion is of fundamental importance for democratic politics” (MOUFFE, 2003, p. 19).

Only when the dimension of the *political* is recognized, *politics* can be understood as an effort to domesticate hostility and contain the potential antagonism existent in human relations. So, “we can pose what I take to be the central question for democratic politics. This question, pace the rationalists, is not how to arrive at a consensus without exclusion, since this would imply the eradication of the political. Politics aims at the creation of unity in a context of conflict and diversity; it is always concerned with the creation of an ‘us’ by the determination of a ‘them’” (MOUFFE, 2000, p. 101). The novelty of democratic politics is not to overcome this opposition between us/them – which is an impossibility – but the different path in which it is established. What is crucial here is the attempt to turn this opposition compatible with democracy. Mouffe says:

Envisaged from the point of view of “agonistic pluralism”, the aim of democratic politics is to construct the “them” in such a way that it is no longer perceived as an enemy to be destroyed, but as an “adversary”, that is, somebody whose ideas we combat but whose right to defend those ideas we do not put into question. This is the real meaning of liberal-democratic tolerance, which does not entail condoning ideas that we oppose or being indifferent to standpoints that we disagree with, but treating those who defend them as legitimate opponents. This category of the “adversary” does not eliminate antagonism, though, and it should be distinguished from the liberal notion of the competitor with which it is sometimes identified. An adversary is an enemy, but a legitimate enemy, one with whom we have some common ground because we have a shared adhesion to the ethico-political principles of liberal democracy: liberty and equality (MOUFFE, 2005, p. 101-102).

By introducing the concept of *adversary*, Mouffe wants to distinguish *antagonism* properly said from *agonism*. *Antagonism* is a struggle between enemies, while *agonism* represents the struggle between adversaries. The challenge of radical democracy is to transform *antagonism* into *agonism*.

From these notions, it is not difficult to visualize Mouffe's criticism of Oakeshott. Although *civil association* seems a suitable mode of understanding political association, she contests what she calls a conservative use that Oakeshott makes in differentiating it from *enterprise association*. Quite concisely, “Oakeshott’s conservatism resides in the content he puts in the *respublica*, and that can obviously be solved by introducing more radical principles” (MOUFFE, 1992, p. 234).

What she disagrees is how politics is reduced in *civil association*. For here, Oakeshott’s conception of politics is a shared language of civility suited in only one respect: the point of view of “us”, friendly side. But politics is the struggle between the friendly side and the enemy side (or *adversary*, in agonistic pluralism). “What is completely missing in Oakeshott is division and antagonism, that is, the aspect of the ‘enemy’. It is an absence that must be remedied if we want to appropriate his notion of *societas*” (MOUFFE, 1992, p. 234).

Therefore, Mouffe considers state intervention to be perfectly justified on a broader interpretation of *respublica*. Her criticism turns to Oakeshott’s denial of the political dimension by reducing *respublica* simply to a form of consensus on authority: “to introduce conflict and antagonism into Oakeshott’s model, it is necessary to recognize that the *respublica* is the product of a given hegemony, the expression of power relations, and that it can be challenged. Politics is to a great extent about the rules of the *respublica* and its many possible interpretations” (MOUFFE, 1992, p. 234).

Mouffe and Oakeshott agree on two important points. Both claim to reject the idea of *rationalism* in politics, that is, the assertion that society can be guided by values and principles extracted *a priori*, as a logical deduction of some normative theory. Furthermore, they agree that one of

the great challenges of Modern State is to curb forms of domination and violence.

However, Mouffe considers Oakeshottean version of *civil association* quite restricted in terms of conflict and antagonism, even though this issue could be solved by introducing more radical principles, questioning and expanding rules related to *respublica*. Mouffe, however, does not explain which those principles could be, nor does she suggest which rules should be expanded or reinterpreted in *respublica*.

Even so, it is not difficult to understand Mouffe's attraction to *civil association*. In fact, Oakeshott rescues the importance of public sphere, a space where citizens recognize the same authority, whose decisions affect and bind all citizens. There is no room for political isolation, in the sense that everyone shares the same civic language.

What Mouffe refuses to accept is the connection between *civil association*, conservatism and limited government. Why do not include in *respublica*, for example, an agenda of social and economic rights or even consider changes in social structures in order to modify means of production or the collective life?

In the eyes of the Belgian philosopher, Oakeshott has domesticated *civil association*, where an agonistic perspective would see a large space for struggle and conflict. Citizens would not be associated only in a formal mode, but as legitimate opponents in public arena. Popular sovereignty, as long as peaceful, would not encounter obstacles to impose its political project. Those who lose are, for civility's sake, to recognize the provisional hegemony as legitimate and try to revert it within democratic limits. To winners, it remains to not prevent others from accessing the dispute.

Thus, *civil association* could gather the most diverse political proposals. A communist coalition could carry out a nationalization of private companies. Liberals could also constitute hegemony, maintaining market structures and also composing a vast social welfare policy. Libertarians could also be successful, reducing government ac-

tion and allowing self-regulated communities to exist. Each one would legitimately compete on political scene. None would have any kind of prevalence or moral authority over others.

It is common to call classic the sort of essay which, even for a long period of time, does not lose the feature of being continually reinvented. There is no hindrance to consider *On Human Conduct* a true classic. Oakeshott's ideas gain a life of their own and the contours that used to define them gradually lose their literalness. However, is Mouffe's appropriation defensible? Is civil association, in fact, compatible with radical democracy?

In a faithful Oakeshott's reading, we can find numerous problems with this approach. First of all, *civil association* establishes a strictly formal bond between citizens. Political community is conceived from a methodological individualism, as a group of people subject to the same authority. *Being subject* implies compulsory recognition of authority as *absolute*. And authority is *absolute* not in the sense that everything is allowed, but because it does not need any sort of justification.

That is why we say that *civil association* is *indifferent* to any purpose. If there were one, *civil association* would no longer be *absolute*, because it would need to justify its subjection to that purpose. In this case, we could not say that people are bound in terms of authority, but in terms of a transactional relation. When a Christian receives a penance of ten Holy Mary from local parish priest, he does not pray simply by obedience; it is because he believes in the Lord's words that he willingly accepts what has been imposed on him.

Oakeshott describes *respublica* in terms of adverbial conditions, precisely because there is no state of affair to be created. Mouffe considers this reasoning to be a conservative strategy to foster limited government. It is possible that, in the end, she is right. A liberal or conservative-liberal ideology could see Oakeshott's theory as a useful ground for its interests. However, from Oakeshott's point of view, this would be at most a happy coincidence. *Civil association* does not need approval of any ideology, even conservatism. It is an *ignoratio elenchi* presume the opposite.

What Mouffe actually did was use Oakeshott's terminology to create a new type of association, a kind of non-voluntary *enterprise association*. Such hybrid association would comprise a compulsory deliberative process, to which all citizens would be subject and obliged to recognize the legitimacy of public decisions. There is no constraint or self-restraint. Hegemonic popular sovereignty would form a provisional consensus over the content of public interest, leaving to elected government the task of promoting it.

The problem with this analysis is that Mouffe confuses the meanings of *obligation* and *voluntariness* in Oakeshott's work. These expressions are related to absence or consent of comprehensive purposes, having no relation to government's coercive power. That is the confusion. An *enterprise association*, like a communist state, may have legal power to impose restrictions on its subjects. Still, it will remain a *voluntary* association in Oakeshottian terms, since the foundation of its authority lies in a specific undertaking. Indeed, a communist government would be legitimate not for its formal authoritative character, but only because it remains faithful to the common project for which it is recognized.

In *On human conduct*, Oakeshott analyzes categorical and historical disputes involving civil and *enterprise associations*. Such modalities, from a historical point of view, never existed in their pure form. Modern State emerge from an ambivalent mix of both, which does not mean they can be confused categorically. From the logical construction of Oakeshott's argument, whenever government promote any comprehensive purpose, even calling a *provisional hegemony* to use Mouffe's words, civility necessarily ceases².

2.2 POLITICS OF SCEPTICISM AS A REFORM-IST MODEL TO SOCIAL POLICY

Steven Teles and Matthew Kaliner, in the essay *The Public Policy of Skepticism*, formulate a conception of social policy inspired in the work of Michael Oakeshott. For them, the *politics of scepticism* does not necessarily exclude public policies for welfare³. What remains is how such policies may be understood in the context of *civil association*.

Teles and Kaliner (2004) reassert the *politics of scepticism* free from any particular ideal of perfection, either with the imposition of a truth on mankind. Its function is to reduce severity of social conflicts by reducing their occasions. The special character of this type of policy is to maintain order while preserving diversity.

Even though government power is potentially limitless, since challenges of maintaining order are potentially limitless as well, the actual use of power is tightly controlled. Control is exercised in two ways. First, skeptical statesman rejects social transformation based on standardized models because the idea of *pattern* implies an ideal state of affairs in which every *deviation* is an evil to be overcome. While the *politics of faith* values social engineering based on uniform and far-reaching projects, skepticism considers complexity and diversity a condition to be preserved and not an obstacle. To the skeptic, results not foreseen in government action are not an intrinsic evil, but only points to be reviewed.

Another economical way to use power is through formalism. In government, an example is a civil servant who acts on behalf of the Administration and never on his own behalf. Being strictly bound to the duties of his office, impersonality reduces temptation to go beyond the limits imposed by law. Thus, maintaining order at a civilized level

² Another type of argument could be raised against Chantal Mouffe's interpretation. Steven Gerencser (2000), in his doctoral thesis, pays attention to what Mouffe most appreciates in Oakeshott: formal character of *respublica*, that is, the authority of law, the civic language. Challenging authority is an essential element to a true democratic theory. For Gerencser, Mouffe does not radicalize her own radical democracy. It is not enough to introduce conflict and antagonism only in the content of *respublica*. It is necessary to introduce them also in their formal character. There can be no democracy without challenging authority. A democratic theory does not hold up without recognizing, for example, civil disobedience.

³ It is also worth mentioning professor John Horton's article *A qualified defence of Oakeshott's Politics of Skepticism*. In this work, the Horton (2005) argues that moderate versions of the *politics of faith* could be perfectly confused with the *politics of scepticism*.

would not require a greater consumption of power, since government action is always limited. On the other hand, it does not mean that the *politics of scepticism* presupposes a libertarian government. According to Oakeshott:

protection against some of the vicissitudes of fortune is recognized to be among the activities of government. Here the inspiration is the observation of actual miseries suffered; and "security" is understood as the assurance of relief. Nevertheless, the range of this assurance is not determined by the magnitude of the misery, but by a perception of the displacements consequent upon its removal. Any "protection" involves government taking charge of some of the activities of the subject; but the limit here is the "protection" which can be supplied without imposing a comprehensive pattern of activity upon the community. When a man is defended against misfortune in such a way as to deprive him of the authority to defend himself, the limit is passed (OAKESHOTT, 1996, p. 99-100).

As we can see, the critical point lies in defining what constitutes a legitimate cause for state intervention and how government should intervene. In contrast to libertarianism, the *politics of scepticism* accepts the need for social intervention. But, unlike the *politics of faith*, it intervenes only to respond to real miseries, visible defects in arrangements and not simply deviations from a supposed ideal.

For Teles and Kaliner (2004), problems such as air pollution, traffic congestion and crimes can be detected and solved without resorting to a complete alternative scheme of social organization. From an ultraliberal point of view, not even a recognized misery should justify public action. For the *politics of faith*, it not only justifies, but also requires an absolute and unquestionable direction. For skepticism, a recognized misery provides a reasoning and a clue to guide state action (TELES; KALINER, 2004).

Consequently, the way skeptical statesman measures his choices is quite different. He does not explicitly have a preference for any standard-

ized model of social transformation. He tends to prefer mixed and flexible models to uniform far-reaching models. His decision is put into practice not for the purpose of blindly imposing it, because he is always alert to take deviations if necessary. He only chooses what the means allow him, tied to what is economically possible. Finally, he seeks to solve current needs without being too attached to the future. Skeptic's scenario is therefore one of uncertainty and unpredictability. As he does not know which results to come, questioning continuously the need of his actions, he always tries to use the least amount of power possible (TELES; KALINER, 2004).

The authors offer a precise description of what we can call the Oakeshottian's archetype. He would see social policy only as a mechanism for improving and reforming current institutions and arrangements of society. The skeptic does not seek to design an entirely new society, to build a new conception of the human being or to serve as a piece within an ideal macrostructure.

Government in the *politics of scepticism* has no enthusiastic mission to promote, nor call its subjects to unite around this purpose. Skepticism also suggests a distrust around any form of perfection or destiny for humanity, recognizing that to insufflate passions and beliefs of individuals may be dangerous for social coexistence. There is a close resemblance here to Karl Popper's critical rationalism⁴:

Work for the elimination of concrete evils rather than for the realization of abstract goods. Do not aim at establishing happiness by political means. Rather aim at elimination of poverty by direct means – for example, by making sure that everybody has a minimum income. Or fight against epidemics and disease by creating hospitals and Schools of Medicine. Fight illiteracy as you fight criminality. But do all this by direct means. Choose what you consider the most urgent evil of the society in which you live, and try patiently to convince people that we can get rid of it (POPPER, 1948, p. 114).

⁴ We do not sustain the *politics of scepticism* as a representation of Popper's critical rationalism. Our purpose is only to establish a simple parallel between those conceptions. The issue of rationalism, moreover, was a subject of a striking discussion between Oakeshott and Popper, which, for reasons of convenience, will be addressed in another paper.

For Popper, the main political problems must be solved through dialogue, seeking, in best possible way, a consensus through persuasion and argumentation. However, it cannot always be reached, nor are its results guaranteed to be satisfactory. *Error* and *imperfection* are features of human condition.

Utopias of *a new world* and *a new man* are not better alternatives than dialogue. There is also a very narrow bond uniting utopia and the use of force. Thus, between betting on peaceful dialogue and utopia, what seems most reasonable to man? For Popper, discard utopian projects and embrace dialogue is the best alternative, if not the only, for humanity to build a political environment where tolerance and freedom prevail. “Those of us who believe in man as he is, and who therefore have not given up the hope of defeating violence and unreason, must demand instead that every man should be given the right to model his life himself so far as this is compatible with the equal rights of all others” (POPPER, 1948, p. 116).

Finally, Teles and Kaliner consider government's role in *civil association* distinct to the idea of a night-watchman state. Assessing the quality of government intervention means understanding how planning is conceived. In this sense, skepticism can guide both expansion and reduction of government.

A skeptic responds to miseries seeking to facilitate spontaneous order rather than simply replacing it with total government planning. He prefers small changes to large disruptions. His attempt, therefore, would be to stimulate agents' ability to solve their most serious problems by themselves. A skeptical statesman tries to cure social ills “while maintaining the society's capacity for undirected, spontaneous action to respond to future miseries – and calls for government to respond, if possible, in such a manner as to increase that capacity. This presents a substantial agenda for government and at least the outlines of a skeptical welfare state” (TELES; KALINER, 2004, p. 42).

CONCLUSIONS

Social policy concerns government's actions directed to the welfare of a community. As an interdisciplinary field, it can focus both on description and systematic evaluation of public policies as well as on inquiring about their legitimacy. This paper is interested in the second point. What is the basis for government to intervene in social relations in order to promote social benefits or maximize well-being? In what context must the expression *welfare* be understood? Our train of thought insinuates an ambivalent character of social policy.

On the one hand, social policy has a *utopian* expression. It is the case of a comprehensive view of welfare, abstractly deduced by a doctrine and considered a self-evident truth, which represents the destiny to be followed. Government is responsible for directing collective efforts in pursuit of an ideal state of affairs that accomplishes such vision. For every problem on the path, there is a solution, universally applied and premeditatedly found.

On the other hand, social policy can be thought from a *reformist* perspective. In pragmatic terms, it aims to correct specific problems or imperfections in already existing social arrangements and institutions. There is no ideal stage to be achieved. Emerging problems are understood as clues to prompt government intervention, always marked by formalism and restraint in the use of power.

Now, taking into account the work of Michael Oakeshott, this paper raises the question whether concepts of *civil association* and the *politics of scepticism* are in any way compatible with the notion of social policy. A more conservative interpretation would see it quite fearfully. In many passages, Oakeshott makes clear his preference for limited government and he also doubts the possibility for government, when intervening alleged to promote welfare, dispense social engineering. Power is too seductive and difficult to control.

However, Oakeshott's intellectual legacy left a large space for discussion. For Chantal

Mouffe's radical democracy, the concept of *respublica* deserves to be revisited, including a wider range of political proposals and contents. In introducing conflict and antagonism present in all social relations, a utopian social policy would have a legitimate space to be claimed in the theory of *civil association*.

Mouffe's effort carries with it categorical mistakes concerning Oakeshottian philosophy. Strictly analyzing the reasoning of the Belgian philosopher, *civil association* actually ends up disappearing completely, giving place to the implicit hegemony of the opposite category, that is, *enterprise association*.

This, in turn, does not occur in the essay of Steven Teles and Matthew Kaliner. Accepting premises established by Oakeshott, they affirm that the nuances separating the *politics of faith* and the *politics of scepticism* regarding social policy deserve to be revisited. The problem is not social policy itself, but in the way it is conceived.

A *reformist* feature of social policy does not necessarily contradict the language of skepticism. The authors resort to several passages in Oakeshott's work to signal a significant distinction between a perfectionist social policy and a pragmatic, which aims at punctual correction of social arrangements. In these terms, Teles and Kaliner see in the theory of civil association a valuable theoretical framework for thinking about social policy. Possible consequences of this framework are, without a doubt, very promising.

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