# Rationalism in Ideal Theory: Michael Oakeshott on John Rawls

BECKETT RUEDA

The University of Texas at Austin

**Abstract:** John Rawls is held in some quarters to be the most significant political philosopher of the twentieth century. He was certainly the most consequential. Michael Oakeshott was more reticent, and spoke less directly to the concerns of the late twentieth century. But his status as an independent authority has never been questioned and his reputation continues to rise. The question addressed here is, why did Oakeshott praise the first incarnation of Rawls's grand theory in 1965 but dismiss its later incarnation in 1983? Part of the answer is surely that Oakeshott thought Rawls's conception of the aims of political philosophy was incompatible with his own. It is evident, however, that there was enough similarity for the two thinkers to reach a moment of agreement. Without purporting to give a definitive answer, I investigate the basis of this similarity and gauge how substantial it was. In the process, I argue that Oakeshott had a more complicated opinion of ideology than is usually presented in the literature on him. There might be grounds for rapprochement between the thought of Oakeshott and Rawls. Or perhaps this was an overlapping consensus that was ultimately doomed.

**Keywords:** abridgment, ideology, Oakeshott, Rationalism in Politics, Rawls, Rawlsianism

## INTRODUCTION

Michael Oakeshott and John Rawls are not often contrasted with one another. But even a brief comparison reveals obvious disagreements. Oakeshott is remembered as a skeptic who opposed the interference of ideology in practical political life. Rawls is celebrated as the author of what became the most influential normative political theory of the Western world.[1] Rawls remains the more widely known thinker. The recent semicentennial of *A Theory of Justice* (1971) prompted numerous papers tracing Rawls's intellectual influences, his relationship to the canon, and his reception by contemporaries. So far, this reexamination has excluded Oakeshott. He receives two brief references in the *Modern Intellectual History* special issue on Rawls (see Krishnan 2021, p. 3; Smith 2021, p. 6). Beyond that, Oakeshott is mentioned in neither the retrospective on *A Theory of Justice* featured in *Polity*, nor in Katrina Forrester's *In the Shadow of Justice* (2019), the heavily armed flagship of recent efforts to historicize Rawlsianism.

Oakeshott, if his opinion could be solicited today, would call Rawls's theory "doctrine" or "ideology." Paul Franco, in his own brief comparison of the two thinkers,

has written that Oakeshott "would have regarded Rawls's attempt to find a moral consensus on justice, even a minimalistic 'overlapping consensus,' as nothing more than a species of rationalism" (2004, p. 21). In light of their differences, it is hardly surprising to find that Oakeshott did criticize Rawls in his later work. In "The Rule of Law" (1983), Oakeshott commented dismissively in a footnote that he had "excluded" the reflections of a few contemporaries from his account, naming Rawls one of these unfortunates (Oakeshott 1983, p. 156 n. 13; 1999, p. 170 n. 13).[2] Given Oakeshott's reluctance to name anyone, this might be considered a grudging compliment. Oakeshott was as aware as anybody of Rawls's reputation after 1971.

Unlike in his later statement, there was no sign of reluctance two decades earlier when Oakeshott expressed genuine esteem for Rawls. In 1965, Oakeshott was reviewing the second volume in Peter Laslett's *Philosophy, Politics, and Society* series, which had been published in 1962—incidentally, the same year that *Rationalism in Politics and Other Essays* was published. Laslett envisioned *Philosophy, Politics, and Society* as a recurring anthology that would showcase the latest developments in Anglo-American academic philosophy and related disciplines. Given the state of the academy at the time, this initially meant giving special attention to the application of analytic philosophy to ethics (Laslett 1956, pp. vii-xv; see also the summary in Krishnan 2021, pp. 3-4). Rawls, then in his early forties, gave permission for his recent essay, "Justice as Fairness" (1958), to be featured in *Philosophy, Politics, and Society*'s second volume, alongside work by Isaiah Berlin, Alasdair MacIntyre, H. L. A. Hart, Bernard Williams and J. G. A. Pocock.

Surveying the collected essays, Oakeshott concluded that Rawls's contribution had "some claim to be thought the most brilliant essay in the book" (Oakeshott 1965, p. 281; 2008, p. 191). Oakeshott's compliment may seem perplexing to us now because "Justice as Fairness" already exhibited many of the features which were evident in *A Theory of Justice*. It introduced an early version of the original position, the thought experiment whose consequences Oakeshott would reject, tersely, in "The Rule of Law."[3] It also introduced a version of the two principles of justice. Though it must be noted that there was no mention of "basic structure," "veil of ignorance," or "reflective equilibrium." Rawls was still developing his system.

In the following pages, I will attempt to explain why Oakeshott changed his mind about Rawls between 1965 and 1983. I think the basic reason is best captured by Steven Smith, who quipped that "[for Oakeshott] the task of philosophy… is not to change the world but to interpret it" (Smith 2015, p. 323). It is possible that Oakeshott was, in 1965, reading his own vision of the proper aim of philosophy into Rawls. Moreover, it is likely that he saw a place for Rawls's theorizing within his own conception of political philosophy. After *A Theory of Justice*, it became clear that Rawls was determined to change the world and had moved in a direction that Oakeshott could no longer sanction.

## 1. RAWLS IN 1958 AND OAKESHOTT ON RAWLS IN 1965

Let us first look at "Justice as Fairness" through Oakeshott's eyes. Rawls's essay was originally published in *The Philosophical Review* in 1958, and was revised slightly for publication in Laslett and Runciman's *Philosophy, Politics and Society* in 1962, which is where Oakeshott read it.[4]

The major claim of the essay was, of course, that "the fundamental idea in the concept of justice is fairness" (Rawls 1958, p. 164; 1962, p. 132). Rawls noted that "justice [was] not to be confused with an all-inclusive vision of a good society" (1958, p. 165; 1962, p. 133). He was concerned *only* with justice as "the elimination of arbitrary distinctions" (indeed, at this stage his second principle of justice was only that "inequalities are arbitrary unless it is reasonable to expect that they will work out for *everyone's advantage*") (emphasis added; 1958, p. 165; 1962, p. 133; see also Forrester 2019, p. 28). If we imagine how Oakeshott, reading Rawls for the first time, might have made sense of this, it is likely that he would have taken Rawls to be considering justice in relation to the rule of law and discrete social disputes, and not in relation to the foundations of political order as a whole. In brief, I propose that Rawls's theory looked explanatory and confined to everyday practices. Rawls at times appeared to confirm this in the essay, though admittedly it can be read either way. Nowhere did Rawls say that justice was the *first* virtue of social institutions. It was instead "*one* of the

many virtues of social institutions" (emphasis in original; 1958, p. 165; 1962, p. 133). It is almost certain that Oakeshott chose to ignore the possibility that Rawls might one day use his theory to suggest how to eliminate arbitrary distinctions across all society, as he did in *A Theory of Justice*. Rawls did refer throughout to the theory of the social contract, so the relevance to an entire political order *was* incipient. Similarly, his definition of "practice" referred widely to structured social activities, but one of his specific examples was "parliament" (1958, p. 164; 1962, p. 132, n. 2). One reason why Oakeshott might not have been dismayed in 1965 was that in the essay Rawls repeatedly drew attention back to the "concept" of justice as it appears in social practices of any kind. All that a situation of justice required was equal persons who are rational, mutually self-interested, and in possession of compatible interests engaging in some shared structured activity (1958, pp. 164, 170–2; 1962, pp. 132, 137-8). "Justice," was "the virtue of practices where there are assumed to be competing interests and conflicting claims, and where it is supposed that persons will press their rights on each other" (1958, p. 175; 1962, p. 142).

Further mollifying any alarm Oakeshott might have conceived, what Rawls derived from his analysis was fairly anodyne: a practice is just when it accords with the two principles of justice generated by equally rational and self-interested persons who are asked to deliberate about the structure of the practice without advance knowledge of what their position would be. Or by way of restatement, "a practice will strike the parties as fair if none feels that, by participating in it, they or any of the others are taken advantage of" (1958, p. 178; 1962, p. 144). This conclusion hardly signaled pervasive political reforms: "it is this notion of the possibility of mutual acknowledgement of principles by free persons who have no authority over one another which makes the concept of fairness fundamental to justice" (1958, p. 179; 1962, p. 144).

Oakeshott's review indicates that he read Rawls as focused on clarifying an everyday concept of justice, not reforming the basic structure. Rawls opined that his theory should be held successful to the degree that it expresses the principles of justice intimated by "competent persons" upon "deliberation and reflection," and this to a more satisfactory degree than the utilitarian theory of justice (1958, p. 193; cf. p. 164; 1962, p. 157; cf. p. 132). Oakeshott's treatment of Bentham showed that he was generally sympathetic with Rawls's antagonism toward utilitarianism (e.g. Oakeshott 1932). More importantly, Rawls's statement may have helped Oakeshott read "Justice as Fairness" as an attempt to clarify the idea of justice as it routinely arises in social practices. He wrote, "[Rawls] contrast[s] this conception of justice as fairness with what he calls 'the utilitarian conception,'" and "[he] finds it more capable of *accounting for our beliefs* about a just practice" (emphasis added; Oakeshott 1965, p. 281; 2008, p. 191). For Oakeshott this was significant because Rawls appeared to be studying political life without anticipating that he could or would reform it. Rawls reinforced this impression by describing what he was writing as merely the "analysis" of a "concept" (1958, p. 164; 1962, p. 157). It appeared to Oakeshott that Rawls was content to explain the sense of justice that arises in myriad everyday social practices.

We should notice, and Oakeshott certainly noticed, that Laslett and Runciman, the editors of *Philosophy, Politics, and Society (Second Series)*, in the introduction to the volume, clearly wanted theories that would do more than merely "diagnose" problems. They wanted recommendation, prescription, positive advice (Laslett and Runciman 1962, p. viii). They claimed that of the authors in their volume Rawls went "furthest towards a recommendation in his forceful advocacy of a modified contractarianism" (p. ix).

Oakeshott made clear in his review of the volume that he thought the editors' claim about Rawls was mistaken. He charged them with being concerned with "productiveness"—what, in the twenty-first century, we would call "relevance" or "impact" (Oakeshott 1965, p. 281; 2008, p. 191). "It is, perhaps, odd," Oakeshott wrote, "to find the word 'recommendation' used indifferently for 'telling us what we ought to do and why' and for explaining a concept of justice" (p. 281; p. 191). Explaining a concept of justice was what Rawls was doing, as far as Oakeshott was concerned, and not telling us what we ought to do. Although Rawls probably used the word "concept" perfunctorily, Oakeshott italicized it:

> [Rawls] is concerned with the *concept* "justice" and to say something about it which will explain
> our beliefs about what is just and unjust in human conduct. In short, his purpose is philosophical;

he is not concerned (if I understand him correctly) to tell us how we ought to behave, or even to provide us with a "criterion" of just conduct (Oakeshott 1965, p. 281; 2008, p. 191).

Oakeshott's enthusiasm for Rawls's approach, as he understood it, is undeniable. Faced with a volume populated by famous writers, Oakeshott spent the largest part of his review offering an exposition of Rawls's essay. He clearly admired it. Admittedly, when he wrote that it had "some claim to be thought the most brilliant essay in the book" (Oakeshott 1965, p. 281; 2008, p. 191), he might have been engaging in some slighting irony directed against the other writers whose names he was likely to know better—Berlin, Runciman, MacIntyre, Wollheim, Dahrendorf, Williams, Hart, Pocock. But his appreciation for Rawls's essay is unmistakable.

Those who are well versed in the variations of Rawls's theory over time could doubtless offer further explanations of the significance of all this. But it should be clear that Oakeshott *approved* of Rawl's enterprise as he conceived of it, and that there was warrant in "Justice as Fairness" for this conception.

## 2. LOCATING RAWLS IN OAKESHOTTIAN POLITICAL PHILOSOPHY

In 1965, then, Oakeshott admired Rawls for his apparent willingness to interpret politics without changing it. We can develop further insight into Oakeshott's initial acceptance of Rawls by tracing Oakeshott's conception of *ideology*. This will allow us to see where Oakeshott might have placed the early Rawls within Oakeshott's own understanding of political philosophy. My claim is that Oakeshott thought that what he considered to be "ideology" could play an auxiliary role in the study of politics, and that he considered "Justice as Fairness" to be one example of this.

The claim that Oakeshott believed there was *any* productive use of ideology will strike many readers as implausible. Oakeshott is, after all, famous for his opposition to ideology. We should notice, however, that this opposition was provoked by ideology's destructive effects in practical politics. Oakeshott's conspicuous resistance to ideology in politics has overshadowed his flirtation with the idea that ideology can contribute to the study of political life.

In order to begin separating these two sides to Oakeshott's thought regarding ideology, we have to identify what "ideology" meant for him. He was somewhat wary of the term. Oakeshott thought that over the centuries its meanings had multiplied to the point of ambiguity. He commented in 1980 that "the only conclusion to be drawn" from the history of the term "was that it is, or has become, a worthless concept" (2008, p. 294). He did occasionally employ it, however, especially in the 50s and 60s, when most of the essays in *Rationalism in Politics* were originally published.[5] At least in these decades, Oakeshott's conception of ideology was at its core quite simple: ideology is a theoretical abstraction from a concrete practice. In *Rationalism in Politics*, he often uses the word "abridgment" interchangeably with "ideology" in order to emphasize his thesis that systematic theory is derivative from practice. This is, again, a simple point, but Oakeshott makes it the basis for a nuanced understanding of how ideology causes problems and how it might produce benefits.

In "Political Education," the fifth essay of *Rationalism in Politics*, Oakeshott expanded upon what ideology is and how it is abstracted or "abridged" from practice. He stated that an ideology "*purports* to be an abstract principle, or set of related abstract principles, which has been independently premeditated" (emphasis added; 1962, p. 116; 1991, p. 48). By "independently premeditated," Oakeshott meant that the ideology claims to provide a standard above political life that could reform and direct political life. These principles "compose an understanding of what is to be pursued independent of how it is to be pursued" (p. 116; p. 49). He continued: "a political ideology purports to supply in advance knowledge of what 'Freedom' or 'Democracy' or 'Justice' is," and therefore allows the everyday activities of political life to be organized in pursuit of these articulated ideals (ibid.). Although ideology seems to constitute an abstract standard set

apart from political activity, Oakeshott was firm that each ideology is actually, in William Galston's phrase, a "summary abstraction" of a political tradition (Galston 2012, p. 223).

*Political tradition*, the concrete source of ideology, has in Oakeshott's hands an idiosyncratic definition. Although the phrase may suggest an unchanging, authoritative way of life, this is not at all what Oakeshott meant. By "political tradition," he wanted to indicate, in Franco's words, "the actual beliefs, practices, and institutions in a given society" (1962, p. 121; 1991, p. 54; Franco 2004, p. 99). He saw these patterns of life as internally diverse and continually developing. Oakeshott called tradition a "multi-voiced creature" (qtd. in Franco 2004, p. 97) that contains clashing principles and tendencies, with "no changeless centre to which understanding can anchor itself" and "no sovereign purpose to be perceived or invariable direction to be detected" (1962, p. 128; 1991, p. 61). It possesses structure and continuity, hence identity, but it grows and changes according to its own intrinsic logic—and that logic is not simply predictable but resembles a conversation, open to many possible directions of development (Franco 2004, p. 92). In a tradition, "everything is temporary, but nothing is arbitrary" (1962, p. 128; 1991, p. 61).

Oakeshott's account of how ideology arises from political tradition begins with the presupposition that all knowledge is embedded within practices. In accordance with this idea, he proposed that the patterns of life indicated by "political tradition" are composed of *practical knowledge* and *technical knowledge* (1962, p. 7; 1991, p. 12). Practical knowledge is the kind of tacit "knowing how," in Gilbert Ryle's phrase, that is embedded within activities, is difficult to put into words, and is learned by doing (1962, p. 8; 1991, p. 12; see also Smith 2012, p. 137 and Franco 2004, p. 84).[6] Technical knowledge is knowledge "susceptible of precise formulation" in language or symbols (1962, p. 7; 1991, p. 12; see also Smith 2012, p. 137 and Franco 2004, p. 84). Ideology arises when a thinker "abridges" the whole practice, stripping away practical knowledge and fashioning a purely technical representation of the practice (1962, pp. 120-1; 1991, pp. 53-4).

In Oakeshott's eyes, the character of political ideologies as abridgments of political traditions is the root of their pernicious character in practical politics *and* their utility for the study of politics. Regarding ideology's pernicious role in politics, Oakeshott focused on the rather simple but effective supposition that no ideology is comprehensive enough to capture the pluralistic character of political life. Any ideology will produce a partial, hence distorted, representation. He wrote: "in the abridgment, however skillfully it has been performed, a single intimation is apt to be exaggerated and proposed for unconditional pursuit" (1962, p. 125; 1991, p. 58). Oakeshott connected this defect in ideology to the modern tendency in politics that he called "rationalism." This is a way of thinking that treats technical knowledge as the only true knowledge, and thus disregards practical knowledge (Smith 2012, p. 137, Franco 2004, p. 84). It encourages an ideological style of politics distinguished by the conjoined pursuit of perfection (as determined by an ideology) and homogeneity (1962, pp. 5-6; 1991, pp. 9-10). In this sterile scenario, "political activity is recognized as the imposition of a uniform condition of perfection upon human conduct" (p. 6; p. 10). This is often taken as Oakeshott's entire position toward ideology. Andrew Gamble expressed an opinion common among scholars of Oakeshott when he asserted, "Oakeshott never abandoned his view of ideology as an expression of rationalism" (Gamble 2012, p. 155).

But Oakeshott could not be entirely contemptuous of ideology. As much as he disliked its role in actual politics, he saw it arising routinely in political life, and for this reason calculated that with some care it could play a role in the study of politics. In "Political Education," he asserted that "every society which is intellectually alive is liable, from time to time, to abridge its tradition of behaviour into a scheme of abstract ideas" (1962, p. 125; 1991, p. 58). These ideologies, he acknowledged, could have their uses. In a playful tone he compared ideologies to cartoon caricatures of real people: the "distorting mirror of an ideology" might "reveal important hidden passages in the [political] tradition, as a caricature reveals the potentialities of a face" (p. 125; p. 58). This application of an ideology "make[s] use of abridgment as a technique for exploring the intimations of a political tradition, to use it, that is, as a scientist uses hypothesis" (p. 125; p. 58). This appraisal led him to conclude that "the intellectual enterprise of seeing what a tradition looks like when it is reduced to an ideology will be a useful part of political education" (p. 125; p. 58; cf. Franco 2004, p. 93).[7]

Oakeshott is even more explicit about the beneficial application of ideology in "Political Philosophy," an essay written around the same time as "Political Education." There he uses the term "doctrine" to denote what is clearly abridgment: "when the reflective impulse is directed to the detection and exploration of [a society's] character, extrapolating its tendencies, fixing its elements, and making firm its outline, the result is a *political doctrine*" (emphasis in original; Oakeshott 1993, p. 147). He continues, "in a doctrine of this kind, political activity appears in a *greatly abridged* and simplified form" (emphasis added; p. 148). He defends these abridgments to a certain degree, again citing their role as instruments of study. Weighing the objection that "doctrines of this kind are nothing but misrepresentations of the experience from which they spring," Oakeshott responds that "a political doctrine may reveal the nature of a political experience" just as "the over-emphasis of caricature reveals the potentialities of a face" (p. 148).

The difference, then, between a pernicious and a salutary ideology seems to be whether it is applied to reform practice, where its characteristics are dysfunctional, or put to work as a tool for studying political life, where its characteristics could produce some benefit. When the abridgment is applied to amend practical politics, "its very virtues prevent it from supplying what is expected of it" (1993, p. 149). Oakeshott repeated in *Rationalism in Politics* that crossing the line into employing the ideology as a "criterion" for directing reform is to attribute "a character … to an ideology, which it is unable to sustain" (1962, p. 125; 1991, p. 58). The result is that "the benefit to be had from observing what the distortion reveals is lost when the distortion itself is given the office of a criterion" (p. 125; p. 58).

Oakeshott seems to have thought Rawls fell on the salutary side of the line between ideological "caricature" as reforming criterion or as investigative. This becomes clear if we try to place "Justice as Fairness" in either of those categories: as an "abridgement" for the sake of understanding, made necessary by the desire to understand a fragmented political condition, or as an abridgement fashioned to simplify that condition and offer simplistic recommendations on how to reform it. Oakeshott's warm reception of "Justice as Fairness" *prima facie* supports placing it in the former category. We can confirm this by noting that Oakeshott repeatedly praises Rawls for conducting explanatory analysis. To take one example from the many already cited, recall Oakeshott's comment that Rawls was "not concerned… to tell us how we ought to behave, or even to provide us with a 'criterion' of just conduct" (1965, p. 281; 2008, p. 191). It seems likely that Oakeshott thought Rawls was deploying an abridgement in a manner for which it was well-suited. Oakeshott, after all, clearly took no issue with Rawls's general method. His review, as we have seen, recapitulated the argument of "Justice as Fairness" without criticism.

Now that I have established what kind of "abridgment" Oakeshott thought Rawls was producing, we can turn to locating where "Justice as Fairness" might have fit into Oakeshott's conception of political philosophy. Within both "Political Education" and "Political Philosophy," Oakeshott outlines a vision of what political philosophy is. For Oakeshott, political philosophy attempts to see political concepts within a larger, coherent understanding of the whole. In "Political Education," this is "consider[ing] the place of political activity itself on the map of our total experience" (1962, p. 132; 1991, p. 65; cf. 2000, pp. 4, 62). In "Political Philosophy," it is "to recognize the activity in politics in its place on the map of the intelligible universe" (1993, p. 151). It is, furthermore, the effort to "say something concerned with political activity such that, if true, things will be as they are; not as they were when we first caught sight of them, but as they permanently are" (1993, pp. 151-2, qtd. in Franco 2004, p. 114). It is important to note that, as Franco observes, "permanent" here is not opposed to "historical" (ibid.). Oakeshottian political philosophy attempts to perceive political life as one part in a coherent whole of human experience, as such experience appears under current historical circumstances (ibid.).

The characteristic spirit of this effort is a "radical subversiveness" that interrogates the grounds of understanding: "facts" that upon inspection are revealed as assumptions, presuppositions that form the settled basis of theoretical systems (1993, pp. 141-2). This view did not prevent Oakeshott from offering his own account of political life, most notably in *On Human Conduct*. But he was careful to draw a line between, on the one hand, the activity of philosophizing and, on the other, a theoretical account that was necessarily

founded upon a set of postulates or presuppositions. By 1975, he had begun calling the latter "conditional understanding" because it rests upon one or more "condition[s]" (i.e. "uncriticized assumptions") that form the basis for interpreting phenomena (1975, pp. 6-7; see also Alexander 2012, pp. 24-5). For example, one can explain a thunderstorm as an electromagnetic occurrence using concepts drawn from physics. But these foundational concepts, too, can be investigated, and will themselves lead to further problematic concepts (1975, pp. 9-11).

Oakeshott imagined every theory or "conditional understanding" as a temporary construction whose foundations will prove questionable and provoke further inquiry (1975, pp. 10-11). He wrote that the pursuit of understanding is "a continuous, self-moved, critical enterprise" in which "temporary platforms of conditional understanding are always being reached." Each conclusion "is an arrival, an enlightenment, and a point of departure" (1975, pp. 2–3). We can judge that he was consistent so long as he did not allow himself to accept his own account as anything more satisfying than conditional understanding.

Oakeshott's understanding of philosophy as an activity and not as a finished system was consistent throughout his life. In 1933, he quipped, "a received philosophy is one already dead" ([1933] 2015, p. 5). In 1950, he asserted, "the aim in philosophical reflection is to think philosophically, not to construct a 'philosophy'" (1993, p. 150). In 1973, he distinguished between *theory* as both "the urge to inhabit a more intelligible or a less mysterious world" and its corollary activity "of discovery or enquiry" and a *theorem*, a conclusion about what is going on (2004, pp. 391-2; cf. p. 78; cf. 1975, pp. 1-2).

Where could Rawls fit in this Oakeshottian scheme? Rawls was not at all ignorant about the importance of foundations. Throughout his life he had clearly been sensitive to the difficulty of grounding an ethical system. Gališanka, for example, makes clear that the problem of achieving agreement among persons, even when they share the same moral experiences, was a theme of Rawls's work (see 2019, pp. 189, 38). But Rawls did not embrace anything resembling Oakeshott's radical subversiveness—perhaps because the incessant interrogation of foundations is hardly compatible with founding a system that could reform political life. Accordingly, "Justice as Fairness," as contemplative abridgment, departs thoroughly from the *spirit* of Oakeshottian political philosophy. But it still finds a home within Oakeshott's vision, among those political doctrines that "aim at giving a firm, if narrow, intelligibility to political experience" (1993, p. 150). Oakeshott allows that such abridgments can, in coincidental ways, improve the vision of the political philosopher as he tries to make political life intelligible within a context that goes beyond politics. "We should expect," wrote Oakeshott, in a somewhat apathetic tone, "enlightenment of a certain sort… from this kind of explanatory reflection on politics" (1993, p. 149). Had Oakeshott reviewed Rawls in 1975, he might have called Rawls's theory an example of conditional understanding.

Rawls, of course, did not understand himself as contributing "abridgments" to the contemplative study of politics, even in 1958. Historians of Rawls are now greatly concerned with the shifts in Rawls's thinking between 1945 and 1971, but these changes appear to be developments in his range of intellectual influences and modifications to his theory, not changes in his intention (e.g. Forrester 2019, pp. 116-7). Today it hardly seems to need proving that Rawls had a lifelong concern with social justice and the wellbeing of the most disadvantaged that understandably moved him to produce a moral theory with practical applications. And this is significant because, as the discussion so far should indicate, there is no place for Rawlsian ambition in Oakeshottian political philosophy. The project of amending political life demands a turn from endless radically subversive questioning to theory building.

But it would be understandable if Oakeshott from his vantage point in 1965 saw Rawls as an ally in the attempt to theorize without using theory to amend practice. There was a pure analytical edge to Rawls's method. Like other scholars who were influenced by Wittgenstein's later work, Rawls intended to analyze ethical terms not as eternal ideas but as concepts that existed within everyday social practices (Gališanka 2019, p. 98; Forrester 2019, pp. 8-9; cf. Rawls 1958, p. 182 n. 1; 1962, p. 147 n. 1). In "Justice as Reciprocity," which he wrote in the same year as "Justice as Fairness," Rawls concluded that "the concept of justice is embedded in the thoughts, feelings and actions of real persons; in studying the concept of justice one is studying something abstracted from a certain form of life" (qtd. in Bok 2017a, p. 181).[8] There was, notably, a

universal dimension to Rawls's theory introduced by his assumption that ethics was founded in moral feelings that are part of a universal human nature (e.g. Rawls 1958, p. 182; 1962, p. 148). As Forrester, drawing from Priscilla Bok, has put it, Rawls envisioned a universal morality that was "earned" in specific communities (Forrester 2019, p. 9, 291, n. 63). Up through the publication of *A Theory of Justice* Rawls still saw himself as investigating the morality that could be distilled from a universal human nature (Bok 2017a, p. 157; Gališanka 2019, p. 181; cf. Rawls 1958, pp. 193-4; 1962, p. 157). Yet when Rawls's conception of "earned" universal ethics drew him to analyze and clarify ethical concepts drawn out of everyday practices, he could appear closer to Oakeshott than did many of their contemporaries. So Oakeshott was perhaps correct to think that "Justice as Fairness" in isolation resembled a contemplative abridgment. Oakeshott likely thought he had encountered in Rawls a promising thinker who could contribute to the clarification of the concepts at play in their contemporary political tradition.

## 3. OAKESHOTT'S OPPOSITION TO RAWLS IN "THE RULE OF LAW" AND *ON HUMAN CONDUCT*

In light of the above, Oakeshott's change of mind after Rawls published *A Theory of Justice* can be stated simply: Oakeshott became aware that Rawls intended to amend politics. In "The Rule of Law" he "excluded" discussion of Rawls because he perceived (perhaps mistakenly) Rawls's mature theory to be mobilizing law instrumentally, for the purpose of achieving a conception of the good society. Oakeshott's own conception of law excluded this. In Oakeshott's understanding, the rule of law referred to an association existing between individuals, considered as abstract *personae*, whose relations were regulated by authoritative, known, and noninstrumental rules, i.e. laws, that require persons to modify how they carry out their various self-chosen actions within the limits of a defined jurisdiction (1983, p. 136; 1999, p. 148). Although law itself was *not* an instrument for achieving the good society, it was underpinned by a conception of right (*ius*) by which "a law may be recognized, not merely as properly enacted, but as proper… to have been enacted" (1983, p. 141; 1999, p. 153).

In Oakeshott's assessment, Rawls grasped the importance of *ius*. But he identified *ius* with "fairness" and "fairness" with "what rational competitors, in certain ideal circumstances, must agree is an equitable distribution [of scarce resources]" (1983, p. 156 n. 13; 1999, p. 170, n. 13). As a consequence, Rawls's conception of *ius* demanded that law be recast as "regulations understood in terms of the consequences of their operation and as guides to the achievement of a substantive state of affairs" (1983, p. 156 n. 13; 1999, p. 170, n. 13). Eliciting what we can from this compact rebuke, it seems clear that Oakeshott thought *A Theory of Justice*'s focus on resource distribution combined with the principles of justice as fairness would require laws that serve as instruments for the reshaping of society into something better—or at least something more fair (cf. Franco 1990, p. 198). On this understanding, these laws would depart from the non-instrumental character of law, which led Oakeshott to doubt whether they should be considered laws at all (1983, p. 156, n. 13; 1999, p. 170 n. 13). Oakeshott's understanding of Rawls in 1983 may appear in error when viewed from 2022, especially given Rawls's own statements about teleological theories and contemporaneous criticism of the primacy of justice over conceptions of the good in *A Theory of Justice* (see the original conclusion to Sandel 1982, pp. 175-183). But we should remember that the liberal–communitarian debate had only just begun in the 80s (see Forrester 2019, Ch. 8). And we should entertain the possibility that, if Oakeshott's critique could be unraveled at greater length, it would be revealed as simultaneously a misconstrual of Rawls's theory on Rawls's own terms and an accurate assessment of the theory's consequences (see also Franco 1990, p. 199).

Oakeshott and Rawls's divergence after 1965 can also be explained by the fact that Oakeshott was on his way to sketching in full his own vision of what we usually call "politics," and what Oakeshott eventually preferred to call "the civil condition" (since, for him, "politics" came to identify a limited aspect of the civil condition; see 1975, p. 108).

From the time Oakeshott prepared a manuscript of what was posthumously published as *The Politics of Faith and the Politics of Scepticism* in the early 1950s to the publication of *On Human Conduct* in 1975, he was at work on his own summary of political life. His mature view, evident at times in *Rationalism in Politics* but not really ever made explicit there—and sometimes muted by the relics of other schemes, such as the triadic one he developed in the "Introduction to *Leviathan*" (2000, pp. 7-8) — was that politics should be understood in terms of a continual contradiction which could be stated as a theoretical antithesis or opposition between two styles of politics (1975, pp. 199-200; see also Alexander 2019, pp. 28, 30; Franco 1990, p. 158). One was ideological in the negative sense, *imposing* abstractions and abridgements on politics. The other was not exactly traditional, since Oakeshott presented it as an abstraction in its own right, but it was certainly not meant to be "ideological." At various times he called the first style "the politics of faith" or "telocracy" and finally "enterprise association" or *universitas* (cf. 1975, pp. 157, 203; see also Alexander 2019, p. 28). At various times he called the second "the politics of scepticism" or "nomocracy" and finally "civil association" or *societas* (cf. 1975, pp. 158, 201; see also Alexander 2019, p. 28). It was also what he meant by "the rule of law" (cf. 1975, pp. 159-60; 1983, p. 136; 1999, p. 148). The antithesis structures all of the third essay of *On Human Conduct*: the distinction between *universitas* as a vision of a society united in terms of sharing a common purpose or end and *societas* as vision of a society united in terms of recognizing a shared set of rules by which independent activity could be regulated (e.g. 1975, p. 203). Famously, Oakeshott's theory of the state was a theory in terms of this antithesis. "A state," he declared, "may perhaps be understood as an unresolved tension between the two irreconcilable dispositions represented by the words *societas* and *universitas*" (1975, pp. 200-1; cf. Alexander 2019, p. 34).

As Oakeshott made clear in various of his lectures in the 1950s and 1960s—also published posthumously—"ideology" was the foundation of "enterprise association" or *universitas*, but irrelevant to the concept of "civil association" or *societas* (see "The Office of Government (1)" in Oakeshott 2006, pp. 488-503). This was simply because without a conception of the common good, as derived from some abridgement of actual experience, employed as an ideology, there could be no such thing as an association united around a specified common good. Insofar as he judged that *A Theory of Justice* effectively implied *universitas*, he had to think that Rawls was amending politics with an abridgment or conditional understanding.

By the 1970s, Oakeshott had concluded, without saying much about it, that what Rawls was concerned with was ideological politics.

## 4. CONCLUSION: COMPARING OAKESHOTT AND RAWLS

The investigation, so far, has been wide ranging but is still unsatisfactory. There is perhaps more to be said, more common ground that could be surveyed if we overlooked the sharp differences between *A Theory of Justice* and *On Human Conduct* and instead returned to that point of apparent harmony in 1965. Is it possible for there to be rapprochement between Oakeshott's thought and Rawls's? Without offering a definitive answer to the question, I will conclude by beginning to develop two plausible replies.

First, consider Oakeshott's and Rawls's approaches to political philosophy. To the account already given above, it is relevant to add that in Oakeshott's view all philosophy begins with everyday experience that is incomplete and self-contradictory; this experience calls out for completion and coherence ( [1933] 2015, p. 270; cf. 1993, p. 142; 1975, p. 2; see also Franco 1990, p. 19).[9] An inquirer must undertake a process of investigation and critique in order to transform his fragmented view of things into something more coherent and comprehensive. In this quest "nothing," wrote Oakeshott, "may be merely ejected." Instead, "in experience the given is simultaneously conserved and transformed" ([1933] 2015, p. 29). Political philosophy specifically begins its ascent to a higher, more coherent vantage point from phenomena in political life (1993, pp. 152–3).

Paul Franco has shown that there is some affinity between Oakeshott's starting point and the method of the analytic movement, whose members could be said to include Wittgenstein, Gilbert Ryle, T. D. Weldon, and Rawls. Like Oakeshott, the analytic movement started with everyday concepts and language.

Unlike Oakeshott, they tended to entertain limited ambitions in philosophy, political or otherwise. At first they understood philosophy as examining "the 'logic' of concepts, i.e. the rules governing their interrelations and manifestations in language use" (Krishnan 2021, p. 13; cf. Franco 2004, p. 113).

There was, of course, a complicating difference between Rawls and figures like Weldon that needs to be explained, which was their obviously divergent ambitions for political philosophy. In the first volume of *Philosophy, Politics, and Society*, Weldon had written, that "philosophers are to make no claim to improve either the theories or the methods of those who are engaged on scientific or political activities" (qtd. in Krishnan 2021, p. 3). Rawls, of course, was greatly concerned with such improvement. Nikhil Krishnan has shown that these differences are partly due to Rawls's distinct response to the sort of analytical philosophy that became common after Wittgenstein (p. 12). Wittgenstein's later work moved Weldon, Austin, and others to linguistic analysis, while in Rawls's case it prompted him to begin thinking about ethical concepts as embedded within practices (p. 13; see also Gališanka 2019, p. 98). So, as Franco has suggested, Rawls, like Oakeshott, indeed began with ordinary experience. But unlike Oakeshott he accepted given opinion as a standard (Franco 2004, pp. 113–4). We might suppose that in Oakeshott's eyes, at least, Rawls placed a limit on his inquiry by refusing to radically transform the political data as they first appeared to him—the most conspicuous example is the liberal democratic conception of justice, which Rawls conserved as a standard to be explained and defended. In Oakeshottian terms, Rawls allowed the first appearance of political phenomena to act "as a criterion, as something achieved and settled, to which subsequent perceptions must conform" (1993, p. 152; cf. 1975, p. 2). In Krishnan's words, Rawls "put aside the question whether 'our' considered judgments are right or true. The point is, rather, that those judgments are *ours*" (p. 19).

Oakeshott's objections aside, Krishnan suggests that it was this novelty which made it seem to many political theorists, including Brian Barry, Bernard Williams, Stuart Hampshire and Robert Nozick, that Rawls had reversed the apparent decline or even "death" of political theory which had troubled academics in the 1950s. What Rawls did in particular was to reverse the emphasis of writing on ethics, as it was predominantly written in Oxford by the 1950s. Whereas the logical positivists like T. D. Weldon sought a secular or scientific approach which attempted to see ethics from without, Rawls, a Christian until the war complicated his faith, remained, like Kant or Sidgwick, committed to seeing ethics from within, even if he could no longer support his arguments with Christian positions (Krishnan 2021, pp. 13-4; on Rawls's Christianity and his post-war work, see also Gališanka 2019, p. 43; Bok 2017a, p. 182). Even though Barry, Williams, Hampshire, and Nozick were also secular, they celebrated the return to ethical and legal philosophy of at least the semblance of an engagement with the actual world, and our moral experience as humans of that world.

Where Oakeshott fits in among this crowd is interesting, since he did not figure neatly into either category: neither that of low but solid logical analysis nor that of the lofty laying down of arguments from intuition and for responsibility. Oakeshott was neither a Weldon nor, like Rawls, a revived Sidgwick. Rawls explicitly saw himself as restoring political philosophy to the great tradition of Kant and Sidgwick (e.g. Krishnan 2021, pp. 2, 15); Oakeshott was a descendant of an idealist strain of philosophy, apparently obliterated by Russell and Moore, but which survived in Collingwood and Oakeshott to influence thinking in history, politics, and art (p. 3). He was in some accord with Weldon in being hostile to a political theory attempting to change the world; yet he did not object to this for Weldonian reasons.

Oakeshott was not a logical positivist. Unlike the logical positivists, he was tender toward metaphysics. So Oakeshott could be sympathetic to Rawls's apparently more substantial, more realistic, more experiential type of understanding—ethics from within rather than from without—while being unable to do what Rawls later did, which was to engage in systematic normative recommendation based upon an "abridgment" of politics.

Rawls began, then, from a similar starting point to Oakeshott, but he resembled the other analytic philosophers more closely in his insistence on treating considered judgments as a standard and, at least until *Political Liberalism*, in rejecting any strong sense of historical contingency or arbitrariness—of course al-

ways a great concern for Oakeshott, who had originally studied *history* at Cambridge, and who, though he did not write history, obviously thought historically at least half the time (Franco 2004, p. 3). Still, the similar starting point and the role of abridgment or conditional understanding in Oakeshott's thought form a clear picture. Oakeshott's vision of political philosophy as the project of placing a conception of political life within the context of the rest of experience would have been compatible with Rawlsian ideal theory, had Rawlsian ideal theory remained an exploration of the meaning of justice rather than becoming a model for imposing justice.

This leads to a second way in which Oakeshott and Rawls might be contrasted. They have conflicting views regarding the homogeneity of political society. Rawls thought he saw the prospect of a latent consensus in political life (see Forrester 2019, p. 6). This became explicit in "Justice as Fairness: Political not Metaphysical" and *Political Liberalism*, where the consensus is extracted from political convention. But his earlier search for a universal morality embedded in human practices suggests consensus in its own way. It could be read to imply that within any society all normally constituted persons possess the same natural sentiments or moral experiences. These sentiments or experiences provide the basis for a moral consensus. This is surely not an unreasonable view, and is even a truism for some theorists. For our purposes it is only important to recognize that it is amenable to the distillation and elaboration of a theory of justice that can in turn be applied to make society more consistent with its own moral beliefs.

Oakeshott, on the other hand, grew more insistent on the internal plurality of political society. Franco observes that, in a reply to a critic that Oakeshott wrote in 1965, "his fundamental objection to rationalism" had become "that it fails to grasp the radical diversity [of a political tradition]" and tries to draw from society a moral theory (Franco 2004, p. 96). Oakeshott wrote that the moral beliefs in a tradition, "are not self-consistent; they often pull in different directions, they compete with one another… they cannot properly be thought of as a norm or a self-consistent set of norms or 'principles' capable of delivering to us an unequivocal message about what we should do" (qtd. in Franco 2004, p. 97). Oakeshott's insistence on diversity suggests different possibilities for theory than Rawls's supposition of consensus.

If Rawls's enterprise tends toward making him the architect of a system, Oakeshott's project makes him a perpetual traveler with no permanent harbor. In repayment for hospitality, he can promise only that he will recount where he has been and what he has seen. Rawls's normative applications hold out a different kind of promise. Keeping this in mind, we should turn to the central charge of Forrester's history: "the Rawlsian framework came to act as a constraint on what kind of theorizing could be done and what kind of politics could be imagined" (2019, p. 275). I propose that this charge is in fact twofold, one part epistemic and one part political. If the ongoing effort to "stretch" Rawls succeeds, then his theory could indeed take up broader concerns, justify the policies of new movements, and identify new injustices to be amended.[10] But familiarity with Oakeshott should remind us that even a "stretched" Rawlsianism rests upon presuppositions that, if normative philosophers are to get on with amending politics, need to rest undisturbed. Oakeshott's radical subversiveness might be the better answer to the hegemony of a theory. Of course, this way promises no contribution to the perfection of political life; to those who are made dissatisfied by that thought, Oakeshott might have replied: "the pursuit of philosophical truth is something which must be condemned by practice … philosophy is born an outcast, useless to men of business and troublesome to men of pleasure" ([1933] 2015, p. 273).

Ultimately, Oakeshott and Rawls continued along their separate paths. Rawls applied himself patiently to his work and completed his first draft of *A Theory of Justice* in 1965 (Bok 2017b, p. 285). Even by the time Oakeshott was writing in praise of Rawls, his reasons for doing so were, unknown to him, firmly misplaced, since Rawls's ambition had always a different object than did Oakeshott's—and it turned out that Laslett and Runciman were eventually right. The year that Oakeshott wrote his review, Rawls and Oakeshott had already shifted out of alignment.[11]

## NOTES

1   For some perspectives on this narrative, see Franco 2004, p. 81; Smith 2021, pp. 3-9, 31-4; Bejan 2021, pp. 15, 4-8.

2   Note also Oakeshott's statement on 1983, p. 150; 1999, p. 163 that "the notion of setting up such an association *ex nihilo*, like inventing a game, is absurd," which James Alexander observes is likely directed at Rawls (Alexander 2018, p. 411).

3   See Noël O'Sullivan's helpful comment on Oakeshott's favorable review and later rejection of Rawls in O'Sullivan 2012, p. 305. "Justice as Fairness" uses the "general position," a prototype of the original position. For a helpful typology of the developing versions of Rawls's original position, see Gališanka 2019, p. 148.

4   Rawls altered footnotes and revised the last paragraph of Section III. For more details on the revisions, see the first footnote on the first page of the version of "Justice as Fairness" published in *Philosophy, Politics, and Society (Second Series)*.

5   Based on the publication dates given at the end of each essay in the original edition of *Rationalism in Politics and Other Essays*, the essays were arranged for publication in chronological order. The earliest essay was "Rationalism in Politics" (1947) and the latest essay was "The Study of Politics in a University" (1961).

6   For the connection to Ryle's "knowing how" and Polanyi's tacit knowledge, see McIntyre 2012, p. 93, notes 28 and 29.

7   Franco suggests this role for ideology, but seems to conflate it with the ideological style of politics, which strictly speaking is, in Oakeshott's eyes, the misuse of ideology to reform practical politics. Franco writes, "the ideological style… is bound to tradition and confined to exploring its intimations" (Franco 2004, p. 93).

8   Regarding the correct year in which "Justice as Reciprocity" was composed, Bok notes: "'Justice as Reciprocity' appears in Rawls's *Collected Papers* under the year it was finally published (1971) rather than 1958, when it was written" (Bok 2017a, p. 180, fn. 15).

9   Oakeshott writes, "where there is abstraction there must also be a concrete whole; where there is incompleteness, completeness is implied" (Oakeshott [1933] 2015, p. 270).

10  On this topic, see also Smith 2021, p. 27, n. 180.

11  I would like to make clear my sincere gratitude to James Alexander for suggesting that I consider contrasting Michael Oakeshott and John Rawls, and for directing me to Oakeshott's footnote on Rawls in "The Rule of Law" and his review of *Philosophy, Politics, and Society (Second Series)*. His editorial eye was impeccable, and I am especially indebted to him for his recommendations regarding both Oakeshott's *On Human Conduct* and Oakeshott's position vis-à-vis the scholars at Oxford and Cambridge in the mid-century.

## REFERENCES

Alexander, J. 2012. Oakeshott as Philosopher. In: *The Cambridge Companion to Oakeshott*. Ed. Efraim Podoksik, pp. 9-41. Cambridge: Cambridge University Press.

_____. 2018. A Genealogy of Political Theory: A Polemic. *Contemporary Political Theory* 18(3): 402-23.

_____. 2019. The State Is the Attempt to Strip Metaphor Out of Politics. In: *Michael Oakeshott on Authority, Governance, and the State*. Ed. Eric S. Kos, pp. 11-44. London: Palgrave Macmillan.

Bejan, T. 2021. Rawls's Teaching and the 'Tradition' of Political Philosophy. *Modern Intellectual History* 18(4): 1-22.

Bok, P. M. 2017a. To the Mountaintop Again: The Early Rawls and Post-Protestant Ethics in Postwar America. *Modern Intellectual History* 14(1): 153-85.

_____. 2017b. 'The Latest Invasion from Britain': Young Rawls and His Community of American Ethical Theorists. *Journal of the History of Ideas* 78(2): 275-85.

Forrester, K. 2019. *In the Shadow of Justice: Postwar Liberalism and the Remaking of Political Philosophy*. Princeton: Princeton University Press.

Franco, P. 1990. *The Political Philosophy of Michael Oakeshott*. New Haven: Yale University Press.

_____. 2004. *Michael Oakeshott: An Introduction*. New Haven: Yale University Press.

Gališanka, A. 2019. *John Rawls: The Path to A Theory of Justice*. Cambridge: Harvard University Press.

Galston, W. 2012. Oakeshott's Political Theory: Recapitulation and Criticisms. In: *The Cambridge Companion to Oakeshott*. Ed. Efraim Podoksik, pp. 222-44. Cambridge: Cambridge University Press.

Gamble, A. 2012. Oakeshott's Ideological Politics: Conservative or Liberal? In: *The Cambridge Companion to Oakeshott*. Ed. Efraim Podoksik, pp. 153-76. Cambridge: Cambridge University Press.

Krishnan, N. 2021. John Rawls and Oxford Philosophy. *Modern Intellectual History* 18(4): 940-59.

Laslett, P. 1956. Introduction. In: *Philosophy, Politics, and Society*. Ed. Peter Laslett, pp. vii-xv. Oxford: Basil Blackwell.

Laslett, P. and Runciman, W. G. 1962. Introduction. In: *Philosophy, Politics, and Society (Second Series)*. Ed. Peter Laslett and W. G. Runciman, pp. vii-x. Oxford: Basil Blackwell.

McIntyre, K. 2012. Philosophy and Its Moods. In: *A Companion to Michael Oakeshott*. Ed. Paul Franco and Leslie Marsh, pp. 70-94. University Park: Pennsylvania State University Press.

Oakeshott, M. 1932. The New Bentham. *Scrutiny* 1: 114-31; now in *Rationalism in Politics and Other Essays* (New and Expanded Edition), pp. 132–50.

_____. [1933] 2015. *Experience and Its Modes*. Cambridge: Cambridge University Press.

_____. 1962. *Rationalism in Politics and Other Essays*. New York: Basic Books.

_____. 1965. Review of *Philosophy, Politics and Society (Second Series). The Philosophical Quarterly* 15(60): 281–82; now in *The Vocabulary of a Modern European State*, pp. 190-193.

_____. 1975. *On Human Conduct*. Oxford: Clarendon Press.

_____. 1983. The Rule of Law. In: *On History and Other Essays*, pp. 119-64. Oxford: Basil Blackwell.

_____. 1991. *Rationalism in Politics and Other Essays* (New and Expanded Edition*)*. Indianapolis: Liberty Fund.

_____. 1993. *Religion, Politics and the Moral Life*. Ed. Timothy Fuller. New Haven: Yale University Press.

_____. 1999. The Rule of Law. In: *On History and Other Essays*, pp. 129-178. Indianapolis: Liberty Fund.

_____. 2000. Introduction to Leviathan. In: *Hobbes on Civil Association*, pp. 1-79. Indianapolis: Liberty Fund.

_____. 2004. *What is History? And Other Essays*. Ed. Luke O'Sullivan. Exeter: Imprint Academic.

_____. 2006. *Lectures in the History of Political Thought*. Eds. Terry Nardin and Luke O'Sullivan. Exeter: Imprint Academic.

_____. 2008. *The Vocabulary of a Modern European State*. Ed. Luke O'Sullivan. Exeter: Imprint Academic.

O'Sullivan, N. 2012. Oakeshott on Civil Association. In: *A Companion to Michael Oakeshott*. Ed. Paul Franco and Leslie Marsh, pp. 290-311. University Park: Pennsylvania State University Press.

Rawls, J. 1958. Justice as Fairness. *The Philosophical Review* 67(2): 164-194.

_____. 1962. Justice as Fairness. In: *Philosophy, Politics, and Society (Second Series)*. Eds. Peter Laslett and W. G. Runciman, pp. 132-57. Oxford: Basil Blackwell.

Sandel, M. 1982. *Liberalism and the Limits of Justice* (First Edition). Cambridge: Cambridge University Press.

Smith, S. 2021. Historicizing Rawls. *Modern Intellectual History* 18(4): 1-34.

Smith, S. B. 2012. Practical Life and the Critique of Rationalism. In: *The Cambridge Companion to Oakeshott*. Ed. Efraim Podoksik, pp. 131-52. Cambridge: Cambridge University Press.

_____. 2015. Oakeshott on the Theory-Practice Problem: A Reply to Terry Nardin. *Global Discourse* 5(2): 323-25.