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## RATIONALISM AND RELATIVISM: AN ESSAY ON JOHN RAWLS AND MICHAEL OAKESHOTT

*This essay creates an unlikely conversation between two 20<sup>th</sup> century thinkers: John Rawls and Michael Oakeshott. I say “unlikely” because apart from a few scant remarks in the writing of each the two did not directly engage each other. The essay begins by examining Oakeshott’s explication of “The Rationalist” and her tradition in the history of political thought. Specifically, the essay shows that rationalism in politics involves the belief that reason is an infallible guide to political activity and that the Rationalist seeks certainty and perfection in political affairs. The essay goes on to tease out the rationalistic tendencies in Rawls’ *A Theory of Justice*, and then it analyzes Oakeshott’s critique of rationalism and applies these criticisms to Rawls. Briefly, Oakeshott marks a distinction between technical and practical knowledge, and he argues that the principles that make up technical manuals like *A Theory of Justice* are abridgments of and no substitute for the understanding we gain through our practical experience and our participation in a given political tradition. While explaining Oakeshott’s critique of rationalism and Rawls, the essay indicates some of the relativistic proclivities in Oakeshott’s appeal to political practices and traditions, and then it entertains objections to Oakeshott that a Rawlsian might offer. Here Rawls’ commitment to the liberal tradition and the relativity implicit in his explanations of “reflective equilibrium” and “reasonableness” are examined and Rawls’ similarities to Oakeshott are noted. Ultimately, this essay argues that the strength of Rawls’ work lay not in the fact that his principles of justice are established by rational agents in an original position, but in the fact that they are principles that emerge from and cohere with ideas deeply rooted in the Western tradition itself.*

**Keywords:** rationalism, relativism, theory, practice, freedom, equality, tradition, John Rawls, Michael Oakeshott.

In *A Theory of Justice* John Rawls builds on the contract tradition in moral and political philosophy by laying out an original position from whence free and rational persons can define and accept the fundamental terms of their association (Rawls, 1999a, p. 10). Rawls maintains that the terms adopted in such a position are just only insofar as they are the result of a fair arrangement or just procedure, so he characterizes his original position as that of equality between contracting parties<sup>1</sup>. In order to ensure that equality obtains in the original position, Rawls necessarily abstracts from the contingent and concrete

inequalities of everyday life, and he does so by placing the free and rational contractors behind a veil of ignorance: no contractor knows his or her place in society; his or her class position or social status; his or her fortune in the distribution of natural assets and abilities; his or her intelligence, strength, and the like; or even his or her particular conception of the good (Rawls, 1999a, p. 11). Of course, the contracting parties in the original position are not completely ignorant – if they were, no agreement on the terms and principles of justice would be possible – and Rawls ensures that they have the necessary knowledge to formulate the terms of their association: they know they have an individual conception of the good; they have a general knowledge of human psychology and economic theory; they know they will want as many social and primary goods as possible; they know the circumstances of justice (i.e. that they will have to live together in moderate scarcity and that the ends pursued by their fellow contractors may differ from their own); they are familiar with the various alternative principles of

<sup>1</sup> This is what Rawls calls pure procedural justice. In Rawls’ words, “[pure procedural justice] means that whatever principles the parties select from the list of alternative conceptions presented to them [in the original position] are just. Put another way, the outcome of the original position defines, let us say, the appropriate principles of justice. This contrasts with perfect procedural justice, where there is an independent and already given criterion for what is just (or fair) and where a procedure exists to ensure a result that satisfies this standard... The essence of pure procedural justice, as opposed to perfect procedural justice, is that there exists no independent criterion of justice; what is just is defined by the procedure itself” (Rawls, 1999b, pp. 310–311). Also see: (Rawls, 1999a, pp. 19, 118).

social organization; they know the formal constraints on the principles of right (i.e. that the principles they adopt must be general, universal, public, ordering, and final); and finally, each contractor knows he or she is, above all else, concerned with advancing his or her own ends (Rawls, 1999a, pp. 102–130). With these constraints or conditions of the original position in place, Rawls claims that the contracting parties would inevitably adopt the following terms of association:

- 1) Each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others.
- 2) Social and economic inequalities are to be arranged so that they are both:
  - a) Reasonably expected to be to everyone's advantage [especially the least advantaged], and
  - b) Attached to positions and offices open to all (Rawls, 1999a, p. 53).

Although these two terms are the result of an agreement made between free and rational contractors in a hypothetical situation, Rawls claims that through the exercise of reason each and every human being is capable of entering into the original position, and that therefore these are the terms of association that any rational human being would adopt if he or she were responsible for the founding of a society based on equality and a fair procedure (Rawls, 1999a, p. 104). Finally, and insofar as these two principles of justice may be reached by exercising one's reason, Rawls believes that they "can serve as a standard for appraising institutions and for guiding the overall direction of social change" (Rawls, 1999a, p. 232).

While Rawls – through the formulation of an original position from whence the guiding principles of a just society are agreed upon – is certainly aligned with the contract tradition in moral and political thought, his insistence on abstraction and his emphasis on rationality link him with a second tradition in political philosophy: the rationalist tradition. In a series of essays published in the late 1940s and early 1950s, Michael Oakeshott offered an informative and penetrating explication of the so-called "Rationalist" and her tradition. According to Oakeshott, rationalism involves the belief that human reason is an infallible guide in political activity and that reason alone is sovereign and authoritative (Oakeshott, 1991, p. 8). From this faith in reason, Oakeshott tells us that rationalism results in a preoccupation with certainty, a desire for perfection and a longing for the eternal (Oakeshott, 1991, pp. 11–17). As a final point, Oakeshott claims that in practice the Rationalist is an idealist who,

when confronted with a problem or placed in a particular circumstance, seeks to purge the mind of prejudice and apply or act upon pre-determined principles (Oakeshott, 1991, p. 108).

Although Oakeshott takes great care in elucidating the rationalist position, he in no way affirms it. Reason, he teaches us, is not an infallible guide in practical activity but a product of it (Oakeshott, 1991, p. 122). Certainty, perfection, and eternity are the illusions of the Rationalist, whereas contingency, folly, and coherence square with concrete experience (Oakeshott, 1991, p. 122). Finally, and far from serving as springboards to practical activity, Oakeshott shows us that "pre-determined principles" are simply abridgments of it (Oakeshott, 1991, p. 53).

Having set aside the Rationalist's approach to political activity, Oakeshott goes on to offer us a view of political practice that is both rooted in and the result of the customs and habits found in particular communities. Political activity, Oakeshott argues, emerges, not from abstract principles, but from already existing traditions of behaviour (Oakeshott, 1991, p. 56). And as such, politics is simply the activity of attending to the arrangements of a collection of people who, when taken together, recognize a common manner of attending to those arrangements (Oakeshott, 1991, p. 56). In short, politics is nothing more than pursuing the intimations of a given political tradition (Oakeshott, 1991, p. 57).

With that said, this essay begins by examining Oakeshott's explication of the "Rationalist" and the rationalist tradition. I then proceed to tease out the rationalistic tendencies in Rawls' *A Theory of Justice*. From here, I analyze Oakeshott's critique of rationalism, and go on to apply these criticisms to Rawls. While explaining Oakeshott's critique of both rationalism and Rawls, I point to some of the relativistic proclivities in Oakeshott's "positive" political thought. After sketching an Oakeshottian criticism of Rawls, I put forward objections to said criticisms on Rawls' behalf. Here the relativity implicit in Rawls' explanation of "reflective equilibrium" and "reasonableness" will be assessed, and Rawls' similarities to Oakeshott will be noted. I then offer an Oakeshottian rejoinder to Rawls' potential objections, and conclude by considering the place both Rawls and Oakeshott assign political philosophy in the conversation of mankind. Finally, since this essay aims to create a conversation between *Rawls* and *Oakeshott*, I draw almost exclusively from their most influential and important texts: *A Theory of Justice*, *Political Liberalism*, and *Rationalism and Politics*.

### 1. Rationalism, the Rationalist and the Rationalist Tradition:

Rationalism, as noted above, involves the belief that human reason is an infallible guide in political activity (or in any activity for that matter) and that reason alone is sovereign<sup>2</sup>. The Rationalist, Oakeshott says, stands for an independence of mind and for thought free from any obligation to authority save the authority of reason (Oakeshott, 1991, p. 6). The Rationalist is also the enemy of prejudice, of tradition, of custom and of habit, and nothing is immune from her critical assessment (Oakeshott, 1991, p. 6). Moreover, the rationalist is equipped with a belief that reason is common to all mankind, that all mankind possesses a power of rational consideration, and that this power is the ground and inspiration of all consideration, judgment and argument (Oakeshott, 1991, p. 6). From this belief, the Rationalist comes to believe that when each and every human being is thinking honestly and clearly, each and every one of them comes to the same conclusions (Oakeshott, 1991, p. 6). In this regard, the Rationalist believes in perfection and uniformity: that is, the rationalist believes that the “rational” solution to any problem is, by its very nature, the perfect solution; and that insofar as politics is concerned, “there must in the nature of things be one best form of government which all intellects, sufficiently roused from the slumber of savage ignorance, will be irresistibly incited to approve” (Oakeshott, 1991, p. 10).

After articulating the Rationalist’s “character”, Oakeshott claims that rationalism rests on a particular doctrine of human knowledge. Oakeshott maintains that every science, art and practical activity involves knowledge, and that this knowledge is of two sorts: technical and practical. Technical knowledge is comprised entirely out of formulated rules, abstract principles, axioms, maxims, etc., and is the type of knowledge that can be both found in and learned from books. Practical knowledge, in contrast, exists only in its use, and strictly speaking it is not reflective and it cannot be codified or transformed into a precise set of conventions (Oakeshott, 1991, pp. 11–12). Although Oakeshott distin-

guishes between these two types of knowledge, he accepts the fact that they are inextricably linked; that they “are the twin components of the knowledge involved in every concrete human activity” (Oakeshott, 1991, p. 12). To the Rationalist, however, the whole of knowledge is technical knowledge. Reason, she tells us, is both realized in technique, and relative to a pre-meditated end; and so the Rationalist is seduced by the apparent certainty and self-completeness that technical knowledge entails (Oakeshott, 1991, pp. 15–16). The Rationalist, more than anything else, yearns for certainty in activities, outcomes and events, and technical knowledge – insofar as it is able to give a precise formulation of activities, outcomes and events – seems to lend itself to certainty: that is, it begins at a certain identifiable point, ends at a certain identifiable point, and remains certain throughout (Oakeshott, 1991, p. 16). Practical knowledge, on the other hand, and insofar as it is bound up in a continuum of activities, outcomes and events, does not begin and end at certain identifiable points, and certainty is never assured in its application. As a result, the Rationalist tends to reject any understanding of knowledge as “practical”, and she comes to the conclusion that there is no knowledge that is not technical knowledge (Oakeshott, 1991, p. 15).

This brings us to what we may call the “activity” or “practice” of the Rationalist. As an enemy of prejudice, tradition, custom and habit, when confronted with a particular problem the Rationalist’s first instinct is to purge her mind of any traditional residue and apply the proper technique. In other words, the Rationalist fancies herself an engineer of sorts who, when undertaking an action or attempting to solve a problem, supposes her mind to be controlled throughout by the appropriate method, and whose first step in any activity is to dismiss from her attention everything not directly related to her specific task or particular problem (Oakeshott, 1991, p. 9). Not only, however, does the Rationalist suppose her mind to be devoid of all “irrelevant” information and controlled completely by technique, in order that her conduct be completely rational

[she] must be supposed to have the power of first imagining and choosing a purpose to pursue, of defining that purpose clearly and selecting fit means to achieve it; and this power must be wholly independent, not only of tradition and of the uncontrolled relics of her fortuitous experience of the world, but also of the activity itself to which it is preliminary (Oakeshott, 1991, p. 105).

<sup>2</sup> The word “reason” is open to multiple interpretations. Oakeshott acknowledges as much when he says that, “*Reason*, and the epithets connected with it – *Rational* and *Reasonable* – have enjoyed a long history which has bequeathed them a legacy of ambiguity and confusion” (Oakeshott, 1991, p. 99). Still, and drawing on Oakeshott’s caricature of the Rationalist, one may understand “reason” in this instance as that human faculty which is capable of abstracting itself from and critically reflecting upon the contingency of human circumstance, grasping the eternal, the perfect, or the true, and serving as an objective guide to practical activity.

The notion of a premeditated purpose or an end existing independent of tradition, experience and activity must itself presuppose an independent starting point from which that purpose springs and activities begin. And according to the Rationalist, this “spring” or Archimedean point is human reason itself, which is housed in a “mind” that can be separated from its contents and activities. Oakeshott says,

the mind, according to this [the rationalist] hypothesis, is an independent instrument capable of dealing with experience. Beliefs, ideas, knowledge, the contents of mind, and above all the activities of men in the world, are not regarded as themselves mind, or as entering into the composition of mind, but as adventitious, posterior acquisitions of the mind, the result of mental activity which the mind might or might not have possessed or undertaken. The mind may acquire knowledge or cause bodily activity, but it is something that may exist destitute of all knowledge and in the absence of any activity; and where it has acquired knowledge or provoked activity, it remains independent of its acquisition or its expression in activity (Oakeshott, 1991, p. 106).

At the centre, then, of the “activity” or “practice” of the Rationalist is the belief in an independent human “mind” in which reason rests and from which activity begins.

In an attempt to explain the “activity” or “practice” of the Rationalist, Oakeshott offers several examples of which three will be considered: first, the designers of “rational dress”; second, the moral idealist; and third, the political ideologue.

1. In a mildly amusing yet informative example of rationalist behaviour, Oakeshott considers the designers of “rational” dress in the late 1800s. In particular, Oakeshott focuses on the Victorian designers of bloomers who took bloomers to be the “rational” dress for female cyclists of the time. Bloomers, Oakeshott says, were taken to be “rational” insofar as they were the product of independent reflection on the activity of propelling a bicycle. In this case, all considerations that supposedly had nothing to do with human anatomy and the structure of a bicycle – considerations such as custom and fashion – were to be set aside as irrelevant in the design of the garment. As Oakeshott tells us, “the rationality sought by these Victorian designers was an eternal and universal quality; something rescued from the world of mere opinion and set in a world of certainty” (Oakeshott, 1991, pp. 101–102). In short, the Victorian designers were searching for the universal and eternal form of female cyclist attire (See Oakeshott, 1991, pp. 100–102).

2. The second example Oakeshott offers in his explication of the “activity” or “practice” of the Rationalist is that of the moral idealist. The moral idealist, Oakeshott maintains, is engaged in the reflective formulation and application of a moral criterion, and this activity can take the form of a self-conscious pursuit of moral ideals or the reflective observance of moral rules. Oakeshott says the first task of the moral idealist is to express her moral aspirations in a rule of life or a system of abstract ideals. She must then defend these ideals against criticism if her aim is to act on them. And lastly, she must translate these moral aspirations into concrete modes of behaviour and apply them in particular circumstances. As a final point, Oakeshott notes that just as the Victorian designers were striving for the eternal, when the moral idealist is guided by her ideal she is never suffered to escape from perfection (See Oakeshott, 1991, pp. 472–475) <sup>3</sup>.

3. The political ideologue can be seen as a third example of the “activity” or “practice” of the Rationalist. The political ideologue, like the moral idealist and the Victorian designer, believes in a politics of perfection. She also thinks that politics spring from or are “self-moved” when guided by an ideology. As Oakeshott understands it, “a political ideology purports to be an abstract principle, or set of related principles, which have been independently premeditated. It [a political ideology] supplies in advance of the activity of attending to the arrangements of a society a formulated end to be pursued” (Oakeshott, 1991, p. 48). With a political ideology in hand and a purpose to pursue, Oakeshott says the political ideologue is likely to see herself as a social engineer just waiting (or wishing) to wipe the slate of human society clean in order to apply her ideal. In other words, the ideologue believes that, “the only way to have good laws is to burn all existing laws and to start afresh” (Oakeshott, 1991, p. 9) <sup>4</sup>.

From these examples we see that the “activity” or “practice” of the Rationalist involves both a pursuit of perfection and a purging of the merely “traditional”, “irrelevant”, or “imperfect”. And in sequence, the aim of the Rationalist can be seen as “first, to establish a proposition, or determine the purpose to be pursued, secondly, to determine the means to be employed to achieve that (and no other) end, and, thirdly, to act” (Oakeshott, 1991, p. 108).

<sup>3</sup> For Oakeshott’s entire discussion of the moral idealist, see: (Oakeshott, 1991, pp. 40–41, 465–483).

<sup>4</sup> For Oakeshott’s entire discussion of the political ideologue see: (Oakeshott, 1991, pp. 8–11, 43–69).

The theory of “practical activity” that the Rationalist embodies has a long and rich tradition in political philosophy, and in human enquiry in general. In fact, the origins of such a theory of activity may be traced back to the beginnings of political philosophy itself: that is, to Plato and his desire to deduce the governing principles of a just society from the Form or Idea of the Good (Oakeshott, 1991, p. 82). With that said, Oakeshott points to Bacon and Descartes as representing the unmistakable emergence of modern rationalism: both Bacon and Descartes sought to equip the intellect with a master technique that would render our knowledge of the world *certain* (Oakeshott, 1991, pp. 18–19). Oakeshott also indicts Machiavelli as a rationalist insofar as Machiavelli provides a science of politics for the *new prince*, and Oakeshott points to the use of Locke’s *Second Treatise of Civil Government* by the American Founders and French Revolutionaries as a species of rationalism in “practice” (Oakeshott, 1991, pp. 29–32). From here, Oakeshott goes on to say that, “nothing in the field can compare with the work of Marx and Engels”, who, by couching ideology in a historical narrative, provided the political instruction for a “less politically educated class than any other that has ever come to have the illusion of exercising political power” (Oakeshott, 1991, p. 31). Finally, and although written well after Oakeshott’s elucidation of rationalism, the Rationalist and the rationalist tradition, Rawls’ *A Theory of Justice* seems to be born of rationalist blood.

## 2. Rawlsian Rationalism and Rawls the Rationalist:

In *A Theory of Justice* Rawls emulates the Rationalist insofar as he recommends reason as an authoritative and infallible guide in political activity. The principles of justice, Rawls’ maintains, are a function of rational reflection and those that “free and *rational* persons concerned to further their own interests would accept in an initial position of equality” (Rawls, 1999a, p. 10 [my emphasis])<sup>5</sup>. What is more, the abstractness of Rawls’ original position ensures that the reason of each contractor is not tainted by prejudice, tradition, custom and habit, and the constraints Rawls places on each contractor’s reason Rawls assumes to be *reasonable* (Rawls, 1999a, p. 16). Like the Rationalist, Rawls also be-

lieves that most every person is rational to a sufficient degree, and that when all persons are reasoning correctly – i. e. with the correct restraints – each and every person will inevitably come to the same conclusion (Rawls, 1999a, p. 120). Finally, and although not a perfectionist in the Aristotelian and Nietzschean sense<sup>6</sup>, Rawls shares the Rationalist’s belief that the “rational” solution to a problem is the perfect solution: “The perspective of eternity”, Rawls says, “is not a perspective from a certain place beyond the world, nor the point of view of a transcendent being; rather it is a certain form of thought and feeling that *rational* persons can adopt within this world” (Rawls, 1999a, p. 514 [my emphasis]).

Although Rawls’ *A Theory of Justice* is, as one would imagine, a theory of justice and not a theory of knowledge, Rawls’ reasoning in *A Theory of Justice* bears all the marks of the reasoning proper to technical knowledge. First, Rawls’ espouses a typically rationalistic understanding of “rational conduct” as the most effective means to achieve an end (Rawls, 1999a, p. 12). Rawls then creates a system to facilitate the particular form of reason that he adopts: that is, he abstracts from the contingencies of everyday life and establishes a certain original position from whence free and rational persons are to decide upon the terms of their association. From here Rawls goes on to add certain constraints and restrictions to the reasoning ability of the contractors in the original position. And finally, he maintains that with these certain restrictions in place, a *certain* conception of justice results, whereby “certain” can be understood as both relative to the reasonable restrictions in the original position and also as the certainty in end results whenever one reasons in accordance with those restrictions (Rawls, 1999a, p. 11). In short, Rawls lays out a self-complete system that the knowledge of technique entails: that is, a self-complete system where reasoning starts and ends at certain identifiable points, and where reasoning is certain throughout.

This brings us to the “practice” or “activity” Rawls’ *A Theory of Justice* recommends. Like the Victorian designers who aimed to set aside all “irrelevant” information when designing the “rational dress” for propelling a bicycle, so too, does Rawls aim to set aside all “irrelevant” information when formulating the principles of justice. In other words, just as custom and fashion were taken to be irrelevant to the act of propelling a bicycle, class position, intel-

<sup>5</sup> As a function of an agreement between rational persons I take Rawls to presume the principles of justice to be rational themselves, and Rawls himself suggests that one conception of justice is more reasonable than another if rational persons would choose it. See: (Rawls, 1999a, pp. 15–16).

<sup>6</sup> Briefly, the perfectionist position of Nietzsche and Aristotle can be characterized as arranging social institutions to maximize the achievement of human excellence. See: (Rawls, 1999a, pp. 285–286).

ligence, an individual's conception of the good, etc., are taken to be irrelevant insofar as the principles of justice is concerned (Rawls, 1999a, p. 11). Of course, the Victorian designers retained the information "relevant" to the act of propelling a bicycle (i.e. a general understanding of human anatomy and the structure of a particular bicycle) and so Rawls too, provides his free and rational contractors with the information "pertinent" to formulating the principles of justice, such as a general knowledge of human psychology, the circumstances of justice, etc (Rawls, 1999a, p. 11). With, then, all the "relevant" information in hand and the "irrelevant" set aside, Rawls, like his dress-designing counterparts, finally sees fit for the contractors to reflect upon and then proceed with their particular rendering of the principles of justice.

Continuing with this theme, Rawls' writing in *A Theory of Justice* seems to advocate the "practice" or "activity" of the moral idealist who, as you may recall, engages in the reflective composition and then application of moral precepts. In fact, Rawls appears to explicitly endorse the behaviour of the moral idealist when he recommends that this type of reasoning be adopted by society at large. Rawls writes, "just as each person must decide by *rational reflection* what constitutes his good," so too, are persons "to decide in *advance* how they are to regulate their claims against one another and what is to be the foundational charter of their society" (Rawls, 1999a, p. 10). From here Rawls seeks to put his principles into practice by suggesting that they are designed to "provide an Archimedean point for appraising existing institutions as well as the desires and aspirations which they generate" (Rawls, 1999a, p. 456). And finally Rawls, like the moral idealist, suggests that when acting, "it is essential to have in mind the ideal one would like to achieve" (Rawls, 1999a, p. 105).

Since we have already seen that Rawls' work in *A Theory of Justice* aligns him with the Victorian dress-designers and the moral idealist, it should come as no surprise that the political "practice" Rawls' recommends is that of the ideologue. In an ingenious twist on the ideologue's desire to "wipe the slate of human society and human tradition clean", Rawls posits an original position in which all tradition and custom can be swept away without ever lifting a finger (Rawls, 1999a, pp. 102–139). Through the original position Rawls lays out the conditions needed to obtain his ideal, and it is by reasoning to and through these conditions that Rawls claims each and every human being – insofar as they are willing to exercise their reason in accordance with certain restrictions – can understand and attain his ideal (Rawls, 1999a, p. 119). Of course,

with the Rawlsian ideal in mind, Rawls does not recommend that each and every human being attempt to literally wipe the slate of human society clean and apply the principles of justice; however he does say that reasoning from the principles of justice is conclusive and that "they override the demands of laws and custom, and social rules generally" (Rawls, 1999a, p. 116). Here Rawls' lesson seems to be that, if nothing else, the two principles of justice "can [and undoubtedly should] serve as a standard for appraising institutions and for guiding the overall direction of social change" (Rawls, 1999a, p. 232).

That Rawls represents an expression of the rationalist tradition seems clear enough. Rawls, like the Rationalist, seeks to free the mind from the dead weight of tradition and custom, and he speaks as if human reason is an authoritative and indubitable guide in political activity. In his writing, Rawls creates a self-complete system that can be reached and/or entered into through the exercise of reason, and he espouses the Rationalist doctrine of "rational conduct" as the most effective means to achieve an end. Finally, the "practice" Rawls apparently recommends is that of a moral or political idealist who, when confronted with a problem or placed in a particular circumstance, seeks to purge the mind of prejudice and apply or act upon premeditated principles.

### 3. Oakeshott's Critique of Rationalism:

No matter how laudable the "practice" or "activity" of the Rationalist and Rawls may be, Oakeshott maintains that, in the first instance, it is impractical: Whether it is in political, moral, or scientific activity, or even in the simple activity of cooking, the general principles, maxims and axioms proper to a technical understanding of activity can only tell you *what* to do; they cannot tell you *how* to do it (Oakeshott, 1991, p. 13). Take Oakeshott's favourite example: the art of cookery. Oakeshott says, "It might be supposed that an ignorant man, some edible materials, and a cookery book compose together the necessity of a self-moved (or concrete) activity called cooking. But, [Oakeshott continues], nothing is further from the truth" (Oakeshott, 1991, p. 52). Without some prior knowledge or experience of the activity of cooking, Oakeshott suggests the ignorant man will go hungry (Oakeshott, 1991, p. 52). Through this example Oakeshott recalls the earlier distinction he made between the theoretical knowledge found in a book and the practical knowledge found in activity itself; and with it we see that, barring some kind of "hands-on" understanding, the technical knowledge that

the Rationalist takes as authoritative cannot in itself be put into practice.

By way of the cookery example we arrive at Oakeshott's second critique of the Rationalist's doctrine. A cookbook, as the example illustrated, presupposes a person who has a certain kind of knowledge or experience in the activity of cooking; and consequently, "a cook is not a man who first has the vision of a pie and then tries to make it; he is a man skilled in cookery, and both his projects and his achievements spring from that skill" (Oakeshott, 1991, p. 111). Oakeshott's point here is that any scheme of ends for practical activity – whether it be political, moral, or scientific – appears within, is determined by and can only be evaluated in relation to an existing tradition or idiom of activity (Oakeshott, 1991, p. 56). Although here we see that the end or object of any activity emerges in an already existing idiom, Oakeshott takes this notion one step further by suggesting that, "it is impossible to project the end of an activity in advance of the activity itself" (Oakeshott, 1991, p. 119). And here we see that not only does involvement in a concrete activity produce the means to achieve a particular end, but also that the end itself emerges in the very involvement of a particular activity (Oakeshott, 1991, p. 120). Of course, if the ends of political, moral and scientific activity emerge in the activities themselves, then the question is: "What becomes of the Rationalist's notion of an independent and pre-meditated end?" Oakeshott's answer is clear: The Rationalist's view of rational conduct "is not a satisfactory notion of *rational* conduct because it is not a satisfactory view of any sort of conduct" (Oakeshott, 1991, p. 109).

At this point we arrive at Oakeshott's understanding of reason and rational conduct. Oakeshott himself is in no way critical of reason or rational conduct *per se*, but only a particular interpretation or theory of rational conduct that tends to view rational conduct as that behaviour which is determined solely by an independent and pre-meditated end (Oakeshott, 1991, p. 102). With that said, Oakeshott offers a redefinition of reason and rational conduct that relates them to, and ensures that they cohere with, an existing tradition or idiom of activity. Oakeshott says:

If, then, it is agreed that the only significant way of using the word "rational" in relation to conduct is when we mean to indicate a quality or characteristic (and perhaps a desirable quality or characteristic) of the activity itself, then it would appear that the quality concerned is not mere "intelligence", but *faithfulness to the knowledge we have of how to conduct the specific activity we are engaged in.*

"Rational" conduct is acting in such a way that the coherence of the idiom of activity to which the conduct belongs is preserved or possibly enhanced (Oakeshott, 1991, p. 122).

In support of his redefinition of rational conduct, Oakeshott returns to the Victorian designers example. Oakeshott is curious as to why the Victorian Designers of the "rational dress" for female cyclists stopped at "bloomers" and did not proceed to "shorts" (Oakeshott, 1991, p. 115)? The fact that they may have made a mistake is too easy an answer and Oakeshott claims that this "pause" at bloomers represents a deeper understanding of "rationality": a "rationality" that is relative to the proper attire for a female cyclist propelling a bicycle in 1880 (Oakeshott, 1991, p. 116). What Oakeshott here – and through his redefinition of rationality – seems to be pointing out is that what counts as rational conduct in political, moral, or scientific activity is always relative to the current state of political, moral, or scientific activity itself.

#### 4. Oakeshott's Critique of Rawls:

Oakeshott's critique of Rawls may begin with a general point: that is, while Rawls' principles of justice may tell a political actor or a citizen *what* to do, they cannot tell either of them *how* to do it. That this is a sound criticism of Rawls seems to be supported by *A Theory of Justice* itself. Rawls tells us that once the contractors in the original position have decided upon the principles of justice they are then to decide upon and draw up a constitution based on those principles (Rawls, 1999a, p. 172). The best, however, Rawls can do when considering the nature of such a constitution is to offer a very rough and what he admits is a highly abstract sketch of that particular institution (Rawls, 1999a, p. 343). What is more, Rawls suggests that if a theory of justice is worthy of study, then it must be because it is important for its concrete application. But unfortunately and rather disappointingly, he explicitly refuses to take up or consider any such applications (Rawls, 1999a, p. 343). Finally, Rawls confesses that in any event the application of the principles of justice necessarily depend upon the traditions and circumstances of a given society (Rawls, 1999a, p. 248). And here Rawls seems to concede Oakeshott his point: that is, although ideal principles may tell a political actor or person *what* to do, they cannot tell them *how* to do it.

While Rawls may realize the limited "how to" power of ideal principles, in doing so he need not reject the notion that they may be formulated in ad-

vance of activity and that they may serve as a guide in concrete conduct. It is, however, with this notion that Oakeshott would take up a second criticism. As you may recall, Oakeshott rejected the suggestion that the ends of activities are determined in advance of the activities themselves, so he would surely take Rawls' desire to derive the principles of justice from a hypothetical situation as nonsense. And while there is little doubt that Oakeshott would take Rawls' account of action as springing from an original position to be whimsical, Oakeshott's criticism of Rawls on this matter seems deeper than its fantasy. Remember that the strength of Rawls' theory of justice (at least as it is presented in *A Theory of Justice*) appears to reside in its ability to be put into practice by any human being at any point in time: that is, by exercising their reason in accordance with the proper restrictions, any human being can abstract themselves from their everyday circumstances, place themselves in the original position and then reason to the principles of justice. Rawls' emphasis on reason as a means to his Archimedean point seems to recall the Rationalist's understanding of human reason as being housed in a "mind" that is independent of all activity and from which activity springs. Of course, the Rationalist's theory of mind is one that Oakeshott explicitly denies: just as the various ends that human beings strive towards are implicit in activity, so too, Oakeshott tells us, is the "mind" a result of knowledge and activity; it is completely filled with the thoughts and ideas derived from the conditionality and contingencies of human experience (Oakeshott, 1991, p. 109). Remove these thoughts and "what is left is not a neutral unprejudiced instrument, a pure intelligence, but nothing at all" (Oakeshott, 1991, p. 109). Furthermore, remove a rationalist theory of "mind" from Rawls' self-completing system and the means through which each and every human being can reason their way into it falls to the floor. Oakeshott's second criticism of Rawls, then, not only points to the practical impossibility of acting upon pre-meditated principles (since the ends of activities emerge only in the activity itself), but also to the impossibility of human beings abstracting themselves from their concrete situations and reasoning their way into an original position from whence they can understand and obtain the principles of justice.

One final Oakeshottian criticism of Rawls remains to be considered. Oakeshott's rejection of the Rationalist's understanding of conduct calls into question the very "rationality" of the principles of justice themselves. That is, if, as Oakeshott claims, rational conduct is "rational" only insofar as it relates to, coheres with and emerges from existing

traditions or idioms of activity, then Rawls' principles of justice can never be "rational" in an objective, universal, eternal or pre-meditated sense; but are only "rational" insofar as they relate to, cohere with and emerge from an already existing tradition or idiom of activity. In other words, the "rationality" of Rawls' two principles of justice depend, not on being formulated or agreed upon in an abstract and hypothetical situation, but on the extent to which they cohere with and spring from the particular customs and traditions of Rawls' community.

Through this criticism of Rawlsian Rationalism, Oakeshott's "positive" political thought peaks through. Oakeshott maintains that what presents itself as "just" or "good" or "virtuous" in any given society is always relative to that society, and he offers us a view of political practice as both rooted in, and the result of the customs and traditions found in particular communities (Oakeshott, 1991, p. 60). Of course, Oakeshott acknowledges that a tradition is a "tricky thing to get to know," and he goes on to describe it as

neither fixed nor furnished; it has no changeless centre to which understanding can anchor itself; there is no sovereign purpose to be perceived or invariable direction to be detected; there is no model to be copied, idea to be realized, or rule to be followed. Some parts of it may change more slowly than others, but none is immune from change. Everything is temporary. Nevertheless, though a tradition of behaviour is flimsy and elusive, is it not without identity, and what makes it a possible object of knowledge is the fact that all its parts do not change at the same time and that the changes it undergoes are potential within it. Its principle is a principle of *continuity*: authority is diffused between past, present, and future; between the old, the new, and the what is to come. It is steady because, though it moves, it is never wholly in motion; and though it is tranquil, it is never wholly at rest. Nothing that ever belonged to it is completely lost; we are always swerving back to recover and make something topical out of even its remotest moments: an nothing for a long time remains unmodified. Everything is temporary, but nothing is arbitrary. Everything figures by comparison, not with what stands next to it, but with the whole (Oakeshott, 1991, p. 61).

Given the complex, transitory and incoherent but coherent nature of tradition, Oakeshott is not concerned with giving us a categorical definition of the political. Instead he describes politics and political activity as never anything more than an effort to understand, interpret, clarify, adjust and enjoy a particular political tradition: "Political activity", he says, "is the amendment of existing arrangement by



exploring and pursuing what is intimated in them” (Oakeshott, 1991, p. 56). It should come as no surprise that for Oakeshott the manner in which we pursue these intimations and amend our arrangements is neither “fixed nor furnished”, but implicit in the arrangements themselves. We learn how to go about political activity, Oakeshott says, just like we learn “how to participate in a conversation...it begins in the enjoyment of a tradition, in the observation and imitation of the behaviour of our elders” (Oakeshott, 1991, p. 62). This, then, leaves us with a view of politics in which there is no ready-made way, as the Rationalist would have it, of attending to our arrangements. Instead, there is only an indefinite number of appropriate solutions to all the practical problems that present themselves in particular traditions. Or, in Oakeshott’s words, “wherever else politics may begin, they cannot begin in ideological activity”; and political problems and their solutions “spring neither from instant desires, nor general principles, but from existing traditions of behaviours themselves” (Oakeshott, 1991, p. 56).

### 5. A Rawlsian Response to the Oakeshottian Critique:

In response to Oakeshott’s caricature and critique of Rawlsian rationalism, I imagine a Rawlsian (or Rawls himself) raising two interrelated objections: first, that in his understanding of both the Rationalist’s and Rawls’ *activity* or *practice* Oakeshott has created a straw man; and second, that Oakeshott has misrepresented the overall ground upon which Rawls’ *theory* rests.

The first Rawlsian objection to Oakeshott’s critique is relatively straightforward. Recall that Oakeshott charged the Rationalist with engaging in and promoting the “practice” or “activity” of purging the mind and then pre-meditating principles upon which she could allegedly act. Oakeshott then went on to criticize such a stance as being both impractical and impossible. If, however, such activity is impossible, so the Rawlsian objection goes, then neither Rawls nor anyone else can engage in it. In other words, Oakeshott has, in effect, turned Rawls into a straw man and pushed him over.

In order to understand the Rawlsian’s second objection, that is, in order to understand the extent to which Oakeshott misrepresents the “foundations” of Rawls’ theory, a deeper understanding of the original position and its justification (particularly as they are presented in Rawls’ re-statement of his position in *Political Liberalism* and his later essays) is required. To begin, the objectivity and universality that the original position yields is not the objectivity

of a realist who believes in a True or Real moral standard set apart from the contingencies of everyday life<sup>7</sup>. Instead Rawls tells us that his “doctrine interprets the notion of objectivity in terms of a suitably constructed social point of view that is authoritative with respect to all individual and associational points of view” (Rawls, 1999b, p. 340). Of course, the “suitably constructed point of view” that Rawls has in mind (in *A Theory of Justice* at any rate) is the original position and its objectivity rests precisely on what Rawls’ means by “suitably constructed”. This, however, suggests that an understanding of Rawls’ concept of “objectivity” requires an understanding of Rawls’ procedure of construction; and this in turn requires an explication of two key concepts that permeate Rawls’ work: namely, “reflective equilibrium” and “reasonableness”.

1. Reflective equilibrium may be characterized as a “method” for matching our considered judgments about a particular topic with a set of (objective or public) principles that can account for those judgments. Briefly, when engaging in the process of reflective equilibrium we begin by identifying a series of considered judgments. We then try to come up with a principle or a set of principles that can account for these judgments. Since, however, the principles we initially come up with are unlikely to account for our considered judgments, we start modifying both our principles and judgments until they reach a point of equilibrium. In *A Theory of Justice* Rawls justifies the conditions placed on the contractors in the original position by appealing to the idea of reflective equilibrium: i. e., he claims that the conditions of the original position cohere with our considered judgments about justice in reflective equilibrium (Rawls, 1999a, pp. 18–19, 104, 507–508). However, by justifying the original position in this way, Rawls seems to call into question the idea of objectivity itself: that is, if the conditions in the original position merely cohere with our considered judgments – and by “our” considered judgments Rawls means the considered judgments of reasonable citizens in liberal democracies<sup>8</sup> – then both the conditions

<sup>7</sup> In Rawls’ words, “philosophy as the search for truth about an independent metaphysical order cannot (I believe) provide a workable and shared basis for a political conception of justice” (Rawls, 1999b, p. 395).

<sup>8</sup> In the preface to *A Theory of Justice* Rawls says, “my hope is that justice as fairness will seem reasonable and useful, even if not fully convincing, to a wide range of thoughtful political opinions and thereby express an essential part of the common core of the democratic tradition” (Rawls, 1999a, p. XI). Rawls also tells us that the principles of justice are a function of rational reflection and those that “free and rational persons concerned to further their own interests would accept in an initial position of equality” (Rawls,

in, and the principles that result from the original position are, in their final analyses, *relative* to the “duly pruned” considered judgments of citizens in liberal democracies. This means that Rawls offers us an odd form of “objectivity” that is itself *relative* to the considerations of citizen in liberal democracies; and that he in fact does this seems to be confirmed when he states that his “rendering of objectivity implies that, rather than think of the principles of justice as true, it is better to say that they are the principles most reasonable *for us*, given *our* conception of persons as free and equal” (Rawls, 1999b, p. 340 [my emphasis]).

2. And this brings us to second idea that Rawls invokes to justify the conditions he placed on the contractors in the original position. In *A Theory of Justice* Rawls warns us “not to be misled by the somewhat unusual conditions which characterize the original position”, and he goes on to say that “the idea here is simply to make vivid to ourselves the restrictions that it seems *reasonable* to impose on arguments for principles of justice, and therefore on these principles themselves” (Rawls, 1999a, p. 16 [my emphasis]). Although Rawls never offers us a precise definition of “reasonable” in *A Theory of Justice*, in *Political Liberalism* Rawls tells us that “persons are reasonable in a basic aspect when, among equals, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so” (Rawls, 1993, p. 49). What is more, Rawls tells us that “the reasonable is an element of the idea of society as a system of fair cooperation” (Rawls, 1993, pp. 49–50). And finally, Rawls says that “reasonable persons... desire for its own sake a social world in which they, as free and equal, can cooperate with others on terms all can accept” (Rawls, 1993, p. 50). Here, then, it would seem that for Rawls “reasonable” is nothing other than one’s willingness to embrace the liberal conceptions of a person and society, which surly would mean that that the conditions in the original position, and the principle that result therefrom, are relative to ideas and practices that are deeply rooted in the liberal-democratic tradition<sup>9</sup>.

1999a, p. 10). And finally, in the preface to *Political Liberalism* he explicitly tells us that, “*Theory* and *PL* try to sketch what the more reasonable conceptions of justice for a democratic regime are and to present a candidate for the most reasonable. They also consider how citizens need to be conceived to construct those more reasonable conceptions, and what moral psychology has to be to support a reasonably just political system over time” (Rawls, 1993, p. LX).

<sup>9</sup> Note the similarity be Rawls’ definition of “reasonable” here, and Oakeshott’s definition of “rationality” or “rational conduct”:

The fact that Rawls’ principles are, in their final analyses, relative to the liberal-democratic tradition should come as no surprise. In *A Theory of Justice* Rawls tells us that the central ideas and aims of his theory of justice are designed for constitutional democracies (Rawls, 1999a, p. XI), and in *Political Liberalism* he goes on to say that the content of his conception “is expressed in terms of certain fundamental ideas seen as implicit in the public political culture of a democratic society” (Rawls, 1993, p. 13). What is more, in *A Theory of Justice* Rawls acknowledges that there are “many variations of the initial situation” and that the conditions and principles he espouses are contingent (Rawls, 1999a, pp. 109, 506). As a final point, Rawls’ *Political Liberalism* goes so far as to downplay the role of the original position and the uniquely determinate principle of justice that it entails; and instead appears to embrace a “family” of liberal theories of justice that are relative to and fully endorse the liberal ideas of the person and of society (Rawls, 1993, p. XLVIII).

With that in mind, we are now in a position to return to the Rawlsian’s second objection to Oakeshott: namely, that the Oakeshottian critique misrepresented the overall ground upon which Rawls’ theory rests. Here the Rawlsian will no doubt invoke Rawls’ claim that the constraints and conditions in the original position – and therefore the principles adopted therein – are constraints or conditions that we as citizens of a liberal society traditionally accept. At this point we can imagine the Rawlsian’s counter as running something like this: if the principles of justice are based on a fair procedure, and if a fair procedure is something that we as citizens of a liberal democracy traditionally accept, then the principles of justice are something we citizens traditionally accept. Although perhaps trivial, what this short little argument teaches us is that both the grounds for accepting and the strength of Rawls’ principles of justice lay, not in some hypothetical or otherworldly agreement that Oakeshott could criticize, but rather in the fact that they cohere with concrete values deeply rooted in Western tradition itself.

## 6. Oakeshott’s Rejoinder:

In response to the Rawlsian’s objection that Rawls himself cannot engage in the “practice” or “activity” of the Rationalist if the “practice” or “activity” of the Rationalist is itself impossible, Oakeshott would no doubt make a distinction between

“Rational conduct”, Oakeshott says, “is acting in such a way that the coherence of the idiom of activity to which the conduct belongs is preserved and possible enhanced” (Oakeshott, 1991, p. 122).

the *theory* of rational conduct and that the Rationalist espouses and the *actual* conduct of the Rationalist herself. In fact, Oakeshott tells us that what he has been criticizing all along is *not* the actual practice or activity of the Rationalist, but the theory or form of “practice” and “activity” that the Rationalist recommends (Oakeshott, 1991, p. 108). Of course, there then seems to be little reason to doubt that, when speaking of the “practice” and “activity” of the Rationalist, Oakeshott was well aware of its impossibility. And the point of Oakeshott’s exercise appears to have been to elucidate an erroneous theory and illustrate the dangers – disillusion, dizziness, failure, falsity, the inability to act, self-destruction, social decay and social destruction, etc – of attempting to adhere to it in everyday life. In Oakeshott’s words, “the practical danger of an erroneous theory is not that it may persuade people to act in an undesirable manner, but that it may confuse activity by putting it on a false scent” (Oakeshott, 1991, pp. 108–109).

Concerning the Rawlsian’s second objection to Oakeshott’s critique: in no way could Oakeshott agree more. Although Oakeshott’s aim in *Rationalism and Politics* was to clarify and criticize the erroneous theory of action that the Rationalist and Rawls’ *A Theory of Justice* invoke, Oakeshott would most certainly agree that the foundation and strength of Rawls’ principles of justice rest, not in the fact that they were allegedly established in a hypothetical original position, but in the fact that they are principles that emerge from and cohere with (and bring coherence to) ideas deeply rooted in the Western tradition itself. In short, Rawls’ political project turns out to be nothing more than a complex, and at times highly abstract, (Oakeshottian) pursuit of intimations.

### 7. The Place of Political Philosophy in the Conversation of Mankind:

Having shown that the strength of Rawls’ theory and his two principles of justice rest on Oakeshottian terms, I would like to conclude this essay by alluding to an important difference between the two thinkers: namely, the place each assigns to political philosophy in what Oakeshott calls “the conversation of mankind”.

Oakeshott imagines that all “the diverse idioms of utterance which make up current human intercourse have some meeting-place and compose a

manifold of some sort. And, as [he] understands it, the image of this meeting place is not an inquiry or an argument, but a conversation” (Oakeshott, 1991, p. 489). In this conversation, Oakeshott tells us that each idiom has a voice, that all idioms are welcome, and that no particular idiom is authoritative (Oakeshott, 1991, p. 490). Yet given the inclusiveness of such a conversation, the place Oakeshott assigns philosophy is surprising. “Philosophy”, Oakeshott says, “must be counted as a parasitic activity; it springs from the conversation, but it makes no contribution to it” (Oakeshott, 1991, p. 491). In less poetic terms, Oakeshott continues with this theme by suggesting that, “political philosophy cannot be expected to increase our ability to distinguish between good and bad political projects; it has no power to guide or to direct us in the enterprise of pursuing the intimations of our tradition” (Oakeshott, 1991, p. 65). At best, political theory removes “some of the crookedness from our thinking and leads to a more economical use of concepts”, and this, Oakeshott says, “is an activity neither to be overrated nor despised” (Oakeshott, 1991, p. 16).

In contrast, Rawls paints a brighter picture of the role political philosophy plays in the human world. As was noted earlier, in *A Theory of Justice* Rawls’ recommends that the two principles of justice serve as a standard for appraising social institutions and the aspirations they generate (Rawls, 1999a, p. 456). *Political Liberalism* tells us that we ought to look to political philosophy for answers when our shared political understanding breaks down (Rawls, 1993, p. 44). And finally, Rawls suggests that “no political conception of justice can have weight with us unless it helped to put in order our considered convictions of justice at all levels of generality, from the most general to the most particular” (Rawls, 1993, p. 45).

Through these passages we see that Oakeshott and Rawls certainly disagree on the place of political philosophy in the whole of human experience. Yet given that each claims political philosophy to emerge from and operate within particular political traditions, the question becomes: “What are we to make of these apparent differences?” Although I envision Oakeshott charging Rawls with one last attempt to provide political activity with a speculative master, I think it best that we view Rawls’ work as another voice in the conversation and another contribution to a long and rich tradition of political thought.

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## РАЦІОНАЛІЗМ ТА РЕЛЯТИВІЗМ: ЕСЕЙ ПРО ДЖОНА РОУЛЗА ТА МАЙКЛА ОУКШОТТА

У цій статті змодельовано уявну розмову між двома мислителями ХХ століття: Джоном Роулзом і Майклом Оукшоттом. Розмова є «уявною», оскільки, окрім кількох невеличких зауважень, що можна знайти у їхній спадщині, жоден з них напряду не звертався до іншого. Стаття починається з аналізу Оукшоттового образу «раціоналіста» та відповідної традиції в історії політичної думки. Зокрема, у статті показано, що раціоналізм у політиці передбачає переконання, що розум є непохибним провідником у політичній діяльності і що раціоналіст прагне визначеності та досконалості в політичних справах. Далі у статті висвітлено раціоналістичні тенденції в «Теорії справедливості» Роулза, а також проаналізовано Оукшоттову критику раціоналізму, яку застосовано й до Роулза. Якщо стисло, Оукшотт розрізняє технічне та практичне знання і стверджує, що принципи, з яких складаються технічні керівництва на кшталт «Теорії справедливості», є спрощенням і не замінюють розуміння, яке ми отримуємо через власний практичний досвід та участь у певній політичній традиції. Пояснюючи Оукшоттову критику раціоналізму та позиції Роулза, автор статті демонструє наявність елементів релятивізму у ставленні першого до політичних практик і традицій, а через це – формулює заперечення проти Оукшотта, які міг би висунути прихильник Роулза. В цьому контексті проаналізовано схильність Роулза до ліберальної традиції та релятивності, що імпліцитно присутня у його поясненні «рефлексивної рівноваги» та «розумності», а також зауважено схожість Роулза з Оукшоттом. Зрештою, у цій статті стверджується, що сила Роулзової позиції полягає не в тому, що сформульовані ним принципи справедливості встановлюються раціональними агентами у вихідній позиції, а в тому, що вони є принципами, які породжені й співзвучні з ідеями, що глибоко вкорінені у самій західній традиції.

**Ключові слова:** раціоналізм, релятивізм, теорія, практика, свобода, рівність, традиція, Джон Роулз, Майкл Оукшотт.

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