

The Wednesday



Weekly Magazine of the Wednesday Group - Oxford

Editorial

The Philosopher and the Sage

We discussed the plane of immanence last week. We said that it is not conceptual but that which makes concepts possible. On the other hand, the plane does not have existence apart from the conceptual structure that it gives rise to. It is defined by the concepts that occupy it, but it is not a concept. But if the plane is not conceptual, how is it possible to talk about it? One way is to say is that we can only talk about it figuratively (or symbolically) but this idea has been rejected by those who take thinking to be conceptual, discursive and connected with states of affairs or facts in the world.

Deleuze makes the distinction between the sage and the philosopher. He thinks that the Greeks created the word 'philosophy' to distinguish the Philosopher from the Sage. The first dealt in concepts the latter in figures. He thought the sage was an Oriental concept. A similar idea comes from Antony Flew in the preface of his book *A Dictionary of Philosophy*. Flew compares the thoughts of Chinese sages with the Greeks. He says: 'The *Analects* of Confucius and the *Book of Mencius* are both splendid, of their kind. But neither sage shows much sign of interest in the sort of question thrashed out in the *Theaetetus*.' The *Theaetetus* is Plato's long dialogue on knowledge.

In a discussion of determinism, Flew gives another example to show that the sage does not present 'argument of any sort'. His example is that when 'Mo Tzu speaks of the Will of Heaven and when he repudiates fatalism, he does not attempt to analyse these concepts. What he offers as support for his preferred doctrines is an appeal to either his authority or that of the Sage King, or else he points to the unfortunate practical consequences of people holding views alternative to his own.' Flew goes on to compare that with Aristotle's

discussion of the problem of the sea-fight and whether the outcome has already been fixed or not, in his *De Interpretation*: 'Here he (Aristotle) first presents a philosophical argument for fatalism and then dismisses it on the basis of his own counter-argument to show...that it is invalid.'

The Sage in the Orient is connected with religion (or Prophethood). The Sage talks to the people in a language they understand (sensible and non-abstract). Perhaps, he wants to convert them to his belief. The Philosopher on the other hand is in the business of examining other people's beliefs. He is a Socrates in the market place making people doubt their beliefs and doesn't claim a knowledge of his own. He doesn't want to convert but to free others of their common assumptions.

Chris Seddon of our group pointed out that the philosopher and the sage may arrive at the same truth. For example, Socrates says: 'The wisest is he who has realised like Socrates that in respect of wisdom he is really worthless' (*The Apology of Socrates*) and Lao Tzu says: 'One who knows does not speak; One who speaks does not know' (*Tao Te Ching*). This suggests to me that both the philosopher and the sage get to the same truth in two different ways, the first conceptually, the second intuitively, imaginatively and non-conceptually. If the plane of immanence is non-conceptual and comes to exist with the creation of concepts within it, this suggests that there might be a closer connection between the philosopher and the sage than Deleuze and others think, or we can go further and suggest that sagacity has priority over philosophy. It suggests the coming together of imagination, art and conceptual thinking.

The Editor

Why Does Law Need Philosophy?

A Personal Note

Philosophy of law is a branch of philosophy and jurisprudence that seeks to answer basic questions about law and legal systems, such as ‘What is law?’, ‘What are the criteria for legal validity?’, ‘What is the relationship between law and morality?’, and many other similar questions. I will be dealing with question of justice and will be concerned with the strategy of denying, attacking and reversing victim and offender (DARVO) in state institutions with some references to Hegel:

DR. ALAN XUEREB

In my MPhil thesis I have focused on the relationship between unjust laws and unconstitutional Acts. (See Xuereb, Alan (2003) M.Phil. Thesis ‘*The Relationship between Unjust Laws and Unconstitutional Acts*’, University of Malta.) The arguments in the thesis revolved mostly around the concept of justice. I tried in that document to create parallelisms between what the principles of justice mean to me and what constitutions (mainly the Maltese constitution) legally implement from those principles. It somehow all boiled down to the Rule of Law and human rights.

Today I feel that there can be no real justice unless the laws of a community are not aligned with the criteria of the common good. So on a spectrum gauging the justice and injustice levels of a society, the further a society and its laws drift away from the common good, the closer they would get to becoming unjust laws. Without going too deep into the concept of common good at this juncture, it suffices to describe the common good as the establishment of a framework of conditions which mainly ensures:

- the proper coordination of certain human activities, whilst, at the same time,
- protecting and fostering the citizens’ intrinsic and irreducible basic values (of life, knowledge, friendship, practical reasonableness etc.), non-exhaustibly and non-exclusively in the form of their fundamental human rights and freedoms and,
- in so doing, to foster their over-all individual flourishing.

This rule of thumb exists in an environment where all individuals have equal rights and duties. A logical consequence of this arrangement is that whatever hinders such equality of rights and duties, ought to be regarded as interfering with the environment fostering the right conditions for the common good to subsist. The common good becomes less possible, and all that is left in that community are laws that are promulgated through a written procedure but not serving the common good. They would be serving the interests of whoever has the executive power. So a government that has the ability to pull the right strings or that takes a laissez-faire attitude towards activities so reducing this



The prison cell of Socrates

equality of rights and duties is guilty of moving away from its duty towards establishing this environment where the common good can subsist. In so doing, it would be legally (and morally) suffocating the common good itself.

What I'm trying to get to here is that either (a) by allowing loopholes in the system; and/or (b) by adopting a laissez-faire attitude and/or (c) by covering up and/or taking part in practices that are tainted with corruption; governments are responsible for the crippling of the conditions bestowing equality of rights and duties on citizens. The rule of Law ensures that such rights and duties are bestowed equally without preferences or differences on all individuals. Corruption does not only destroy the fabric of a democratic legal society, it devours and re-engineers that same fabric. It creates new societal skin that becomes like scar tissue that is harder to shed.

Corruption in any one of the three ways (a), (b) and (c) mentioned above, or a combination thereof, does exactly the opposite. It creates

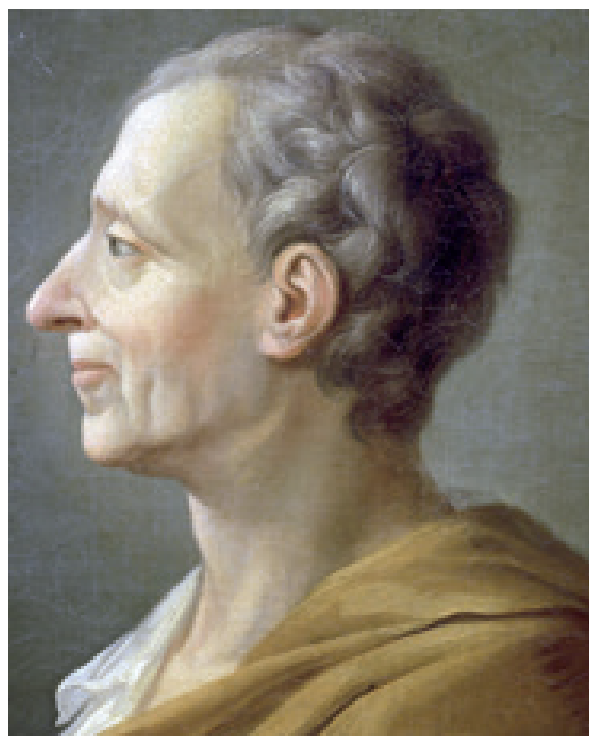
preferences whether knowingly or negligently between citizens. Crippling this equality, cripples the rule of law, which in turn, cripples the possibility for the existence of the conditions for the common good. This leads, in time, to an internal institutional collapse. That is, if this situation perseveres for long enough it might lead to a cultural shift. This shift would take decades to eradicate if at all. I feel that philosophers of law should address the whole gamut of issues mentioned above in some detail.

What Is Corruption?

The causes and effects of corruption, and how to combat corruption, are issues that have been very much on the national and international agendas of politicians and other policymakers in recent decades. Moreover, various historically influential philosophical works, notably Plato's *Republic*, Aristotle's *Politics*, Machiavelli's *Prince* and *Discourses* and Montesquieu's *Spirit of the Laws*, have concerned themselves with political corruption in particular, albeit in somewhat general terms.



Machiavelli



Montesquieu

For these philosophers corruption consisted in large part in rulers governing in the service of their own individual or collective—or other factional—self-interest, rather than for the common good and in accordance with the law or, at least, in accordance with legally enshrined moral principles.

Reverse Victim and Offender

DARVO refers to reaction perpetrators of wrong doing may display in response to being held accountable for their behaviour. DARVO stands for Deny, Attack, and Reverse Victim and Offender. DARVO is a gas-lighting tactic to shift blame.

While the area of academic study on this response has been focused on sexual abusers in intimate relationships, it does happen on a much broader scale. It is a tactic of manipulation so broad that most people in the developed world encounter it on a daily basis just by looking at their smartphones.

The perpetrator or offender may *deny* the

behaviour, *attack* the individual doing the confronting, and *reverse* the roles of *victim* and *offender* such that the perpetrator assumes the victim role and turns the true victim - or the whistle blower - into an alleged offender.

This occurs, for instance, when an actually guilty perpetrator assumes the role of ‘falsely accused’ and attacks the accuser’s credibility or even blames the accuser of being the perpetrator of a false accusation. Does this sound familiar to you?

This is a well-planned strategy. It is not just an individual reaction to a specific situation. In politics all around the world, these people have an army of strategists and experts who are constantly monitoring the situation and whose sole purpose and aim is to plan a counterattack against any attack. (Freyd, J.J. (1997) Violations of power, adaptive blindness, and betrayal trauma theory. *Feminism & Psychology*, 7, 22-32.)

Freyd explains that DARVO responses may be effective for perpetrators. She states:

‘...I have observed that actual abusers threaten, bully and make a nightmare for anyone who holds them accountable or asks them to change their abusive behavior. This attack, intended to chill and terrify, typically includes threats of law suits, overt and covert attacks on the whistle-blower’s credibility, and so on....’

Professor Freyd states that the wrong-doer rapidly creates the impression that the abuser is the wronged one, while the victim (or concerned observer) becomes the malefactor. Figure and ground are completely reversed. The offender is on the offensive and the person attempting to hold the offender accountable is put on the defence.

By denying, attacking and reversing perpetrators into victims, reality gets even more confusing and unspeakable for the real victim. These perpetrator reactions increase the need for betrayal blindness. If the victim (or a concerned third party) does speak out and gets this level of attack, he quickly gets the idea that silence is safer. Silence is the one thing that should be avoided at all times. This does not happen exclusively on an individual level. It does happen in defilement, rape and sometimes corruption cases, but this happens on a wider scale as well. In politics for example, where as I have already stated the whole fabric of society itself is at stake.

DARVO is not a new political strategy; charlatans have been using these manoeuvres for millennia. The ancient Greeks knew them by the name of Sophists (or demagogues), with the modern definition of sophistry being ‘using information to deceive.’ From Plato’s noble lie to Machiavelli telling the prince he should be a ‘great pretender and dissembler,’



Simon Gächter

it is used because it historically works. But that does not make this form of informational warfare morally right.

Plato provides a constructive warning. Although he was no fan of the democracy that he witnessed in fourth century Athens, he did think democracy was a great deal better than tyranny, and in Republic 8 (562b-569c) he provides a chilling account of how democracy can be subverted into tyranny by an opportunistic demagogue, rule by the people swiftly degenerating into manipulative leading of the people.

‘The demagogue gains power by democratic means, claiming to be a champion of “the people” and making wild promises; in particular he offers intoxicating quantities of the neat spirit of independence. Anyone who opposes the demagogue is labelled an “enemy of the people” and exiled or

killed. Such tactics naturally create genuine enemies, and the demagogue quickly acquires a large bodyguard, and eventually a private army.'

The issue then becomes very delicate and pragmatic. For those opposing a corrupt government it becomes next to impossible to have a neat fair fight. There's no point in winning the election when everything is in shambles.

Needless to say in many nations of the Western world, but not only the West, corruption has become the order of the day. The more one tries to accuse the more the accuser becomes the abuser. Is there a way out of all this confusion? Out of this democratic pandemonium? Is there a way of avoiding the abuser (sometimes actually a criminal in power) appearing as a victim and the accuser appearing as an abuser? Well, there might be, but it is a rocky road.

The Rocky Road: Fighting Corruption

The scientific findings mentioned earlier on imply that highly corrupt countries may be difficult to change because their citizens have been shaped by norms that permit dishonesty. Yet there is also a positive practical implication. Rather than tackling corruption by targeting institutions, we might do better to aim at young people. Changing formal institutions will be hard, but institutions rely on people. Here I hear Hegel's voice shouting out loud. Hegel took a very positive view of institutions and of the power they can exert. The insight of an individual might be profound. But it will be ineffective and transient unless it gets embodied in an institution.

The point is that for ideas to be dynamic and real in the world a lot more is needed than that they are correct. This was a point Hegel made repeatedly in different ways. In order for an idea to be significant in a society it needs personnel and structures and legal advisors.

Institutions allow for the scale of time that big projects need – much longer than the maturity of one individual.

The essential function of an institution is to make the major truths powerful in society. However, one has to admit that if an institution loses its way when it stops having a profound mission then it's time for that institution to change. What I'm proposing here is that sometimes putting different people in the same institution might help that institution change. At first, perhaps, it would change slightly, in a *de facto* manner. But then, hopefully, and eventually it would change *de jure*. The change becomes legally binding. Deception is common in nature and humans are no exception. Modern societies have created institutions to control cheating, but many situations remain where only intrinsic honesty keeps people from cheating and violating rules. Psychological, sociological and economic theories suggest causal pathways about how the prevalence of rule violations in people's social environment such as corruption, tax evasion, or political fraud can compromise individual intrinsic honesty.

A Shady Government And Its Citizens

A number of studies have shown that seeing a peer behave unethically increases people's dishonesty in laboratory tests. What is much harder to investigate is how this kind of influence operates at a societal level. But that is exactly what behavioural economists Simon Gächter of the University of Nottingham and Jonathan Schulz of Yale University set out to do in a study published in March 2016 in *Nature*. Their findings suggest that corruption not only harms a nation's prosperity but also shapes the moral behaviour of its citizens. The results have implications for interventions aimed at tackling corruption.

The long-term solution is to prepare a generation of young people who do not accept



this instant gratification politics. Who would believe in the institutions and who would have the backbone to stand up and be counted? We are at the crossroads of history. I write this with great responsibility. There may come a rupture point at which there will be no turning back.

Fiat Justitia Et Ruat Caelum

(let justice be done, though the heavens fall)

The results I referred to previously are consistent with theories of the cultural co-evolution of institutions and values and show that weak institutions and cultural legacies that generate rule violations not only have direct adverse economic consequences but might also impair individual intrinsic honesty that is crucial for the smooth functioning of society.

The legal philosopher then asks the question: What must be done? On the one hand, as already mentioned, remaining silent does not play out well, since one may appear complacent with what is going on.

On the other hand, denouncing this illegality every day may not go down well with the public, since one might risk having what psychologists call “alarm fatigue”, desensitization of the public to any uproar in politics. People get used to this and they start

getting bored of it. Trying to contain the fire sometimes makes it burn even brighter.

As already said working on the future generations will prevent (hopefully) further damage. Hence, one has to attempt to re-establish the right conditions for the common good to root in. In the meantime, the following may help to ease the chaos:

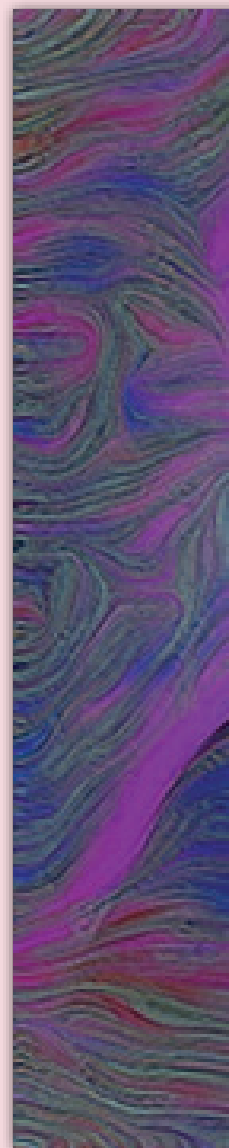
First step: one needs to document all lies, all fake news, all half-truths. There will emerge a pattern. Second step: one has to reorganise these emerging patterns and categorise them. Third step: an ongoing strategic, systematic, all-pervading, internal and external campaign to uncover these patterns. Final stage: retorsion with plain truth facts, tangible examples and consistent but elegant repetition!

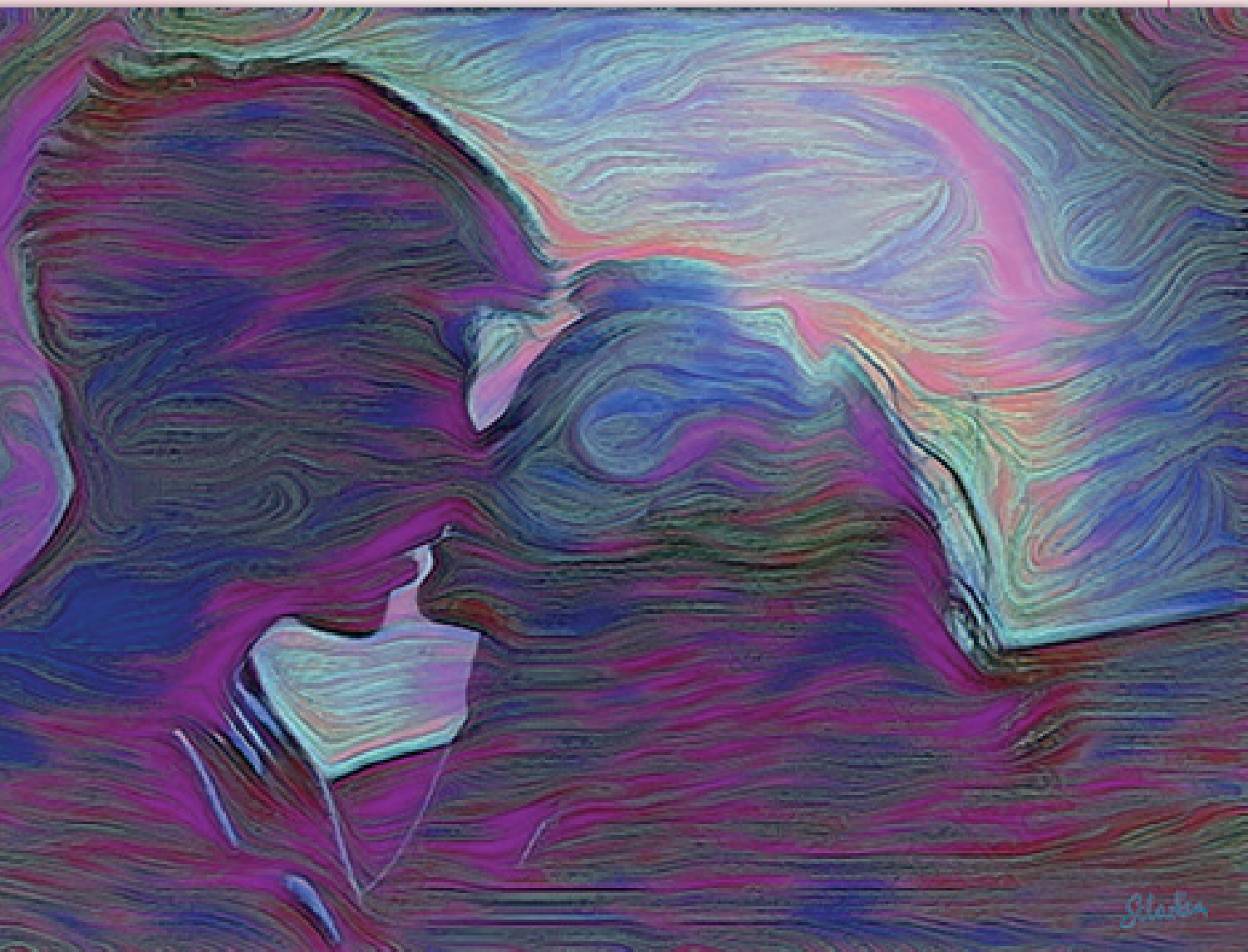
Concluding Reflections

Being good is not enough, one must be ready to do the right thing, what needs to be done. Time is of the essence. However, then, as Hegel would put it in German ‘Keine Panik’. According to Hegel’s dialectic of history, this is probably the anti-thesis phase playing out. And progress, according to him, is always a messy business. The next stage of our evolution is the synthesis, where balance is achieved. Hegel gives us hope.

Infidelity

I play your anger back to me at night,
those words you said, with or without intent.
For passion meets in love and hate, not white
or black but grey, and tough to understand
these sentences, harsh in their accusation
to prove my guilt bleeding like love-bite roses
along my neck, which, without hesitation
you gave me, when you swore me faithfulness
and now pursue this aimless path of doubt,
that sulks in silence, in a morbid way.
I duck it as to sink or swim, don't shout
and wait in patience, as if to delay
the final act, that gives your game away,
when you admit, your wife has found you out.





Poem and Artwork by *Scharlie Meeuws*

In Search of *The Master and His Emissary*

Notes of Wednesday Meeting Held on 10th April 2019

Ian McGilchrist* created a lot of discussion when he published his book *The Master and His Emissary* ten years ago and the debate still going on. It has been re-published this year in a paperback edition. We thought it is worth having a debate on it in our group and get the readers informed about the book.

PAUL COCKBURN

Barbara Vellacott started the meeting by giving us a talk on the book *The Master and His Emissary* by Ian McGilchrist. The book describes the differences between the left and right hemispheres in the human brain. The simple version of the argument, that the left hemisphere is often associated with the rational and masculine, the right hemisphere the emotional and the feminine, is in fact wrong in many aspects. In fact, it is more complex - the left side focuses on detail, deals with abstraction, language, forms and anger. The right side sees the whole, deals with embodiment, is more open and creative, and deals with empathy and joy.

Injuries to the brain can lead to behavioural and mental problems. Injuries to the right side of the brain lead to people focusing only on detail, they cannot see the whole picture. They may also find listening to music difficult. Injuries to the left side can cause language difficulties, but interestingly this may not affect the words in songs.

Thinking may be rational, but it may also be based on our desire to communicate. Within the brain, the left and right hand sides communicate with each other via the corpus callosum, a structure within the brain that transmits neural message. The right side of the brain is used for the music of a song and the words could be added by the left-hand side, by means of traffic between the two sides using the corpus callosum. This traffic across the brain could be crucial for mental health, for instance autism and schizophrenia may be associated with problems with the corpus callosum

limiting effective traffic between the two sides of the brain. The two sides of the brain may not be in conflict, rather the messages between them are blocked in some way.

In terms of philosophy, there is a view that the pre-Socratic ancient Greeks for instance tolerated paradox better than we can in the modern era, they understood nuance, things are not black or white, right or wrong. McGilchrist thinks that in Plato's philosophy however the left-hand side of the brain 'took over', with reason and truth in argument triumphing over intuition and metaphor. The Socratic method uses logic to disprove common-

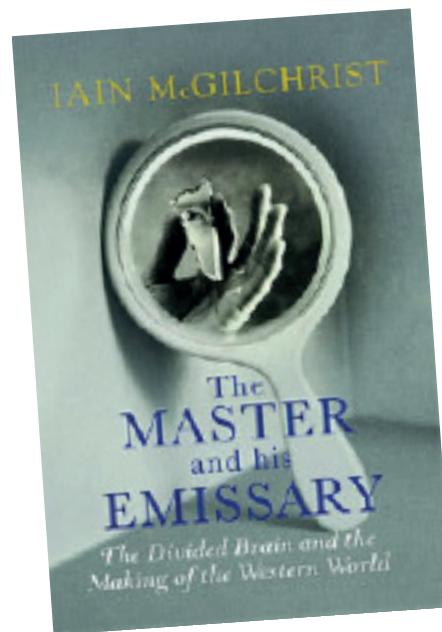


Barbara Vellacott

sense notions that people may have, by showing the logical contradictions flowing from the basic premises they hold. This ignores the possibility that the unreasonable can be wise, and the meaning of myth is devalued. 'The phenomenal world of the senses yields only deception: the ideas of things come to be prioritized over the things themselves.... The ideal table in the world of Eternal forms has priority over the myriad actual tables in the everyday world'. This logical left-side hemisphere Platonic vision has had tremendous influence McGilchrist thinks.

Things get worse with Descartes. His mind/body divisive split privileges thinking, the left-hand side of the brain. He did not ignore the emotions, but 'thinking' was taken to be more important. With the Enlightenment and Reformation, the 'word' became more important. The story is long and complex, but we now live in a fragmented world. As William Blake wrote, without imagination, embodiment and emotion, reason is dead. We need to retain openness to what is bigger, not be buried in detailed analytical focus. There is always something more, something bigger: we need to develop the whole human.

We discussed how these ideas relate to Jungian psychology, and the Myers-Brigg personality testing which developed from it. Jung speaks of individuation, the development of a mature psyche. It involves developing what is undeveloped, becoming integrated as a self. We tend to develop particular skills, particularly when we are young, and move to develop other skills as we get older. It



is perhaps not good to be a 'one-trick' pony!

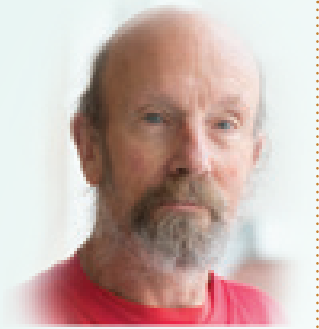
Is the left/right hemisphere theory an over-reaching grand narrative? There is also an up/down axis in the brain surely, with the primitive instincts perhaps being in conflict with the civilized, and perhaps the social. Violence and anger are still in the picture!

For McGilchrist, the right hemisphere is 'inclusive, both/and...integrative', realizing the need for the left hemisphere. But the left hemisphere is 'exclusive, either/or, fragmented, ...and unaware of what it is missing'. A unified harmonious whole seems to be the goal, along with accepting ambiguity, and truth being multi-layered. He applies his theory to culture and history in an interesting way.

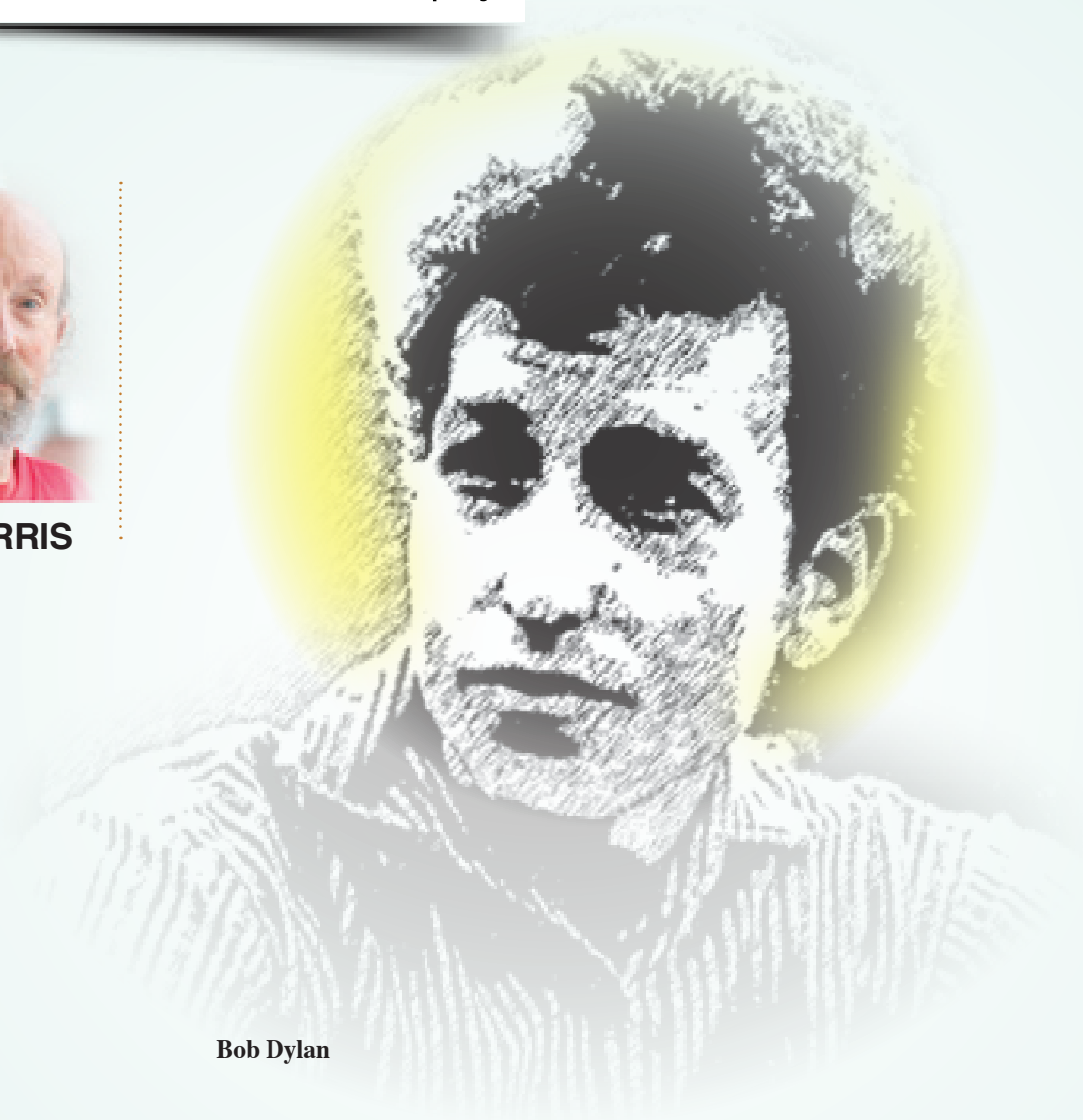


* Iain McGilchrist is a psychiatrist, writer, and former Oxford literary scholar. He read English at New College, Oxford, but having published *Against Criticism* in 1982, he later retrained in medicine and has been a neuroimaging researcher at Johns Hopkins University in Baltimore and a Consultant Psychiatrist at the Maudsley Hospital in south London. He now lives on the Isle of Skye, off the coast of Scotland.

'Blowin' in the Wind': a reply



CHRIS NORRIS



Bob Dylan

There ain't too much I can say about this song except that the answer is blowing in the wind Too many of these hip people are telling me where the answer is, but oh I won't believe that. I still say it's in the wind and just like a restless piece of paper it's got to come down some time . . . But the only trouble is that no one picks up the answer when it comes down so not so many get to see it and know it . . . and then it flies away again.

Bob Dylan

(can be sung to the tune of "Blowin' in the Wind", with refrain replaced by last couplet of each verse)

Well you say there's no message to find in your song,
No take-away message to share,
For the wind it blows weak or the wind it blows strong,
And the paper may blow anywhere.
Yes you say that the answer's just twirling along,
Like a question that floats in the air,
For it may turn up right and it may turn up wrong,
And we're all second-guessing what's there.

Now you tell us we shouldn't want songsters who sing
Words of wisdom for people to hear,
And that if listening to you should teach us one thing,
Then it's not to want everything clear.
Yes, you say there's no way that your lyrics can bring
The big tidings we hope for or fear,
'Cos your words are still whirling, they're still on the wing,
Try to catch them and they'll disappear.

But there's stuff to be fixed and there's stuff that can't wait,
And we know that the clock's ticking fast,
And the message needs sending before it's too late,
And we've got to take action at last.
For the times they're a-changin', I'm telling you straight,
Put your bets in before the die's cast,
For the preachers are out and they're preachers of hate
With a swastika nailed to their mast.

Poetry

Yes, and what if the wind brings ill news from afar,
News of hurricanes, famine, and drought,
With the message: no matter how lucky you are,
Won't be long before your luck runs out.
For it's bad times a-comin', beneath a dark star,
And the omens are seen all about,
And the cure will take more than a voice and guitar
If the voice sings of nothing but doubt.

For your words speak of suffering, your words speak of war,
Of the people who suffer and die,
And of freedom as something it's worth fighting for,
Like a long-promised glimpse of the sky,
And of roads stretching out like the choices in store
When you don't have some light to steer by,
Yet your song says 'get wise, it's the luck of the draw'
And no business of ours to ask why.

But there's times when your message can toss in the breeze,
And there's times when you'd better speak plain,
And there's no time for hedging in times such as these
When the fascists are marching again.
For it's 'no passeran', the one message to seize,
And it's coming on fast, your 'hard rain',
And the wind blows too strong for you minstrels to tease
With a paper-chase always in vain.

Knowledge and Skepticism

DAVID JONES

• The Community of Knowers

The experience that another person can understand something in a similar way to oneself, at least to some extent, is demonstrated in every successful act of communication. This observation enables a person to appreciate the distinction between privileged and private experiences which are not accessible to others, and those others which indicate that we enjoy some degree of spiritual or intellectual community with other 'knowers'. To deny the distinction would amount to a contrived denial of the reality of other human beings and of the reality of how they do share a conceptual realm in a community of intuitive experience. Such denial cloaks a wish to treat the world and everyone in it as something for one's own consumption.

• Negative and Positive Skepticism

One way of thinking about skepticism is to argue that thinking does not lead to knowledge but only to an illusion of knowledge. There is an inconsistency in making a reasoning argument against a claim that thinking can lead to valid knowledge because such an argument would itself presuppose the validity of reasoned thinking. This type of skeptic cannot validly use reason to argue for this view. However, another way of interpreting skepticism is to point out that observation and reasoned thinking do lead to knowledge but however much knowledge the knower acquires there is always more to find out that is not yet known.

• The Subject Which Observes The Object

It would be helpful if the use of the term 'subject' was restricted to the relation between 'subject' and 'object' denoting the 'subject' as the entity that is observing the 'object'. From this it follows that an observing person can make particular kinds of experience that would conventionally be classified as subjective, such as a particular dream or desire, in recollection, the 'object' of their observation.

When a 'subject' observes an 'object' *the manner of their observation will have particularity*. For instance, the observing might be restricted to what can be quantified mathematically. In this case such a restriction of the manner of observation should be understood as a 'subjective' aspect of the observation because it enters into the observation from the observer's (subject) way of observing.

• The Personal Subjective And The General-Human Subjective

When speaking of the 'subjective', it is also necessary to make a distinction between the subjective factors that arise from the particularity and comportment of the single observer and the general particularity of what might be called 'the human way of knowing'.

The Wednesday

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Plato's Theory Of Forms



The first step is to distinguish the form FNESS from the many F things.

There is a muddle of objects that need me to sort them.

Is that an **Fness** of beauty that I can pick out from each of them?

So **F** is the shadow I can reach out and find.

The **F** draws me, I yearn to focus on it alone.

I dismiss the objects as empirical trivia.

But when I look up there is nothing there but my memory
of the objects that moved me. The only form to discover
is the **Fness** of things in the world before me.

Yet nothing in the world would have meaning
without **Form** shaping appearance.

David Burridge