ISSN 2516-2292 (Online)
ISSN 2516-2284 (Print)

Issue No. 186 03/01/2024

The *Wednesday*

www.thewednesdayoxford.com

Magazine of the Wednesday Group - Oxford

Editorial

Beyond The Mask

I have once before written about philosophy and masks, but with the intention of moving beyond the masks. Masks seem to be the property of theatre and literature. In fact, philosophers who adopted this style used it in a fictional way. Plato used Socrates as a mask for his dialogues, and Nietzsche used Zarathustra for his philosophical novel. More generally, philosophers sometimes hide behind other philosophers to express their own views, as in writing a commentary or writing a biography. However, some philosophers adventure beyond the mask and present their own ideas. But we are seeing less and less of these philosophers, because such a work will necessarily involve a vision, originality, experimentation, and courage: courage in the sense that the ideas presented may change over time, they may be revised, transformed, or abandoned in favour of a new start.

A friend of mine pointed out that Deleuze for example is an original thinker, and that we do not have very many original thinkers compared with commentators, especially in the academic environment and publications. I do readily agree, and in fact I had Deleuze in mind when I thought about the idea of the mask and the need to go beyond it. On one hand, it is not surprising to see Deleuze using other philosophers as a mouthpiece for his ideas, such as Spinoza on whom he wrote his excellent thesis, Leibniz, Bergson, and also Kafka and Foucault. But Deleuze wrote on them from his own perspective; for example, he interpreted Nietzsche to fit his 'system'. For example, his interpretation of the active / reactive dichotomy, and the idea of eternal return. The eternal return, in Deleuze's interpretation, is not the return of the same, but as transformed. Even Nietzsche's conception of what philosophy is, was presented to fit Deleuze's idea. The idea of philosophy, according to Deleuze, is to fight stupidity.

On the other hand, Deleuze is an original thinker. Part of his originality is that he was not cut off from other disciplines and culture in general. His close collaborator, Felix Guattari, was interested in psychology and literature, and Deleuze was interested in Antonin Artaud's theatre and writings. His interest in art can be seen in his original book on Francis Bacon. This book demonstrated what, in his view, art is and what it should be. If others take a work of art to be subjective expression, from the feeling of the artist or from the perspective of the spectator, Deleuze thought that an artwork is a Being of Sensation – it has a life of its own and grows in its own spontaneity and freedom beyond a set, intentional formula. Deleuze's interest in cinema and his extensive work in this field brought this art medium into philosophical theorising and created wide interest in film and philosophy. Beside these literary and art interests, he was keen on mathematics, architecture, biology, sociology and radical political philosophy.

Deleuze moved beyond these masks and was already working his own ideas in *Difference and Repetition*, *The Logic of Sense*, *A Thousand Plateaus* and *What is Philosophy?* In such a move beyond the mask, Deleuze entered into new ground with an experimental sense and a new vocabulary. He introduced into philosophical discourse terms such as 'the image of thought', 'the plane of immanence', 'war machines', 'pure immanence', and 'nomadic thought'. The experimental nature and vocabulary may have changed over time, such as abandoning his idea of 'the image of thought', but this did not invalidate the power of this original idea. It has its place in the realm of thought, and it may one day be taken up, or modified, by other thinkers.

It is worth mentioning that in philosophy, unlike science, ideas will have a place in the realm of thought even when they have been abandoned by their authors or contemporary philosophers. For example, Hegel said of his contemporary philosopher Schelling, that Schelling had conducted his philosophy in public. That is, he was experimenting with his thought. Xavier Tilliette rephrased this by saying that Schelling's thoughts were always in a process of becoming and never finished. I do not see these descriptions of Schelling's thoughts, or the thought of any other experimental philosopher, as an argument against him. I think it is in the nature of original work, one that goes beyond the mask, that it is in the process of becoming.

A becoming, experimental philosophy is the very nature of vision and originality. All changes along the way are preserved in the realm of thought, to be visited by other thinkers for centuries to come. They are a source of inspiration and enlightenment.

The Editor

The Necessity of Friendship

For the last four years, we have followed a tradition of dedicating the first Wednesday meeting in December to the theme of Friendship. This paper by *Jeanne Warren* was presented to the meeting held December 6th.

JEANNE WARREN

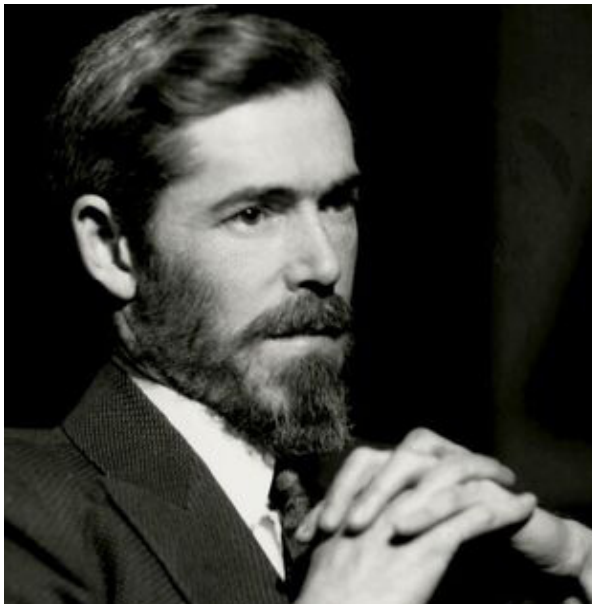
The word 'friendship' has a variety of meanings. I want to consider some ideas which underlie positive rather than negative relations between people in a society. Within this framework, friendships between particular individuals can flourish. Friendship involves the feelings, and the place of emotional development in our society is another point I will address. Underlying all my points is a conviction that human life is most fulfilling when it satisfies our deepest longings for freedom, creativity, and connection with each other in a secure and meaningful environment. In my view, some of the most strenuous efforts being made at present – in space exploration and the development of artificial intelligence for example – are aimed at a different goal. The accumulation of wealth and knowledge will not make us happier if we ignore the conditions needed for friendship.

Philosophically, our Western tradition makes it hard to think the concepts which underlie friendship. Our tradition is individualistic and theoretical, whereas friendship is relational and practical. Post-Cartesian philosophies may eventually give due weight to the inherently relational nature of persons, if the psychological evidence that this is the case continues to mount up. People who enjoy solid friendships (which includes marriages and other family relationships) almost invariably rate them as among the most important aspects of their lives. One of the few systematic thinkers who has made the nature of persons the foundation of his philosophy is John Macmurray. He summed up his thinking as, 'All meaningful knowledge is for the sake of action, and all meaningful action for the sake of friendship' (Introductory section of *The Self as Agent,* 1957). In the present talk, I will consider his ideas about the feelings, just noting here that he considered the foundational unit of the personal to be 'You-and-I', from which the 'I' is derived, rather than 'I', which can be glued to another 'I' to form a 'We'.

Friendship and the Meaning of Life

Friendship gives our lives meaning. Sartre said, 'Hell is other people,' but Heaven, also, is other people. It's just that other people are problematic and we can't control them. We connect with them, which is different. We find meaning in connection. Fear inhibits connection and leaves us isolated. The opposite of fear is love, which opens us up and enables friendship. We know that there are varying degrees of openness in friendships, which extend from a rather casual connection to deep sharing. Here are two examples:

The 20th century Jewish writer and thinker Martin



John Macmurray

Buber, author of *I and Thou*, was deeply concerned with the 'philosophy of dialogue', as it is sometimes called. He cites an experience of his own from which he learned the difference between superficial and genuine connection:

'One forenoon, after a morning of "religious" enthusiasm, I had a visit from an unknown young man, without being there in spirit. I certainly did not fail to let the meeting be friendly .... I conversed attentively and openly with him – only I omitted to guess the questions which he did not put. Later, not long after, I learned from one of his friends – he himself was no longer alive – the essential content of these questions; I learned that he had come to me not casually … but for a decision…. What do we expect when we are in despair and yet go to a man? Surely a presence by means of which we are told that nevertheless there is meaning'. (*Between Man and Man*, Macmillan, 1965, pp. 13-14.) Buber goes on to connect the experience of genuine dialogue with genuine religion.

The second example comes from a recent TV series of programs about Northern Ireland (BBC2, 'Once Upon a Time in Northern Ireland', 5 episodes, broadcast 22 May – 19 June, 2023). The interview is with a Northern Irish Catholic man, who as a boy got in the way of a rubber bullet fired by a British soldier during the Troubles and as a result became blind. As an adult, he decided he wanted to try to meet this soldier. This occurred, and now they have become friends and meet for lunch every so often. The soldier was able to explain that he had been firing at a group who were trying to force their way into a building. His conscience was clear that he was doing his duty. The soldier said that the Northern Irish man was a very special person. Indeed, the ability to overcome such a barrier requires an unusual degree of trust and openness, and it is amazing that the effort was made. In the end, both men benefitted from a relationship which they clearly enjoyed.

Emotional Reason

Friendship requires forbearance of others' faults and differences. It also requires honesty, especially emotional honesty or sincerity. I want to look for a moment at John Macmurray's philosophical ideas about emotional reason, because they are not widely known but are, I think, coherent and credible. They counter the commonly held view that feeling is never anything but subjective and unreliable.

This summer I read a newspaper article by Rebecca Solnit, a well-known writer, on the subject of hope, during the course of which she says, 'Feelings deserve full respect as feelings, but all they inform you about is you' (*The Guardian* 29 July, 2023). I see what she means in the context of the article, but it is unfortunate that she is perpetuating the view of the irredeemable subjectivity of feelings. Do our thoughts only tell you about ourselves? No, they can be about something, and they can tell us about it. Similarly, Macmurray asserts, feelings can be about something, and they can tell us about it – at the most basic level, is it to be sought or to be shunned? Just as not all thoughts are rational, not all feelings are rational, but some are. What determines the rationality of a thought or feeling? Simply, the degree to which it understands or evaluates the thing thought or felt about, without being infected by prejudice or carelessness. We educate our thinking, not wishing to entrust our complex civilisation to the ignorant. But we do not educate our feeling. Below I give an example of a school that undertook to do that, through its program to improve behaviour.

Another phrase for emotional reason (a contradiction in terms, some would say) is emotional maturity. But its acquisition is more complicated than learning to read or to do maths, and it does not figure in the school curriculum. Macmurray says that the first thing we have to learn is to know what we actually do feel, rather than to repress our feelings. That is, we have to cultivate sincerity in our emotional life. Much more common even today is the encouragement of emotional insincerity, the resort to ignorance or pretence.

Such disregard for the integrity of one's emotional life was widely practiced when I was young. My own parents were people of unwavering intellectual integrity, scrupulously honest in all their dealings. But, especially in the case of my father, they often remained

strangers to their own feelings. One particular example I remember is from my early teens, when we were living abroad. The American families in Bangkok knew each other and in one there was a girl, a few years younger than myself, whom my father thought I should befriend. I wasn't averse to having her over once, but I wasn't drawn to her. When my father suggested inviting her over again, I said I didn't particularly like her. His reply was, 'But don't you think it would make her happy to think that you did?'

Being brought up in this way was not helpful - I was being encouraged in dishonesty! Our culture has moved on, thankfully, and there is an awareness that repression and dissimulation do more harm than good, but there is more work to do to integrate this insight into our thinking. Macmurray's raising of the issue of the need for emotional honesty, on a par with intellectual honesty, may be one of his most important contributions to the philosophy of persons (See especially *Reason and Emotion*, 1935). The neglect by philosophers of this aspect of the person makes much discussion of ethics seem dry and mechanical to me. This is because feeling is left out, and without feeling there can be neither ethics nor friendship. It is philosophy's job to provide us with concepts which help our thinking. We do think about feeling, but in an impoverished way, because our commonly-held thought structures are based on the model of the isolated individual thinker, who may or may not emerge into social contact with others, instead of on a model of a feeling, connected person who sometimes withdraws into reflection.

Our lack of acceptance and understanding of our feeling nature is shown in our suspicion regarding our wants and desires, which we assume will be dangerous or at least unhelpful. In fact, they are essential to our own power. Of course, it is not as simple as 'just let everybody do what they feel like' in society at large. People need to learn to manage their feelings as they do their actions. But people need to be encouraged to feel for themselves, just as they are encouraged to think for themselves. Legal constraints on behaviour will still be needed. But if we have faith in freedom of thought – which we do – we can also have faith in freedom of feeling. The more we can learn to allow our feelings to have contact with reality, rather than ignoring or suppressing them, the better equipped we will be to make good decisions, based on good evaluations, for it is our feelings which value.

Friendship and Society

On an individual level our friendships are partly a matter of luck. But more broadly, society can make it harder or easier for people to trust each other rather than to fear each other. This broader meaning of friendship demands justice and security. It also requires opportunities for people to get to know one another. Though this happens informally, social structures can make it more or less difficult. I am thinking particularly about the current emphasis on technology rather than people to carry out tasks in society. There seems to be a peculiar blindness

Old friends

to the value of people with roles in the social landscape. There is a preference for a machine, which can be controlled, rather than a person, who has to be managed (and paid). But the downside to this is that by trying to avoid the complexities of people, we miss out on the benefits of them. Our philosophy has little to say about the value of people, I sometimes think. I trace this back to its individualism.

I want to give an example of person-friendly practice in education, which I read about some 30 years ago (*Changing our school: promoting positive behaviour* by Highfield Junior School, Plymouth, 1997). A junior school (Years 3 to 6) on a big housing estate in Plymouth, in which almost half the children had learning and other difficulties, was having problems with disruptive pupils. A new head teacher brought ideas for new ways of working, and after five years the changes were dramatic. Initially she was able to gain control and create boundaries. Once this was achieved, she began to introduce new ways of developing more positive behaviour. Everyone was included – teachers, other staff, children, parents, governors. Keys to success were that everyone felt included and valued and relations between all were open and honest. A central technique was class Circle Time, a technique used in other schools but with some differences. In Circle Time, which happened at least once a week in each class, all the children and the teacher sit in a circle on the floor. Only one person talks at a time, and what is said must be kind and not hurtful but also truthful. Circle Time can be used for many purposes, including making decisions, exploring feelings, and dealing with problems of discipline. It is a chance for the class to get to know one another and for each member to feel valued and respected.

Children were given a real say in drawing up school rules, and the teachers were pleasantly surprised with the sense of responsibility the children showed because they had a sense of ownership of the rules. There were informal and more formal ways in which children could help each other to behave well. Some children were 'mediators' or 'guardian angels'. Problems were dealt with in Circle Time in a way that encouraged children to examine their own feelings, sometimes learning new names for them. Some problems affected the whole school, and a School's Council was set up, to which classes sent representatives, and which functioned as a whole school Circle Time. The children proved themselves capable of dealing with many issues which had formerly taken up the time of teachers and the head. School became a place where children and teachers liked to be.

An OFSTED report said, 'Relationships at all levels are excellent,' and under the subject of English it said, 'Many of the pupils are competent and confident speakers and listeners. They are attentive, listen to instructions and respond well. Many can explain ideas clearly and logically and are encouraged to use specialist vocabulary'.

This approach – which I have only hinted at, leaving more questions than answers no doubt – depends on valuing each individual, and it aims, though it doesn't say so, at creating a community where love, rather than fear, predominates. It may seem too radical to some, which perhaps helps to explain why it has not been more widely adopted. Of course, it depends on good leadership, but there is a lot of that in schools.

I could have chosen the subject of healthcare for

an extended example, because here, too, personal relationships are more important than current theory allows. In particular, the relationships of GPs to their patients is a big ingredient in the success of the care they give, with benefits appreciated by both sides. For patients, I know from experience that having a GP who knows you saves time and gives reassurance, as well as being more pleasant. For GPs, to rob them of the opportunity to know their patients and instead present them with a list of 10-minute slots to 'treat' a succession of people, as if they were cars on an assembly line, robs them of their job satisfaction and may ultimately drive them out of the profession.

Friendship and the Economy

The way the economy is organised affects people in a social way as well as a material way. And the way society functions affects the quality of our relationships. Friendship is facilitated by sharing, it is hindered by greed. A fair economy has to provide for our needs, but it need not aim at the maximization of wealth. The purpose of economic well-being is to allow individuals to live in freedom and friendship. Yet our current economic theories emphasise growth and our society esteems wealthy individuals, even giving them knighthoods!

This autumn BBC Radio 4 chose *Adam Smith: What He Thought and Why It Matters* by Jesse Norman, as one of its books of the week (11-15 September, 2023). Adam Smith was interested in understanding how the commercial society which had replaced feudalism could lead to general prosperity rather than the enrichment of a few. He first wrote *The Theory of Moral Sentiments*, only later following it with *The Wealth of Nations*. His ideas are often caricatured today. He believed that capitalism needed to be regulated, and that a strong state was necessary in order to do this, to stop 'crony capitalism' from taking hold. For him, capitalism needed to serve society, not the other way around. There were dangers, he said, such as the commercialisation of public life, and the inhibition of empathy, especially for the poor. Society constantly evolves, and capitalism may need to evolve too.

We need to be aware that any tendency to think that markets, *in their present form*, represent the inevitable form of economic activity in a modern society, amounts to a refusal to consider the larger goal to which the economy should be subordinated, the flourishing of the entire community. If, as I am arguing, flourishing must include opportunities to be valued and understood, opportunities for friendship between individuals, then

Young friends

a minimum level of economic well-being must be a condition, not a side effect, of the workings of the economic system.

Buried in the middle of a newspaper article about the demise in the autumn of the retailer Wilko (*The Observer*, 8 October, 2023) is the sentence, 'But over the last decade the Wilkinson family took out £77m in dividends from the company'. I had not previously read that fact. Whilst this may not have ensured the failure of the company, surely an extra, say, £70m (leaving £7m for the family) might have helped to save it? My point is that we have become blind to the distinction between earning a living and being greedy. Greed hurts others, and if only illegality will stop people from indulging in it, then maybe more cases of it should be made illegal. Lots of people miss the Wilko stores. They surely represented the sort of enterprise which Adam Smith would have valued.

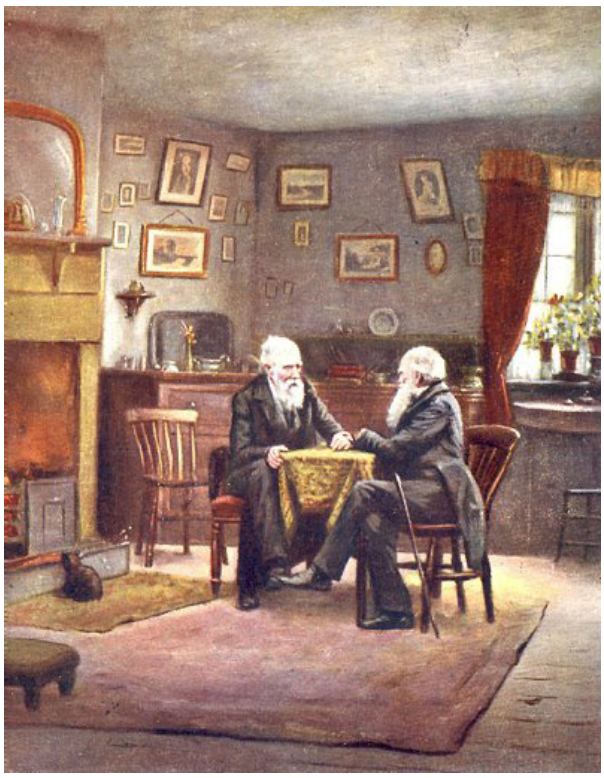
Friendship and Culture

Has our modern culture diverged from the path of friendship? Less economically complex cultures exist, with a more static form of economy. These people have developed in other ways. They had other goals, which certainly included wanting a happy and stable community in which they could flourish. (The psychologist C.G. Jung once quoted a native American chief with whom he corresponded as saying, 'We do not understand the white man. What does he want?') These cultures were economically viable, that is, their needs were met by their way of life, which had been adapted to their circumstances.

One example that impressed me was the culture of Ladakh, described in the book *Ancient Futures: Learning from Ladakh* by Helena Norberg-Hodge, 1991. Ladakh lies in Kashmir in the Himalayas and for centuries was fairly isolated and self-sufficient. There was no great divide between rich and poor in a society of small farmers. It has a Buddhist culture. Though change from the outside was reaching it before the book was written, I imagine that it may have changed much more since, but that does not invalidate the book, which describes the culture as experienced by a British researcher who went originally to study the language.

The author stayed on, fascinated by the society she had discovered. She says, 'At first I could not believe that the Ladakhis could be as happy as they appeared…. Then, in my second year there, while at a wedding,… I heard myself saying, "Aha, they really are that happy!" Only then did I recognize that I had been walking around with cultural blinders on, convinced that the Ladakhis could not be as happy as they seemed. Hidden behind the jokes and laughter had to be the same frustration, jealousy, and inadequacy as in my own society….
'The Ladakhis … seem to possess an extended, inclusive sense of self. They do not, as we do, retreat behind boundaries of fear and self-protection; in fact, they seem to be totally lacking in what we would call pride. This does not mean a lack of self-respect. On the

Adam Smith



Great minds think alike

contrary, their self-respect is so deep-rooted as to be unquestioned'.

'I have never met people who seem so healthy emotionally, so secure, as the Ladakhis…. I am sure that the most important factor is the sense that you are a part of something much larger than yourself, that you are inextricably connected to others and to your surroundings'.

The author says she came to realise that her passivity in the face of destructive change in her own society was in part due to the fact that she had confused culture with nature. She had assumed that human beings were essentially selfish and that more cooperative societies were nothing but a utopian dream. Ladakh had shown her that there are other possibilities, and this had given her strength and hope.

Continuing the theme of other possibilities is a recent book, *The Dawn of Everything: A New History of Humanity* (by David Graeber and David Wengrow, London, Penguin edition 2022). The authors re-examine, among other things, the early records of interactions between the French and the Native Americans of the north-eastern woodlands of what later became the United States. (I can only skim the surface of this fascinating book, which takes us far beyond the topic of friendship. For example, there is the suggestion that Enlightenment ideas depended partly on things the French had learned from the Native Americans!)

The Americans found the French to be an uncongenial lot, competitive and uncaring of their fellows, subjected to a life of constant toil and lacking in freedom. Most striking, however, were the accounts of individuals who had lived in both cultures and then had a chance to choose between them. They usually chose to remain with or return to the indigenous community. They cited greater freedom, the reluctance to let anyone fall into destitution, and their full acceptance into the life of the community.

'By far the most common reasons, however, had to do with the intensity of social bonds they experienced in Native American communities: qualities of mutual care, love and above all happiness, which they found impossible to replicate once back in European settings. 'Security' takes many forms. There is the security of knowing one has a statistically smaller chance of getting shot with an arrow. And then there's the security of knowing that there are people in the world who will care deeply if one is' (*The Dawn of Everything*, P.20).

I have considered friendship in the context of wider society. The European society of the last few centuries, which has spread worldwide, has produced many examples of strained relations between people, leading to exploitation, lack of freedom, and in the worst cases war. But we can find examples of a different way. Trust enables people to connect with each other, and fear and isolation are reduced. This, rather than great wealth or knowledge, is, I suggest, what gives our lives meaning.

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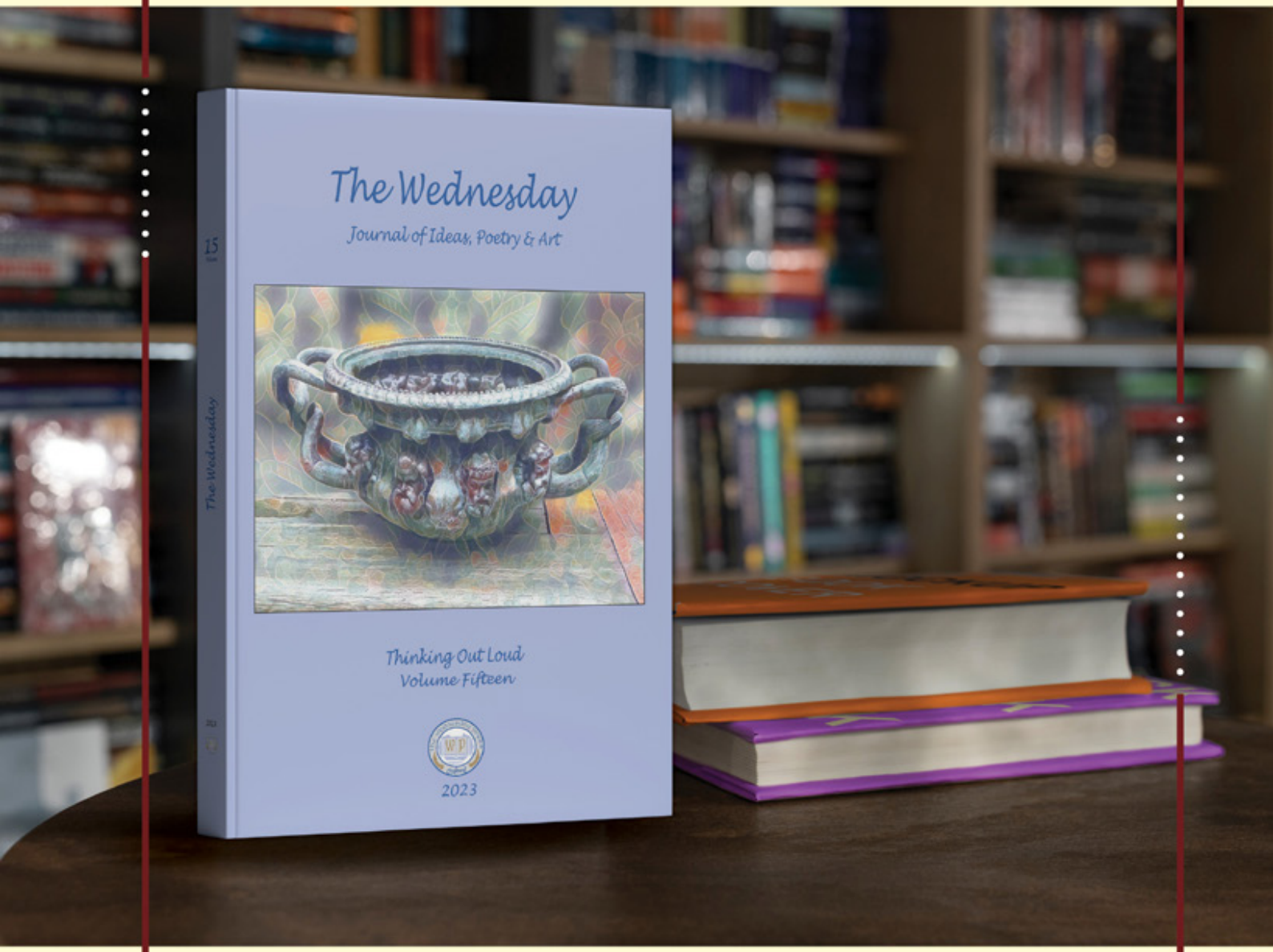

Volume 15 is out now

Small town

Within a small circle four coffee shops,
six pubs, five take-aways,
one gambling parlour,
two charity shops. Houses crumble
in paved gardens under nettles.

Front gardens are packed with wheelie bins,
where once people kept patches of grass,
privet hedges and roses, curtains are drawn
behind diesel-coated windows, hallways
are pungent with cooking smells.

Solitary alcoholics smoke outside entrances,
teenagers huddle in corners behind the church.
People queue for fish and chips
with children and dogs on streets
that close in and go on with their day.

At night the never-ending barking
of distressed dogs, shadows
of errant cats slinking past,
the angry voices of drunks
in the early hours.

Dark windows, empty streets are waiting
for the absent light to entangle the stars,
but to be blinded by the glare of streetlamps,
and the lunatic moon that slowly edges in
to dazzle the restless insomniacs.

Poem and Artwork by *Scharlie Meeuws*

Poetry and Language: Two Villanelles

… the poem that philosophically makes good the defect of languages …

Benjamin, *Illuminations*

1

Always some slight *dérèglement* you sense,
Some defect that compounds the falling-short:
No poem but attempts to recompense.

Enjambement holds the issue in suspense
As prosody and syntax tangle thought.
Always some slight *dérèglement* you sense.

The poem's where that non-coincidence
Shows each new settlement more dearly bought:
No poem but attempts to recompense.

For it's just there the defect may commence,
Where run-on lines and scansion won't comport.
Always some slight *dérèglement* you sense.

The free-verse crew may put up some pretence
Of solving it but that's a last resort:
No poem but attempts to recompense.

A wary ear is our last, best defence,
Fine-whorled so every slightest tremor's caught.
Always some slight *dérèglement* you sense;
No poem but attempts to recompense.

CHRIS **NORRIS**

The language of nature is comparable to a secret password that each sentry passes to the next in his own language, but the meaning of the password is the sentry's language itself.

Benjamin, ***One-Way Street and Other Writings***

2

The poets pass it on, that secret word;
Adamic, though with Eden now long gone
No task of theirs to fathom all they heard.

Some spell prevents it turning quite absurd,
A game of whispers idly chanced upon.
The poets pass it on, that secret word.

It's nature's sounds make good for passwords blurred
Through endless rounds of that rapt antiphon:
No task of theirs to fathom all they heard.

Language it was that first and always stirred
Those souls attuned to nature's lexicon:
The poets pass it on, that secret word.

Whence the sole pass-word secretly conferred
As if by post-Edenic organon.
No task of theirs to fathom all they heard.

How else redeem the Babel that's incurred
When each new tower goes up in Babylon?
The poets pass it on, that secret word;
No task of theirs to fathom all they heard.

**"IVS" – mixed media (30x30) (2023)
part of the exhibition "In varietate concordia"
European Court of Justice, Luxembourg.**

A Philosophy of Law

Dr. ALAN XUEREB

My love for philosophy predates my interest in law. In actual fact, it was only after I had finished my legal studies, that I went back to my old love: philosophy. I started by going a bit deeper into philosophy of law. So much so that my M.Phil. dissertation was about the relationship between unjust laws and unconstitutional acts. The main argument in my dissertation was that though many Natural Law lawyers, like myself, think that ***lex iniusta non est lex***, (an unjust law is no law at all) that tenet has to be qualified. I state ***lex iniusta non est ius***. This calls for a distinction between the notion of lex and ius. These two Latin terms are intrinsically connected but distinct.

Unfortunately, in the English language is difficult to create a clear distinction, since we refer to the two concepts by using the same term 'law'. However, in many European languages the distinction exists and has real world implications. In Maltese, my native language, this distinction is expressed by the term Liġi (lex) and Dritt (ius), in Italian as Legge (lex) and Diritto, French loi (lex) and droit (ius), in Spanish as ley (lex) and derecho (ius) in German Gesetz (lex) and Recht (ius).

To make sense and distinguish the two one must have a working description (as I abhor definitions in philosophy). My first philosophy of law professor the late Chief Justice Emeritus Giuseppe Mifsud Bonnici, had given us such a description during one of his lectures back in 1989. It goes something like this:
'Ius is that written or unwritten normative proposition that prescribes just and reasonable intersubjective human conduct'.

So as one can see philosophy of law concerns itself with questions about the nature of law and the concepts that structure the practice of law. Its topics include the definition of law, or, if strict definition proves unfruitful (or detestable in my own view) descriptions or models of law that throw light on difficult liminal instances of the juridical reality such as unjust laws. Some concepts that require understanding include those of a legal right or duty, the nature of legal thinking and adjudication, and *sans doute* the preponderant political importance of the rule of law.

Considered strictly in empirical terms, law may, at face value, appear to be a system of coercion: the

salient fact about being under a legal duty to do X (or not to do Y) is that failure to comply will bring in its wake various sanctions. Moreover, in normative terms, law is a system of rules that justifies demands for conformity, and the idea of legal duty is one of being bound by a rule, whether or not it is likely that adverse consequences will follow upon failure to comply.
The tradition following Jeremy Bentham and John Austin, known as legal positivism, recognises a sharp separation between law 'as it is', and law 'as it ought to be'. Bentham criticized his predecessors, especially the 18th-century jurist Blackstone, for the 'spirit of obsequious quietism' visible in the assumption that actual law represented a God-given structure of rights and duties.

Legal positivism is sometimes taken to include other elements: the contention associated with Austin that laws are the commands of a political superior (sovereign) to a political inferior; the contention that the study of legal concepts is to be distinguished from historical inquiries into the origins of laws or sociological enquiry into the effect of laws, or moral criticism of the workings of the law; the contention that law is a frozen, a closed seamless system (Jhering's *Begriffshimmel* or concept-heaven) with a determinate logical structure, from which verdicts may be derived without reference to wider pragmatic, social, and moral issues; and even the view that moral judgements are themselves non-cognitive in nature, and for this reason no part of the essence of legal practice. And also from the positivist universe, the law as being, according to Kelsen, a system of norms; where such norms are 'ought' statements, prescribing certain modes of conduct, that unlike moral norms, are created by acts of will.

Furthermore, questions belonging not strictly to the philosophy of law but to political philosophy include those of the scope of law, the nature and justification of punishment, and the justification of the legislative and coercive power of the state. These wider concerns include assessing the Marxist critique of law as an instrument of oppression, necessarily reflecting the ideas and therefore the partisan interests of the ruling political class.

Natural law theory is a school of thought that argues law and practical reason are inherent in human nature. Natural law jurists suggest that the most fundamental moral standards upheld by law (laws against murder or theft, for example) are intrinsic to human beings' natures. The theory dates back at least as far as Thomas Aquinas who stated that an 'unjust law is a human law that is not rooted in eternal law and natural law'. Interest in natural moral law theory increased in the late 20th century when John Finnis, a modern natural law theorist, advanced the belief that law is moral by nature.

Whatever your choice of philosophy of law my bas-relief tries to portray the millennial quest of humankind to capture the essence of law and harness it for the benefit of all, is not this what justice is all about? Is not this what the common good is all about?

The ***Wednesday***

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The Wednesday Press, Oxford

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We have published fifteen cumulative volumes of the weekly and monthly issues. To obtain your copy of any one of the cumulative volumes, please pay online and e-mail the editor with your address.

The account details are:

The Wednesday Magazine
Santander
Account Number: 24042417
Sort Code: 09-01-29

The cost of individual copies is £15 for readers inside the UK

or
£18 for readers outside the UK

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Edward Greenwood