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A Conversation about Authority with Susannah Black

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Susannah Black (Plough, Breaking Ground) joins me for a discussion about authority, based around chapter 8 of Oliver O'Donovan's 'The Ways of Judgment'. This is a teaser for a longer term series of conversations we will be having around the book. If you are interested in following along, I highly recommend that you purchase a copy of the book here: <https://amzn.to/2ZeXFXW>.

Sir Robert Peel's Principles of Law Enforcement (1829), which we discuss in the video, can be read here: https://www.durham.police.uk/About-Us/Documents/Peels_Principles_Of_Law_Enforcement.pdf.

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Transcript

Hello and welcome. Today I am joined by my friend Susannah Black, who is the editor of various magazines, including The Plough, and the senior editor of Davenant Press. She's involved in the recent Breaking Ground project and is a writer whose interests have constantly returned to issues of political order.

She has a master's in early modern European history and has been concerned with the question of the origin of the public sphere in British history. Now she's here today to discuss a book with me, a book which has been a favourite of both of ours, The Ways of

Judgment by Oliver O'Donovan. And we're going to give a teaser or some small taste of this book by reflecting upon some of the themes in Chapter 8 on political authority.

We hope to engage in a longer term series of studies working through the book and hopefully give you some sense of what the book is like at this point. And we would like if you would buy a copy and join us for this longer discussion. Thank you very much for joining me, Susannah.

Very happy to be here. So reading this chapter, it's dealing with this immense and difficult question of political authority. To kick us off, what is authority? How is it different from, say, power? Well, he ends up, after a bit of a circuitous examination of the various things that are involved in authority, he ends up at a definition.

So because we are allowed to do this, we could actually start at that definition, which is something like political authority arises where power, the execution of right, which he means in a particular way, and the perpetuation of tradition, which he means in a particular way, are executed together in one coordinated agency or assured together in one coordinated agency. So political authority is not identical to political power. But power is involved.

You can't have authority without power, essentially. That is the very brief O'Donovanian definition. But he gets you there after drawing you through a long kind of process of sort of Socratic, but not really, examination of various ideas.

And anyone who's familiar with O'Donovan knows that in every single one of his statements, there is this dense this dense matrix of truth that can be unpacked and unfolded, but it's like this remarkable origami model of insight. And you feel as though he could, and he in fact does, do this thing where he'll do kind of commentaries on himself and on previous books of his where he thinks he's gotten something wrong. And he'll often do that by getting the publisher to set the typeface in a smaller typeface.

It's very strange. And of course, he does discursive footnotes all the time because he can't help himself. But it's a really strange and rich and intricate reading experience.

It truly is. I'd be interested for why is it that political authority needs power as a precondition? Well, he Why, I'm not sure is quite the right question. He's almost operating as though political authority is something that he's found in the wild.

And or very precisely, not in the wild, I suppose. And he's looking at what what is the nature of this thing. He says that political authority needs requires power, partly by thinking about what it would mean for a political authority to not have power.

So in what way does a government in exile, not really count as a government. One, what it would come down to for him is that what you need to do in order to exercise political authority. One of the things that you need to do is you need to execute judgment and He

does this weird little thought experiment at one point where he says, well, if there were a very obedient society where you didn't actually ever have to physically coerce people, you could technically have political authority without like coercive power, but it would still sort of, it would still need to have the power to execute its judgments and what the job of political authority is is executing judgment for the right sort of to uphold the common good of the community and it's not able to do that, then it's not political authority.

It's, it's something else. You know, maybe moral authority or prophetic word or persuasion or a government in exile that provides an imaginative platform to potentially retake the country, but it's not actual political authority. Is that how you understand it? Yeah, I think that's a helpful way of teasing apart some of the different ways that we might talk about authority.

And for instance, there is, it's not as if the government in exile is nothing, but it's not exerting political authority in that more proper and full sense. Right. So understanding those sorts of distinctions is where I think this book really comes into its own.

It's very helpful in that descriptive task of the fine distinctions and the ways in which we can classify and work with realities in the world in a way that brings them into clarity. I don't know if it would be helpful, but one of the things that I was thinking about was that you could actually think about De Gaulle and Vichy France in as you're thinking about this in a way that would be really helpful in teasing apart two bits of what O'Donovan means by authority, because he would probably say that Vichy France had power, but was not executing right on behalf of the common good. And De Gaulle's government had right, but didn't have power.

And so neither of them were really properly political authorities by certain lights. Yes, that's a helpful way of putting it, I think, because he has those three elements, the right and then the tradition. And that's another question.

I mean, you could talk to some extent of Vichy France having some degree of tradition. But I mean, if you have a usurping power that is a denial of the the role of tradition. So you may have a usurping power that's exercising some sort of abstract principle of justice, right, in that sense, and it may have power to be effective, but it is not authority in the way that some agency that's representing or acting on behalf as the embodiment of the community, that agency can have authority in a way that an usurping power could not.

Right. I mean, for that distinction, I actually do think that Ivanhoe is really helpful. I'm serious.

So, um, so if you think about, you know, William coming over in 1066 and essentially displacing all the Saxon nobility, this really was a usurpation in by most definitions. It

was just, here is a country, I would like it. And the narrative of Ivanhoe, which I've just finished reading, which is why I'm obsessed with it, kind of has to do with what it takes to reground a usurped power into the tradition of a place and a people, so as to make it a legitimate political authority.

And that's kind of the story of Ivanhoe, like that the creation of political authority in England in whatever it is, 1250 or whatever takes place. That's one of the things that he gets into within this chapter, the way in which Tickler authority or government is not necessarily held hostage to the conditions of its origin. There can be a way in which a usurpation can actually become legitimate over time.

My thoughts always indulgently turn to this at the time of the 4th of July. So, it seems an apt thing to discuss at this time of the year. Absolutely.

I mean, so there are a bunch of different ways that it could happen. And one of those ways, I do think, because the Eugentium is a useful sort of thing that exists in the world, is treaties. So I do think- So what is the Eugentium? So the law of nations, just the essentially the natural law based customs that are the ways that sovereign nations deal with each other.

So it's kind of like, it's a way of which has been discussed at enormous length by various people. But just the fact, one of those ways that nations deal with each other is by treaty. And so once you have the Treaty of Paris, I know this is a very dicey proposition, but it may in fact be the case that American independence is at this point legitimate.

I mean, I'm open to being persuaded on this one. So yeah, I think treaties, then obviously a government, even if it were a usurped government, would have to actually do the job of government, which is to, you know, establish rights through coercive force if necessary, establish the public right and establish the conditions for the enjoyment of the common good. Taking a step back at this point, I mean, why are we even discussing this as people who are talking as Christians? Why would this be a fitting topic of theological reflection, which is the way in which O'Donovan's coming at the question? I mean, for me, the thing that the reason that you do, or the reason that you often start doing political theology, one of the reasons is that you run into Romans 13 and it is so completely counterintuitive to the way that at least I, as you know, the daughter of a rebel colony, was taught to think about political authority and that is in fact where he begins his chapter.

He begins by saying, by quoting Paul, be subject to the governing authorities and he says, well, you know, there are plenty of people who are trying to try to get from this something that sounds a bit more like, you know, we all have the right to self government and then we give up our individual self government to a central, you know, for the sake of the into his kind of social contract and or something like that, maybe. And he's like, but that's not really what it sounds like, is it? And you really kind of can't, once

you look at Romans 13 and take it seriously as Paul actually telling you something about reality, you can't really, you have to start having questions, you have to start asking questions that are very uncomfortable for people who are brought up to believe that there is like the way that legitimate political authority works is that you have authority over yourself and through voting or through some kind of social contract you voluntarily surrender that. But it's not the case that there is a legitimate political authority over you that you did not choose or could be.

Yeah, so I guess Romans 13 is why this matters, but obviously Romans 13 is only kind of the most obviously jarring and freakish and like confusing and interesting and just bizarre look into a different world. And I think that once you sort of real, once you start thinking this way, the whole rest of the Bible, you start seeing it all over. That our way of thinking about political authority is not what's presented in the Bible, and it's certainly not what's presented in Christian tradition.

You know, for the first 1600 years or so. For me, one of the things that makes his work most insightful is that he treats, as you mentioned earlier, many of these things as empirical realities in the world, things that he stumbled across, things that we all experienced in some way or other. And as he explains these things, he's mostly describing things that we experience as realities in the world.

We're not necessarily arriving at these things through some theory. We understand them through our theories, but they are out there in the world as realities. And he presents his approach as partly faith seeking understanding, but also faith giving understanding to us.

What it means to live with the, what these structures mean and what could make them make sense to us. And so he's giving a reason and way of thinking about these things in which they come to clarity. And these are realities in everyone's world.

These aren't just, he's not creating some blueprint for an ideal society. And that's not the primary purpose. It's rather describing realities of political society and then showing how a Christian understanding as we bring theological light to bear upon these questions can actually illuminate things that secular thought cannot.

Yeah, I think that's really important. So the way that he's looking at it is very much not the way that, so the way that one might normally think of it is political authority is what we say it is. And let's decide how we want to live together and you know, let's decide whether we want to live together.

Like if we decide to come into political community with each other, we can set up rules. And those rules are going to be the way that things work and there certainly doesn't need to be tradition if we don't want there to be there, you know, we could have a completely unjust political system if we wanted to, like obviously there would be

questions about, well, what is justice, but like he's, he, he seems to be saying there's something phenomenologically real in the world that is political authority. And that it's connected and that we notice it.

We are, we feel it operating on us. We are all ourselves under political authority. And we, and then we can start to think about it and think about what it is.

But, you know, in his, in reality, and in his vision, it is the way it is because of the nature of the world that God has made and because of the nature of God and because of the nature of human beings. And to a certain degree, it couldn't be otherwise. Like there's lots of ways that we can tinker with things and there's lots of different kinds of polities that are legitimate.

But in terms of the basic ingredients, it's sort of like baking yeast bread, like there, you need flour, you need water, you need yeast. And if you don't have one of those things, what you have baked is not bread. And yeah, it's, it's a really different, this is not something that is up to us to decide.

This is something that we have to notice and understand so that if we do make decisions, we can do them, we can make them wisely. Now within early modern political thought, there's often been this notion of some sort of founding event and those have been understood in various ways. Sometimes it's just an imagined scenario that is not actually making any claim about something that historically took place.

It's more a thought experiment or something. In other cases, it's some sort of hypothesized foundation for the way that society's logic operates and some social contract that occurred at some point in history, or maybe can think about the evolution of society from more basic structures of the tribe to the nation, etc. And there are many different stories or theories that are told and the founding event can function in different ways within those.

How would O'Donovan's account of a founding event or that whole approach or thought experiment, how would his approach differ from some of the prominent accounts that you might find in Hobbes or Rousseau or something like that? He would, first of all, it's, he's not that crazy about founding events and he doesn't think they're that important to a certain degree. We sort of have a love of them. And I think he may underplay this.

I think there might be like if I were to challenge him, it might be on the basis of founding events seem more important to us that I think he gives them credit for. But the way that he would, what he would say is that you only really have founding events, the way that we would think of them. You know, a new constitution given or a new ruler taking, a new dynasty, really not a new ruler, but a new dynasty taking authority.

When there has been some sort of interruption, like it's a pathological, it's a healing of a

pathological state and the pathological state is something like disorder or something like chaos and so the founding event comes to heal that and it doesn't but its nature is not even really that important. Like whatever happens to to get political order going again, ideally, in as much continuity as possible with what came before, whatever that interruption was, is pretty good. And it obviously needs to be giving justice, genuinely.

It can't just be imposing order. That's really important. But as a founding event, like the moment where you sort of heroically come together and sign the declaration or you you decide, even, you know, sort of founding events like the founding of Rome with the the rape of the Sabians or whatever, like they're just, they're not, they don't have the resonance for him that they do for for other people.

And I think it's really interesting because it's not just early moderns who have this love and semi-obsession with founding events, which is why I think he underplays them a little bit. He does talk a lot about the providential role in raising up authorities and the way he speaks about founding events is more like the sort of midwifery of these providential events of someone being raised up or some new situation arising. And this effort in that midwifery of the providential occurrence of transferring an event of authority into something that's more institutionalized that allows those events, those moments of authority to occur with greater regularity and to be more easily recognized.

Yeah, I think that's right. He, which actually at one point I was sort of asking myself, and I'd love to know what you think of this, doesn't that doesn't that just sort of mean the bit in Monty Python and the Holy Grail that's does this in fact mean that every political sort of founding event is the equivalent of young women chucking swords at you from proms? So is it always a kind of miraculous thing? We were talking about this before, like, or is there a sort of a natural version of it? And he comes around and says, this is, hang on, let me just see where my notes are, I had something about this because originally, there we go, so you know, the question that I kind of asked myself was, does he have a purely supernaturalist or occasionalist account of political authority? So is it just that God kind of miraculously almost raises up a king or some sort of chieftain or president or whatever, and then we recognize that. And he says something, his phrase is something like, it's a description of general provision of something like hierarchy as a gift of structure under which we may flourish.

So he doesn't want to say that it's a miraculous supernatural thing every time. He does think it's a sort of natural process, but it is The providence isn't a straightforward legislation of everyone who rises up. No, absolutely not.

I mean, he also discusses the legitimacy of tyrannicide in various places. So this is very, very much not a kind of absolutism that wouldn't allow you to notice the characteristics of the rule itself or the ruler himself. Or just to say, well, if this person is in power, that means that God put them in power and therefore I can't do anything about it.

It is, it's a lot more complicated than that. And there are plenty of things that you can do both under the threshold of revolution and over the threshold of revolution. Lest anyone be worried.

So he talks about a number of different ways in which the concept of authority can be unpacked or understood with more clarity. And I found that one of the most helpful parts of the chapter, partly because it just has so much and so wide application. The idea, for instance, of authority and freedom.

That perhaps is the most illuminating part of the chapter for me. The fact that we cannot truly be free where authority is absent, where authority is lost, freedom is lost. Now that's a fairly daring statement.

It's the sort of statement that we instinctively rebel against. What do you think he's saying there and what case could be put for it? Yeah, so that comes kind of at the end of, I think we'd have to talk about political subjection as well in order to talk about that, but maybe later. So his, the phrase, the quote is, to be under authority is to be more free than to be independent.

And it really is astonishing. And there are all kinds of things that he kind of doesn't say that I feel is that he could, having to do with more classical ideas of virtue ethics, you know, if I don't, if I have not subjected myself to the discipline of playing the piano, I'm not free to play the piano. If I haven't practiced being patient, I'm not free to be patient.

I'm sort of enslaved to impatience. But he's talking about, so those are kind of more classical ideas of self government and autonomy in a good way. But he's talking about specifically being under the authority of another.

And one of the ways, one of the things, ways that we can begin to unpack this is that he he reminds us that when we are under authority, that means that we are authorized to do something. So the bit in the Bible that this always brings up for me that I've written about at various points is the the centurion who comes to Jesus and asks Jesus to heal his servant who's sick and Jesus does and or Jesus offers to come to his house to do that. And he says, basically, you don't need to come to my house.

I'm a man under authority and when I say to my servant, do something, he does it. And basically, the centurion is saying, I recognize that same authority in you. And sorry, I got that mixed up a bit.

So the centurion says, I'm a man under authority. And I have people in authority over whom I'm in authority under me. And therefore, because I am under authority and have been given authority, essentially, I'm able to say to the people who are under me, do this and they do it.

And he essentially says to Jesus, I recognize that same thing going on in you. You are in,

you've been authorized to do something. And therefore, I see the authority in you to essentially be able to command the sickness to leave my servant.

So that idea of authorization, which gives us power to act and gives us power to act justly. So we're not kind of, you know, just acting on our own behalf or willy nilly is, I think, close to the heart of what he means by authority leading us to freedom. I think there's a lot of other things that could be said and probably should be said, but that's one way in.

Is that what you, is that your understanding of where he's going? I think so. I think we could also relate it to, for instance, Christ as the servant, as the servant of God. He is one who is sent on a mission.

And that mission is one that authorizes him to act as God's representative, as the one who is given power and a calling within the world that sets him apart from others. If someone doesn't have a mission like that, if they're not a servant, they're somehow, they don't have the same authority to wield. It really needs to be something that's given to you in this act of authorization.

And he talks about there that authority gives us reasons for action, but reasons as grounds for action, not merely just as goals. And where we have an authority towards us, we have more reasonable grounds for action that we would do without. You can think maybe of the example, maybe the classic example of parents and children.

That without parents providing reasonable grounds for their children's action and their children submitting to their parents instructions, the children would not be able to enter into freedom in the way that they can when they submit to their parents. Yeah, I think that is Yeah, so I think what he wants to say here is he wants to sort of tease it out from being a thing where it's simply a matter of somebody has a role of authority over you and therefore it is right that you submit to their authority and do what they say. But he also doesn't want to, this is a really interesting passage, he also doesn't want to reduce it to a kind of utilitarianism where the kinds of reasons that you're given are, well, here are ways in which this action would be beneficial for you and therefore do them, because that's not really rising to the level of authority.

That's kind of something that, you know, I might say to a friend, sort of to persuade them, but that's not exactly what authority is. I mean, in that case, the truth might have authority and you might be pointing to the truth and the authority that it actually, that the truth naturally has that our reason should recognize, but you would not be exercising authority. Right.

And I think he talks about that in, I feel like I remember him talking about that in Desire of the Nations as well, or the idea of truth itself having that authoritative power, but that's something quite different in a way. So, yeah, an authority is, and I think the image

of a parent is really helpful because you sort of start to see the necessary kind of, the necessary role of trust in this and deserved trust. So an authority is someone I depend on to show me reasons for acting.

And that means that it's someone I trust to know what my good is and in as much as that person's commanding me, he's commanding me in order to seek that good. So I also was really interested in in his the phrase, freedom begins in delighted astonishment. And I'm not quite like, I feel as though this is kind of the mystical heart of the chapter that I need to go back and reread it 12 times.

But yeah, I think there's a way that I think he could be misunderstood. There's a kind of a needle that he's trying to thread, I think, in between authority as giving us reasons simply as presenting goods that we would otherwise already kind of want, but this is kind of showing us how to achieve them. And authority as something purely purely a question of kind of volunteerism.

And he doesn't really want to come down, neither of those quite hit the mark, at least as I understand him. Is that what you think he's saying? Yes, I think so. And maybe we could reflect a bit more upon the example of parents in this regard.

Why is it that parents are recognized to have authority over their children? It seems in part that the the fact that they can stand for their children and the good of their children would be an integral part of that. If they had no relation to their children, if they were just, let's say, you had some AI that was optimized for child rearing, that would not have authority over the children in the same way as their parent. And neither would any sort of random adult, although obviously there's a way in which random adults have, you know, if there's a child who needs help, you are kind of as a random adult delegated.

But yeah, it has to do with the commitment and the sort of the sense of this other person being someone for whose good you are willing to lay down your life to a certain degree. And whose good you understand better than they might understand it themselves. Which is another sort of aspect of this.

Again, like one version of this is just authorities are those, say, imagine a teacher, so a chess teacher or something. Your teacher is an authority over you because he knows more than you do. And once he teaches you everything he knows and you've kind of surpassed him, he no longer has that authority over you.

But that's not exactly the same. That's not the way political authority works. It's not exactly the way parental authority works.

So... ..represent the right. It's not just tradition. It has an authority that comes with tradition.

They stand for some continuity and we stand in continuity with our parents. That is

important. But there's also the fact that our parents represent some substantive good that they can present to us in their instructions.

They're instructing us for our well-being and maturation. As we follow their instructions, that authority can be vindicated to us by, first of all, the outcomes that we achieve as we follow their advice. It can be vindicated in part in their own character as they manifest the virtues that they claim to be training us in.

In the same way as a music teacher, for instance, can have an authority as a teacher because they exemplify the mastery of the instrument that they claim to be teaching you as their student. Yeah. I think this is... So one of the things that he claimed is that one characteristic, one way in which political authority resembles that of God is that it is preemptory.

So it basically commands our obedience and draws our obedience without us necessarily seeing the good that it's pointing towards. It's that moment when parents say to their kid, because I said so. Yeah, yeah.

Which I think... This is another place where I feel like I slightly disagreed with him. I think it's a bit wrong, but I think it's getting at something true. So it is a thing in itself and it commends itself beyond the good it offers or the attributes other than the authority itself that it has.

So it's close to what you might think of as a deontological command or a Kantian command. So you just do it because it's the rule. Do it because I say so.

But it's not quite that. It's not quite that. Because there's a nature, like if it is true political authority or true parental authority, there is something good in the authority itself, I think.

As it presents itself to us and as we can even perceive it, even if we don't see the reason behind, you know, even if in order to understand fully the reason for the command, we would have actually have to do it and then say, oh, now I understand that I shouldn't have, you know, you know, it's really good that I didn't stick my hand into that burning stove. Even though it seemed like a good idea at the time. So I think there's a attractiveness of authority itself that he almost seems to want to deny because I think he wants to keep away from sort of making it into a utilitarian thing that is good for something else.

I might be mistaken, but I think that's what he's trying to do. And I think that in order to do that, he kind of doesn't acknowledge the you know, we do sort of love coronations, or at least some of us do. And we do love the sorts of stories of even dispossessed kings who are coming back into their kingdoms, you know, the Bonnie, Prince Charlie, and so on.

There is something I think that appeals in the nature of authority itself that is beautiful, I would say. And he is concerned to maintain a condition where authority is operative within a society, as the collapse of authority can be disastrous. And so you're ideally looking for reform of unjust authority, rather than revolution over it.

Right. And he, it's not that he doesn't think that there's ever a case for revolution, but he does he does sort of very strongly have this intense sense of the good of some kind of order and also of the the need as much as possible to pick up whatever lost, whatever sort of dropped threads or whatever drop stitches might have been if there was a sort of interruption of complete anarchy or an interruption of extreme injustice. And that goes along, I think, with his concern for tradition as a constitutive element of authority.

If there's some breach in a society's relationship with its past that can lead to a situation of usurpation or a compromise of its capacity to speak on behalf of a particular people, that this is not just right as such. It's not just power exerted. It is speaking on behalf of a particular people and acting on their behalf towards them.

Right. And I think, I mean, the thing that sort of this section of the chapter made me think of, obviously, is the question of police reform that we're sort of facing now. In the UK, and especially in the States.

And so the one of the ways that you could think of his question about reform is this. How can a repeated and deep wrong be addressed while we still acknowledge a duty of obedience and a duty to preserve the tradition of relations between ruler and ruled? So, how is it possible to not gloss over deep wrongs, but not sort of throw everything up in the air? And I think that one way to, at least in the, especially in the question of policing, one way to think about this is to really sort of look at what it is about, say, bad policing or police brutality or something that's so bad. And I think, you know, there's a kind of anarchist way of perceiving this, which is just like, this is authority and therefore it sucks.

But I think that actually most people perceive the bad of police brutality precisely because what police ought to be is agents of real authority, which is this, you know, just sort of on the just action on behalf of us, on behalf of a particular people, which includes me, towards the common good. And when instead it becomes, when instead police behave like, you know, like criminals, it's this sort of massive sense of chaos, because if even those who are meant to keep us from chaos are behaving chaotically, that's really bad. And so I think that like thinking of police reform as like the restoration of police authority through justice, through equal justice under law, I think is probably something that would be an O'Donovanian approach to this.

I think it would also give us ways of breaking down the concept of corrupt or failed policing along a number of different lines. So we can think of failed policing where the police do not have power. They just cannot enforce the law and a law that cannot be enforced is a bad law.

It leads to a situation where there is a breakdown in authority and people just run amok. You can think about some of the situations in extreme drug wars and other situations like that, where policing has failed. And there's a situation of anarchy.

That can be one way it can break down. It can break down also along the lines of tradition. If there's not a way in which the police represent the society that they are policing, and this has always been a concern for theories of policing, that you actually have policing that represents the community that authority is being exercised over.

So it is the community's authority that has been exerted, not some authority over them. It can be like a child that is without any authorization on the part of their parents, bossed around by another adult. You're not my mum.

Yeah. You shouldn't be in the position to tell me this. And that command that might have come as a righteous and appropriate authority from one person's mouth in another person's mouth becomes a form of oppression.

Right. Sorry, go on. And then I think the final way it can break down is, of course, in the case of injustice, where there is not an actual practice of the right, where the laws that are upheld are unjust laws, or where there are practices of the police that are abusive and not according to the law, where the law can be in situations where the law itself lacks clarity, a sort of Kafka-esque situation where, in that sort of scenario, you just don't know what you have to do to be on the right side of the law.

Or there's this multiplication of laws that leads to all these hostile interactions with authority. And in each one of those ways, we can see the police failing. So it requires a navigation between all these different problems.

And I think that's where O'Donovan is very helpful in giving clarity, the exact shape of our problems. Yes. Like what is the nature of the mess up here? I do think, so I don't know if you ever do links in show notes, but you could do a link to Robert Peel's Policing Principles.

I think it was 1829, 1821, somewhere around there. The original sort of list of nine principles of policing that the British founder of the modern institution of the police came up with, and a huge number of them have to do, well, not huge, because there's only nine of them total, but a lot of them have to do with this question of representation, which we will get into at some point, not on this discussion. But representation, which in the context of this O'Donovan chapter, has to do with tradition.

So it has to do with what you were talking about, Alistair. Are you someone who I recognize has the authority to keep order, to command me? And if you just seem like someone who's essentially from a hostile polity, from a different, almost an occupying army, that's not political authority. That's a failure of authority.

And those principles, I think, are very helpful. You can see something about how authority to be effective, where you lack that sort of recognition of tradition and representation and these other factors, policing will tend to fall back upon the exertion of power. Or a certain sort of right that is right accompanied with power that actually proves deeply oppressive.

And it will just multiply this imposition of law upon people, because there's not a natural recognition of authority. Yeah, I do think, I mean, the other aspect which has to do more directly with a lack of right or lack of enforcement of right. I think that the nature of corruption and sort of groups in power being aimed inwards at sort of preserving an old boys network or something.

I mean, obviously, I think that there's a really good way in which, especially people who are putting themselves at risk, kind of have a sense of camaraderie and a sense of brotherhood. But where that sours is when it becomes something that is for the sake of itself, rather than for the sake of the public. And protecting itself, rather than sort of truly being agents of justice.

So that would fall under O'Donovan's failure of exercise of right or vindication of right. And when authority is working well, there should be that moment of freedom, which freedom can be the recognition of something that is good for you in that exertion of authority towards you. So you're recognizing that this is right.

This is laying an obligation upon me. But that obligation is something that as I freely take up that obligation, I will be freer performing that obligation than I would be without it. And then there's also that recognition of there can be a security in a well exercised power that it gives you a sense of the boundaries.

I think often children feel more secure where there's well exercised power. If there's parenthood that has no power whatsoever and is completely goes along with the desires of the kids and never stands up, there can be an insecurity in that. It's chaos.

So it's the, I mean, I think the sort of parenting literature talks about authoritative versus authoritarian parenting. And authoritative, so there's three. I think it's authoritative, authoritarian, and permissive.

And the sweet spot is authoritative. So permissive creates like just this sense of chaos because the child doesn't have any sort of edges. There's nothing to push back.

And the child on some level, you know, despite the fact that kids think they know what's good for them, they kind of know that they don't a lot of the time as well. And so there is that like lack of security. And then authoritarian is, you know, it can be really either excessively harsh or really arbitrary.

And then authoritative is the that's what that's what good parenting essentially is. It's

providing structure. And obviously like the it can be very overstated and can get into really problematic kind of ways of conceiving these things.

If you think of adult citizens as like if you map the parenting structure of authority too closely onto that, but I do think that there is a what we want in a in a state in political leaders is something that is authoritative like something that, you know, isn't a failed state. You know, doesn't let you know sort of massive crime go on that provides the kinds of structures that, you know, a good political that a modern state needs including I won't say healthcare because that's probably controversial, but And so you want something that isn't a failed state and you want something that's not tyrannical and arbitrary and excessively harsh you want something that is like good government and You know, I feel as though to a certain degree the experience of living in a place with that Good government and living under circumstances of that good government I think that if you at least by your own experience mostly have I think that probably I think we underestimate the awfulness of bad government in both directions And there's a reason that O'Donoghue really really wants to be able to Get back to good government where it's gone wrong as quickly as possible and with as little disruption as possible particularly since the disruption of structures of authority Authority is a very precious thing and when authority is forfeited it can lead to very chaotic and destructive situations, so you don't Disrupt authority lightly and I think the other factor that Is involved along with the recognition of the right of authority that it's just etc and that it's an authority that is Enacted In a way that is It it also needs to be something that is exercised for you as a community or as a person and it's recognizing for instance that This is the peace of the community it's not just One of peels principles is Recognizing that good policing is not just seen in visible encounters between the public and the police where the police are Exercising their authority and their force in those situations rather. It's seen in the peace itself.

That is established and When you have a positive authority, there's that moment of freedom in noting in recognizing That this is for me. These people are acting on my behalf I can see my freedom in what they are doing and there is a recognition of the fact that I stand As a participant of the good that they are projecting in their action and that authority can be liberated in a way that other authorities cannot and that's Also one of the reasons why we feel liberated by being part of for instance a larger project that is well run or part of some organization or part of our countries because there's something freeing about Our agency being caught up in something that is Good and that is good for us and is exercised on our behalf And is bigger than us and is also exercised not just on our behalf. So it's not you know, it's not a question of Like buying long-term care insurance or something like that, or you know like the insurance company that like Theoretically has my back Is not the same kind of thing like that's not what we're talking about It's it's something more like this is a project that we are all doing together That is well run by authorities who are legitimate and That we're projecting our own Our own

sense of beauty really into the future um That is that sort of stability combined with adventurousness I think is really what The experience of a common good is of the political common good is Um, or at least it's one way to describe it I mean one of the good examples of a positive form of authority is a conductor of an orchestra Where there are many different people exercising their agency as part of a common project That is brought into a collective liberty through the actions of someone who's exercising clear um and effective authority Right And so that's actually that brings us to one of the things that he wants to say about representation um, or sorry about recognition so in order to be Recognition doesn't bring authority into being so the his three sort of ingredients his yeast flour water ingredients for political authority don't include recognition but recognition Is necessary in order for authority to be able to? Do its thing? Well, um Because it is a kind of relationship between the ruler and the ruled like he's he's very He's very at least in this in this chapter.

He is very much. Um He's focusing on the hierarchical nature of authority rather of politics rather than on the kind of um Uh friendship-based politics where we which is another aspect of politics, which is also valid and needs to be talked a lot about and is you know, I sort of one of my favorite, um political theologians is Johanna, Salthusius who talks primarily about politics from that perspective but he's talking about The the vertical as opposed to the horizontal bit of politics and in order for that to work well The political authority With these three ingredients that he's mentioned does have to be recognized and part of that recognition is seeing You are sort of You're represented in it and he means represented in a slightly different way than we would think of representative government But it's not entirely different But if you think of the example of the conductor if the orchestra does not recognize the authority of the conductor The orchestra is not free to play Their their piece together like that's another kind of way that freedom is brought into it You know, you're not free to play a symphonic piece by yourself Because it's not possible No matter how good a cello player you are. You can't play An orchestral piece that has a cello part by yourself And that means that unless you recognize the authority of the conductor, you're not free to play it at all And there I think it's helpful in moving us beyond this idea of authority is something purely outside of ourselves um authority as he understands it is something that is correlated with an internal recognition of myself in that authority in some way whether that's the projection of my good whether it's the an expression of my agency i'm represented in that um Or whether it's the sense of the right more generally Um, I think that's There are a lot of different sort of rabbit trails that we could go down with that.

I think that's um, I think it's very true I also think that um there's a certain way in which This comes That aspect of thinking about it Comes back to what we have often discussed in the past as the 30 to 50 feral hogs problem Which Um, maybe too much to get into here one thing it does bring out I think is that aspect of his work where he talks about our duty to or our obligation as members of society more generally even before this act

of uh discerning the demands of authority from moment to moment or The situations where we have to recognize a particular bearer of authority. There is this broader public responsibility and he talks for instance about freedom of speech in that context in a way that is Quite arresting because it's not the usual way that freedom of speech is spoken about He sees this as a sort of participation in the word of god And it's not so much a right but the public duty the public duty of candor Um, so he talks in the following terms behind many a story of tyranny lies collusion between oppressor and oppressed a community that prefers to accept a shrunken public realm rather than pay the price of discerning and articulating complex truths in public and that seemed to be To me a comment worth reflecting upon because I think it has a lot to um A lot of bearing upon our current political moment. Yeah and he actually this is a place that's really interesting because it is where he it's the one place in the chapter where he um takes a more kind of Politics as friendship approach and he's not really talking about hierarchy And he says very specifically that we have an obligation to our neighbors Before we have an obligation to the ruler and that obligation is public candor.

Um, so you know, I think that there are We can see the the failure of public candor in a lot of areas in in politics today and in the past um and one of those areas is um Just the the fear of speaking out Because you think that you have an opinion that's going to be unacceptable and obviously, there are many opinions that are morally unacceptable and should properly be uh You know called out as it were. Um, but especially with You know, especially with really complicated questions, I think that there is a really large area of uncertainty and a large area of prudence and a large area of um you know Investigation and that needs to happen in public. It needs to happen with people standing behind their own words.

Um, so Even like the debate over the intense politicization of the debate over the response to coronavirus has led to an atmosphere where There are some things that you can't say because it will put you in either one or the other political in different sorts of company because it will put you in one or the other political camp and When you're talking about like trying to understand as accurately as possible and make decisions about as wisely as possible um you know efforts against this pandemic you see the Incredibly important nature of public candor um highlighted in a way that I you know, I've rarely seen as as clearly as I have in this like we need to be able to You know be honest with each other and we need experts to be able to be honest with us and we need our politicians to be able to not filter um information through political Sort of grids if we're going to survive This isn't the same thing as the right to free expression of yourself um It's a it is a public duty And it's an it's an obligation that's laid upon us for The sake of the community as a whole he talks about society being free vis-a-vis government when it's free vis-a-vis itself and that role of candor is to enable the society to relate well to itself so that it can actually own and take responsibility for um its its relationship to government and in a situation where there is just this Bare authority

that's exerted over you and there's no context of public deliberation and reflection upon what things are good and just and appropriate and right in a given scenario. There is something about Authority itself that sours at that time. Yeah, so he I mean his sort of discussion of what the political obligations. Other than you know obedience to legitimately constituted authority, um, what the political obligations are of Ordinary citizens. He really focuses very heavily on it is our obligation to maintain a virtuous public realm. And the way that we do that primarily is through this public candor? um, and you know. He does want to kind of allow for people who really don't like talking about politics. And this is not to say like he's not saying that we all need to be talking about politics all the time. Like that is not the only political role for citizens or for subjects, um, but he is saying that it is our. You know as as subjects. And also as citizens and those, you know, both have a slightly different valence, um. It is our obligation to be speaking truth candidly in public. And to be giving each other reasons to be sort of, um. Not to be just expressing Beliefs without backing them up, not just to be getting mad online, um. And not just to be shutting up if what you have to say is unpopular. Uh, because those are ways that people can collude with potential tyrant, um. And I think this is also highlighting something about the way that we have a responsibility to relate to authority, um. Submission to authority is not just, um. Subjugation and just going along with whatever authority says. Authority requires discernment from us, um, we have to recognize who are just bearers of authority. We have to discern when authority is being exercised. Is a presidential tweet for instance, uh, an exertion of authority or is it something different? um, we have to think about situations where. Um, there are many competing goods and how do we relate to those sorts of situations and that? activity in the task of discerning and recognizing authority. It's not something that just happens as a matter of course. That recognition is something that we need to actively throw ourselves into and as we do so we become more free. Yeah, so this is this actually gets into where he strangely switches up the idea of civil disobedience or at least that's kind of where I saw him going or what I drew from that, um, so he says that it's the job essentially of the subject to discern when and how a command requires obedience, um, and that is not the same thing as. You know, you have the option when a legitimate when a political command comes at you to either obey or disobey and take the punishment. So that's kind of the way that, um, Traditional civil disobedience.

I mean I'm thinking of throw in the first place, um, that's sort of the way which traditional civil disobedience discourse has been phrased like if a command if you if there is a political command you have the choice to either obey it, um, or disobey it and take the consequence, um, and he says that this is a misunderstanding because if the sovereign had the right to punish disobedience, which the subject is acknowledging with his non-resistance to that punishment. Then he had the right to be obeyed in the first first place. So obedient decisions of proper subjection to authority is a recognition of a true claim on us. It's not a choice between alternatives that we just decide on with our will because we would you know? We've chosen to take the punishment rather than obey the law, um. We

have this burden of intelligent obedience. So Civil disobedience in that case Is something like a non-recognition of political authority? and this actually gets to a a more martin luther king-ish understanding of what Civil disobedience would be Which I guess thorough does as well. Um But it's basically saying an unjust law is no law at all like you have no This this unjust law that i'm disobeying Has no political authority behind it Um, and yeah, maybe that will result in me being punished But you don't have the right to punish me actually either because there were just there was like an entire lack of just political authority behind the law in the first place um But that sort of civil disobedience is also expressed in a way that is not straightforwardly overthrowing the authority as such or seeking to Deny the place of authority.

It's actually premised upon a very strong account of authority. Yeah, it's I mean, it's it's what? it's something like what O'Donoghue would describe as reform rather than revolution. It's like an action towards reform in a very good way, I think Um, because it is saying there is such a thing as political authority This isn't it But there's maybe ingredients here That we can work with to get to it um, and it's also saying it's kind of Offering oneself as Like it's saying if this were It's essentially saying to bull connor.

I wish you were a just man And if you were I would be willing to Obey you, but you're not but I wish you were and it's it's like It's wishing the good of political authorities even which is that they be just and it's wishing Wishing is sort of like a wishy-washy way of saying it. It's um And it's desiring the good of having good authority over you and saying Once that good authority is in place i'm going to seek to bring it into place I'm going to seek to do that with as little you know with as much kind of like um continuity as possible because that's part of that is part of just authority and once that Just authority is there i'm going to happily obey it um It's not kind of it's not an anarchic impulse at all. It's actually, you know, I think Martin luther king is a really good example of this kind of love of the good of good authority expressed as civil disobedience now Taking us full circle.

How does this get us back to romans chapter 13? In conclusion in conclusion In conclusion, I mean I think that actually there's a good bit that we haven't talked about having to do with the way that Well, I guess we did a bit. Um You know paul talks about the governing authorities, which we must be subject to as Being put there by god And what o'donovan everything that o'donovan's done through this? um is teasing out of what that means And what that means as we relate to those authorities that we notice over us, um and What it means if you are a political authority, what what does it mean to sort of image god in that way? um and I think that it I mean what it gets to for me is it's a much richer and more complicated picture than that Passage might first make it appear and it also makes that It makes romans 13 feel like something good and beautiful as opposed to something scary and potentially, you know totalitarian or something and I think that that's um Really important Yeah, this is just This is a way to honor O'donovan is trying to honor the scripture and I think that he's I don't think he's making this up. This

is I think this is real.

I think he has in fact Kind of cracked the code not that he's Not that he's doing this himself, you know He does have his own auctorities. There is a sort of um a natural law Thing going on here that is at the same time I think an account deeply infused with gospel principles with The fundamental gospel Claim that jesus is lord And seeing human authority in the light of that fact and going back to romans 13 after reading o'donovan it is not just a less threatening text, but it's a far more promising and Exciting text I find yeah Really quite extraordinarily so Thank you very much for this conversation we are going to be reading through this book over the next while so there is a great dense mass of Incredible insight within this book highly encourage anyone who's listening to buy a copy of the book It's called the ways of judgment by oliver o'donovan And i'll leave the link to that in the show notes along with the other things that we have mentioned Thank you very much for joining me suzannah very happy to have done so god bless and thank you for listening