

## CHAPTER IV

# THE PROJECTED PSEUDO-WILL

### *Decisions and 'Decisions'*

Typically, in games, somebody, for example one of two captains, has the opportunity to make a decision: for example, the decision as to which of two teams shall be the first to bat. And by which of the two captains it shall be so decided is 'decided' by—the spin of a coin. Strictly, rather, it is decided by the rule—or, still more strictly, by those who made the rule—the rule whereby the coin is for this purpose to be spun. The matter requires somehow to be decided, and a process for this purpose has accordingly been laid down. But *can* a mere process, as such, decide anything? It is said, no doubt, to be the rain, or the absence of it, which may decide whether the game shall in fact begin. The truth is that not everything which gets decided gets decided by anybody's deciding. For there is, for the relevant purposes, a process which beyond any likely question is the one for producing a 'decision'. What better example could there be of this than a General Election? The decision is made by the voter? By the voters? By which of the voters? By the majority of them? Not necessarily. The decision is made, rather, by a process, in which the voters, by voting, take part. It is the relevant rule that prescribes the relevant process for producing the relevant result. The electorate, not the voters individually, has decided—the electorate as synonymous for this purpose with the people—since with a system of popular sovereignty it is with the people that such decisions purportedly lie. The Election is the process for ascertaining the people's will.

### *Wills and Wishes*

As a noun the word 'will' has various uses. By 'my will' may be meant the document in which my wishes are declared, or,



those wishes as so recorded: or, that capacity in the exercise of which it was done. The document is single. Its contents, however many and varied, are brought within a single operation of willing. And, for doing this, mine is a single capacity—a single will. But what if the willing be done by more than one? A given content may be willed by one, or 'jointly' by two, or collectively by many, or it may 'in common' be willed by two or more.

'Communal' willing—if this we may call it—is a highly convenient device: one of the most convenient indeed with which social man has yet endowed himself. What after all is administration if it be not the art of getting, if necessary by cumbrous procedures, results for which the full formal responsibility can in some cases be brought home only with difficulty to anyone in particular!? Individuals may be party to what committees 'do'; but it is by the committees that the things are 'deemed' to be done. In the eyes of naïve realism, or of an adolescent scepticism, every decision is, and surely must be, the decision of some individual. It requires the sophisticated kind of realism to appreciate the sense in which decisions are made by notional entities, personified notional entities, notional persons having notional wills. Communal willing, though not a willing *stricto sensu*, not a willing really, is in effect a willing even so. And sophisticated realism, so far from ignoring it, sees it and accepts it for what it is: a willing in effect, a willing notionally speaking, a willing in all but fact.

#### *Sophisticated Animism*

To account for the apparent ease with which this communal willing is so universally accepted as though tantamount to a willing in fact, one may invoke the idea of a 'mystique'—the mystique, as we may call it, of communal willing. Primitive animism might see man's inanimate surroundings as a world of many spirits, each having some ability to will. Why this way of seeing should come so easy as seemingly it does we may not know: but it evidently does. There is more than a hint of primitive animism in our personifying of an administrative 'machine'.

#### *Responsibility and Responsibility*

In the theory of the matter—and here the theory is all that counts—it is not strictly a case of the members acting on the committee's behalf—or even of the members' actions being imputed to it. In the theory of the matter it seems rather that a process which includes the casting by members of their votes is construed as 'adding up to' action by the committee as such. The point is worth noting carefully, if only for the sake of precision in the placing of responsibility. New members do not individually inherit the responsibilities of the body which they join. All that they do individually incur is their own responsibility for what they may individually do: e.g., for what they may do individually toward determining the manner in which the committee's responsibilities shall be met—met, that is, not by them individually, but by the committee, as such. The orthodox interpretation is holistic. The committee is construed as responsible, and as acting, as a whole. And, just as the committee's responsibilities are those of the committee as such, so those, internationally, of a country lie upon the country and not upon its government or the members of it. The responsibilities of those individual members are heavy enough without their having to be mistaken for the country they serve. If the responsibilities of the country could be regarded as resting upon its individual statesmen, these last might have merely to disappear, and its creditors would be left 'to whistle for their cash'. As it is, while the politicians are mortal, the country, in principle, is not.

#### *The Nature and Naturalness of the Artificial*

No need here to describe the process by which a committee reaches a decision. So familiar is it that it excites as little curiosity as the beating of the heart. What may well, however, excite some curiosity is the question of how it comes to excite so little. For curious it certainly is, once one begins to be curious about it, at all. It is not as if anyone had ever said: Let's play committees, and proposed in what conditions the purported taking of a decision should be represented by what ritual. Which of us, the first time we heard of a committee's having decided something, had any difficulty in accepting the information



as though it were the most self-explanatory thing in the world? But that will, of course, have been because nothing prompted us to reflect. What everyone else took for granted it did not occur to us to question. But had we reflected, so far from continuing to see it as natural, we might well have found the process as artificial as is the bicycle, for getting about. Even so, bicycle movement is at least a method of movement, but is committee decision a method of deciding, at all?

#### *Calculation and Calculation*

What if it be suggested that a committee is merely a social device, for producing what it may become convenient to treat as a decision, and conventional so to do? The calculating machine may produce results, but they are not the results of a calculation. The point here is not that it is found so easy to have what is, after all, not a process of decision, but a substitute for a decision-making process. The point is that it is so easy to overlook the fact of its not being such a process at all. Realistically analysed it is a process whereby, settled rules of interpretation being applied to a procedure whereby certain votes are cast and counted, the whole is treated as if tantamount to the taking of a decision. It is clearly a case of the thing that is not being construed as the thing that is. The committee is as strictly a social device as is 'British summer time'.

How do we do it? Simply enough, it would seem. All it requires of us is that we postulate the committee's existence as a person distinct from its members, and impute to it what we conceive of as a will. Very artificial in its way. Yet all so simple. And the key to its simplicity is a propensity which we have for seeing the fully factual, and the merely notional, as if interchangeable elements. Notionally, not factually, a unity, notionally not factually a person, notionally not factually the exerciser of a will, the committee is as much an agent in our effective environment as are the mortal individuals of whom it is composed.

#### *Given Grounds*

'It doesn't matter what we say so long as we all say the same.' Cabinet decisions may have been hard to hammer out. The grounds to be given for those decisions may have occasioned less

concern. For what matters in such things is not that the world shall know how the decisions came about, but only that the preamble—with the grounds it gives—shall have an apparent compatibility with what has been done. While the 'line' of a live individual may be largely affectation and so partake of the notional, the line of a notional person is notional only, being only notionally that of anyone at all. The mind imputed, holistically, to the meeting as such is, *eo ipso*, a notional mind, and its grounds merely notional too.

#### *The Un-Willing Non-Houses*

Thus the will of Parliament is the will not of the members as such nor even of either House as such, but of a notional, and notionally unitary, entity, the Queen in Parliament, both Houses of Parliament—of Parliament as a unitary whole. Parliament is thus credited with a single will: and to this will there is imputed a single content. To the question: 'What's wrong with Parliamentary sovereignty?'—one possible, if stupid, answer might be that it places authority where there is not in fact a will. How can responsibility reside in a personified abstraction? As well might it be vested in a personified thing, in one or other of the Houses, as a building (not that either of the Houses is in fact a separate building!).

#### *Fact and Folklore*

The question is, however, not commonly asked; and, if it were to be, few would be fobbed off with such an answer. For not only does constitutional theory vest authority in the notional abstraction—but precisely this is what the folklore of the British 'way of life', the British form of co-existence in community does too. It is not only in point of constitutional theory, but in point of folklore, that Parliamentary sovereignty is reckoned as being 'all right'—that it is deemed proper that people be required to defer, and conform, to Parliament's will.

#### *John Austin's Point*

The odd thing is not so much that we should feel in tune with the chairman when he assumes to voice the communal standpoint, or with the leader who proclaims that the nation is determined never to yield. What is, by comparison, much



more odd is the tameness with which we accept the verdict of the electorate as decisive, even if a numerical majority of those voting might apparently have wished it the other way. It is almost as if, the voters being on one side and that mystic being, the electorate, on the other, the voters had got the worst of the affair. While we appreciate just what it is that has happened, and perceive in particular that the outcome of the process has been nearly as chancy as the spin of a coin, we yet accept the result almost as though it were indeed 'the verdict of us all'. It is by no means entirely as if we were doing this simply as, in game-playing, we accept the result of a gamble, the fall of the dice, the spin of a coin, or the disconcerting decision of an umpire. It is not mere good sportsmanship, or faith in the law of averages—to bring us better luck another day. No: it seems rather to be some kind of a genuine semi-belief in the last word's having indeed been spoken by what John Austin called 'the Sovereign Number', as represented by that most important part of 'it' which is the electorate conceived holistically as exercising a single will. No chairman, when his meeting is divided approximately fifty-fifty, would think to describe it as having arrived at a common view. But the fact remains that we do seem capable of believing in that mystic will to which, every so often, the re-election, or rejection, of a government is referred. And this it is that makes such sense as there may be in the notion of a world public opinion as finding its expression through a procedure as artificial, and as arbitrary, as is the procedure of the United Nations. The most we can confidently say, in rationalising justification of a very common attitude, is that, if there were indeed such a factor as world public opinion, and if this were not in accord with what was being asserted in its name, we should presumably have evidence of this being the case. It is a rough and ready method, but not simply a hit-or-miss one, of reflecting world public opinion—assuming that it is not just nonsense to be thinking in terms of any such factor at all. After all, the world is not less of a reality than is the committee, and if without arousing protests the competent spokesman purports to ascribe to the world, or to the committee, what he takes to be *its* momentary mood, it is perhaps as rational in the one case as it is in the other to let him have his way. We need not take such a verdict, so arrived at, over-

tragically. The world (there we go—even we!) will understand.

### *Calling the Kettle Black*

The make-believe of the purportedly democratic procedures under the Soviet system today is best identified as merely a special case of the kind of thing to which man has lent himself throughout his history. For allegedly communal willing is no modern invention. And a realistic analysis of it may need in any given case to probe behind the form of it and ask what it is that happens in fact.

### *Two Into One Makes Three*

If the reader feels tempted to cavil at what to him may seem an over-pedantic, hair-splitting, academic and practically inconsequential distinction between the government, as a group of flesh-and-blood agents, and the state in whose service they act, let him consider an analogy which is perhaps not altogether too far-fetched. Let him think of that curious but endearing object, the pantomime horse. What is it but a bag, containing two performers, the one to operate, and be, the forelegs, the other, the legs behind. Does anyone in the audience suppose that a genuine, biologically authentic, horse is cavorting about the stage? Does anyone not well enough know what in reality is going on? But which is it that causes the amusement—the movements of the men inside, or the antics of the horse? Is not this a case where what matters is not what in fact is done concertedly by several, but what is deemed to be done by one? It is to the illusion that a horse is behaving in what for a horse would be so diverting a manner that the audience's amusement is due—even though all actually know it for an illusion. They understand well enough how what in fact are the movements of the men add up to what in effect, and in the theory of the occasion, are the movements of a horse.

### *The Theory of the Occasion*

Is it really so altogether otherwise when the doings of a government add up to what in effect, and in the theory of the occasion, are the doings of a country? The foregoing is surely a more realistic statement of the position than is either the



ignoring of the inauthentic horse in favour of a study of the movements of the men, or the imputing of the human movements, quite unequine in each case, to the horse. What is deemed to be happening is the prancing of a horse. That is what is happening in the theory of the occasion. No need to identify this with what is happening in fact. And similarly in the case of state behaviour what we are given, in the theory of the occasion, is the behaviour not of a government, or even of the members of a government (this latter being what we are given in fact), but the behaviour of a state. And if the horse has lameness, or obligations, or a thirst, these are not the embarrassments of those inside it. They may be thirsty on their own account. Or one of them, or neither. The obligations of a country are not those of its government or of the members severally or collectively thereof. They too may have obligations, of their own.

*The Not-so-bad-ness of 'Bad Faith'*

What has been said above about the communal mentality and about communal opinion is no doubt said at some risk of its not being universally understood. To refer to it, and to do so in such terms, is not necessarily to commit oneself to a belief in the existence of minds other than the minds of individuals. Even if one speaks in some contexts of a communal mind, or a national will, or, with Rousseau, of a General Will, or of the will of the electorate, one may be doing no more than avail oneself of a convenient formula—as when at a cricket match one may speak, only half in jest, of the weather, as taking sides against the team of one's preferring. It is the opinion which is communal, in that no one need hold it authentically as his own—all merely appreciating that it is for them the safe, the respectable, the seemingly, opinion to profess and to cultivate. And similarly the communal mentality is the one which it proves socially convenient to assume. In all this there is an ingredient of what Sartre is blunt enough to characterise as *mauvaise foi*—which means play-acting a part without even being fully conscious that one is doing so; being false, that is, not just to others, but in a sense to oneself. But intermingled with this element of incomplete sincerity there is something more obscure. It is not a lack of frankness that prevents our

calling in question the formal attribution, to a committee on which we are serving, of sentiments, whether of grief or joy, which no single member present shows much sign of feeling on his own. We do in some sense conceive of the committee as having an identity, a life, and a standpoint, and sympathies, proper to itself—independent of who at a given moment are present and voting. The sense in which we so conceive of it is not merely the sense in which we rationally resort to a well-tryed social device. The explanation of our behaviour lies deeper than that. It may well be that we shall be safer in ascribing our capacity for ready participation in such goings-on, not so much to the rational as to the mystical component in our make-up. The language of communal willing is convenient precisely because it does indeed express what we mean. In a sense it seems true that the committee has willed thus and so, that the nation has resolved to make a stand, that the electorate has said no. It is the mystical rather than the rational component in our make-up that renders such statements so acceptable and so digestible. It *seems* as if they were true. We have almost forcibly to remind ourselves that they strictly are not. When the chairman articulates what he judges to be the sense of a meeting, he is indulging in himself, and appealing to in others, the disposition to believe in that additional personality which is that of the committee as such. The 'mystique'—neither more nor less. The mystique of communal willing: that might well have served as title for this chapter.