

*Uppsala Rhetorical Studies* **U R S**

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ENGAGING  vulnerability

**CAN A PERSON BE  
ILLEGAL?**

Refugees, Migrants  
and Citizenship in Europe

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“Little Mr. Satisfaction”  
(señorito satisfecho)

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Sharon Rider — “Little Mr. Satisfaction”  
[señorito satisfecho] —  
Ortega’s Challenge to European Man

## Introduction

This paper issues from a number of concerns that I believe that I share with many. I recall feeling unsettled while reading Mark Mazower’s minor masterpiece, *Dark Continent. Europe’s Twentieth Century*, a few years ago.<sup>1</sup> Even if the book concludes in an optimistic spirit, the lingering sensation upon having read it is that of irretrievable loss. Whatever remaining consoling thoughts Europeans may have of themselves as the natural providers and defenders of a safe haven for democracy since WW II are dissipated like so much fog. Mazower describes the causes and effects of migrations of entire populations hither and thither throughout the continent in the first decades of the twentieth century as a result of the negotiation of political ideals and practical exigencies, the failure of liberal nations to deliver anything more than procedural rights devoid of any practical content for a substantial part of the citizenry, and a growing popular dissatisfaction with the chaos, insecurity, frustration and human suffering resulting from foundering initiatives to get a grip on things. The appeal of Fascism and Stalinism, when presented this way, from the groundfloor, as it were, rings all too familiar. What Mazower succeeds in doing, I think, is to help us see this recent history as “now”, not merely in the superficial sense of the building up to current events, but in the sense of utterly present, cotemporaneous, in the larger scheme of things. After reading his book, one is confronted with a now that includes Fascism and other forms of totalitarianism not simply as distant threats, but as still and always with us as a potentiality, as part and parcel, of modern Europe.

An important element in understanding this “protracted now”, I want to argue, is that industrialized nations seem to be putting

all their hopes for democracy and the welfare of its citizens into a very confused notion of “education”. This idea as it comes to be formulated in policy documents and political declarations covers as diverse aims as economic growth, employability, technical innovation, integration of immigrants, the inculcation of democratic values and practices, gender equality, ethnic tolerance, and environmental sustainability. That’s quite a tall order for any educational system, but especially Europe’s increasingly deregulated (or even fragmented) educational landscape. I’ve studied the economic and technical aims elsewhere,<sup>2</sup> so here I want to focus on the notion that all of our ills as citizens and as a society can be addressed and handled with enough “education”.<sup>3</sup>

It is standard practice to distinguish between three dimensions of citizenship: political, social and legal. These correspond, roughly, to three different institutions: the legislature (political rights), welfare systems (education and health care) and the judiciary, or courts of law (civil liberties). This model derives in large from T.H. Marshall’s highly influential “Citizenship and Social Class”, published in 1950, in the context of the construction of the British postwar welfare state.<sup>4</sup> Marshall defines citizenship as a “status bestowed on all those who are full members of a community”, sharing rights, duties, and the protections of a common law. The bonds of modern citizenship develop first through the “struggle to win those rights,” and then, once gained, by their “enjoyment.” Thus modern citizenship implies also “loyalty to a civilization which is a common possession.” A similar idea can be found earlier, perhaps surprisingly, in Ortega y Gasset’s *The Revolt of the Masses* (1930).

In reaction to the growing barbarism of totalitarian movements and regimes, Ortega posed three questions that are still salient: i)

what, if anything, does it mean to be European?; ii) how, if at all, is it possible to retrieve an idea of European civilization that is at once viable and valuable?; iii) what is involved in bringing “newcomers”, i.e. the young, and, by extension and following Arendt, “the recently arrived”, into active membership in a polity or community? If we cannot answer these questions, it is difficult to see how we will be able to perform the task.

I should perhaps say something first about the choice of Ortega, a thinker who, if he is discussed at all, is considered something of an ethnocentric sexist. The main reason for this characterization, I think, is that it’s not altogether unfitting. At the same time, if the study of the history of philosophy were to be purged from all thinkers who have expressed ideas that are not in keeping with present-day norms and values on such matters, we’d be left with John Stuart Mill and not much else (although not even Mill is entirely *comme il faut*, having supported public hanging as a form of punishment). To my mind, this would be an unsatisfactory state of affairs. At any rate, I read Ortega here in light of Arendt’s use of Kant’s distinction between actor and spectator with regard to judgement. Ortega’s thoughts here have to do with his reflections as a philosopher, “outside the fray”, as it were. They are not intended as calls for direct action, but are rather meditations on the judgements made by certain actors, specifically, the modern educated “European Man”, the specialist who believes himself to know everything he needs to know, and who exceeds the bounds of what he knows in considering other matters and in not considering other thoughts and other people. This barbarous, primitive non-entity, “Little Mr. Satisfaction”, is us.

## The Social World and its Elements

Words like “autonomy”, “liberalism”, “justice”, “freedom”, “equality”, but even “knowledge”, “education”, “progress” etc. can be rather promiscuous, offering themselves up to all comers to mean whatever one’s predilections would have them mean. Alternatively, one can consider them to be “essentially contested concepts”.<sup>5</sup> And this inherently contestable and contested nature of certain terms and clusters of terms, combined with historical context-dependency, or simply laxity of terminology, can make it difficult to see clearly what assumptions are in play, and to what extent they are shared or conscious. I shall therefore admit my own starting point, namely, that I share with Ortega the view that the political and the economic are best understood as qualifications or aspects of what he calls “the social”.

The Latin noun *societas* indicates most broadly a union for a common purpose. A “society” then can be any form of fellowship, partnership, economic or political association, community, political formation, or alliance. Ortega emphasizes this most general feature of coming together for a common purpose, because he thinks it helps us get a grip on what we think we’re doing when we talk about the relationship between economics and society, culture and society, or education and society. It can also provide a common ground for discussion, in which sticky points regarding the relationship of liberalism to social liberalism, or social liberalism to Marxism, or classical liberalism to neo-liberalism, can be disregarded, at least for the moment.

In both *The Revolt of the Masses* and *Man and People*, Ortega looks at the components of this “union for a common purpose”, piece by piece.<sup>6</sup> To begin with, a union is something that is accomplished

or made, it is the ongoing result of a coming together, whether or not there be some explicit decision or contract. That is to say, it is something we do rather than something that is just there for us, like a tree or a stone. And something that is achieved or done can also be undone or cease to be achieved. The first case, the undoing of this union, would likely be the result of a dramatic course of events, such as war or natural disaster. But the second is rather a question of negligence or at least pretermission. So our first observation is then that the word “society” refers not to some thing with such and such qualities, but rather works as a placeholder for the variety of things that are constantly being done and redone, modified and developed so that we can continue to “unite for a common purpose”. While one can see the State or its senate be seen as being, in some abstract sense, a *res publica* (a public thing), the use of the term “society” simply designates the fact that human beings already at a very primitive level come together in order to accomplish things, i.e. to act. It is in this very basic sense we can understand Aristotle’s claim, in the *Politics*, that by virtue of our natural capacity to give reasoned accounts (i.e. our *logos*), or, as we might say today, our ability to signify and not merely signal, human beings are born to associate with each other for the purposes of justice as well as expediency. Aristotle contrasts a colony of bees with an association of men by pointing out that the bees merely signal instinctively pleasure or distress, without any common aim or purpose apart from the signalling, whereas man signifies, at least at times, in order to do something. In short, the bees’ behaviour lacks the intentionality characteristic of human action. I use the term “intentionality” with some reservation, because the whole discourse of intentionality in philosophy is, of course, a hornet’s nest. All I wish to say by reference to the notion of intentionality here is that human beings can

ask themselves, “What should I/we do?”, which often, although certainly not always, is resolved by a further reflection of the order, “What kind of person/society am I/are we if I/we do X rather than Y?” Another way to put the point, in more Weberian terms, is to say that goal-rationality in any question assumes certain values and not others as to what is worth aiming for to begin with, and which goals have priority over others in a case in which certain unintended consequences are probable given a certain course of action. What this says about social action, that is, unified or collective action for a common purpose, is that it requires at times, in particular when issues of the highest import are at stake, that we take a step back from action and reflect, together, on what it is that we are aiming at in order to be a certain kind of society. Another way of putting the point is to say that we must on occasion see ourselves, our society, as a problem, something to be considered and perhaps changed. A more Nietzschean formulation might be something like, “How are we to proceed in order to become what we are?” For what we do, individually and collectively, constitutes our common nature, that is, the nature of our society.

The foregoing might give the impression that Ortega is calling for a more theoretical stance, according to the notion that “first we think, then we act”. Ortega was, however, highly critical of this intellectualist position. Yet, although he might reasonably be described as some kind of vitalist (if we insist on such labels), he reviled voluntarism. Like Hannah Arendt,<sup>7</sup> while he emphasizes the act of union in defining society as an activity rather than as a thing, at the same time he considers the Cartesian definition of the human beings as primarily a *res cogitans* to be misleading. Ortega takes Aristotle’s claims that “man is by nature a political animal” and that “all men by nature desire to know” to be different articulations

of the same view, namely, that the inclination and capacity to give and take into consideration reasoned accounts about ourselves and the world we inhabit is essential to a fully developed human form of life. But this capacity to account for ourselves and to hold each other accountable is, of course, an essentially incomplete project. It is often the case, both for the individual and for the society, association or alliance to which she belongs, that we simply don’t know if we have acted for the best, or, alternatively, that we actually take ourselves to know, say, about probable consequences of that action or even of what ultimately motivated us to take it. (For this reason, Ortega suggests that we define the human being as *homo insciens* rather than *homo sapiens*.) The moral import of seeing our thinking-things-through-together as essential to our being human in the fullest sense is this: if society is something that is attained only in and through our combined and considered efforts, and if thought is never complete once and for all, but always and inevitably part of our daily doings in the world in order to be what we are as a society, then the capacity for thinking itself is necessarily something that requires perpetual sustenance and vigilant maintenance. It is not a given, but something that each culture at any point in time does, in one way or another, more or less prudently. As Socrates saw so clearly, we don’t know for sure what we think we know for sure.

## The Subject of the State

Civilization, for Ortega, is nothing more or less than the conscious perpetuation of the choice to live together. It means, therefore, always implicitly taking others into consideration when acting; thus its opposite, barbarism, is quite simply the will to disassociation. On this view, civilization is always “liberal” in the broadest sense of

the term: it assumes a certain level of generosity and hospitality. It means “taking the other into account”, even if the other is an enemy, or simply weaker. This taking others into account something is something that academics and intellectuals of our day consistently fail to do. For Ortega, what characterizes the “knowledgeable ignoramus” that is the European bourgeois, the scientist and specialist of our epoch, is that he is in a constant state of “not listening”: out thinking combines the arrogance of elites with the intellectual indifference of the masses.

Now a State, for Ortega, is quite literally a “state”, i.e. a state of equilibrium, that is, a state in a dynamic process. To be a subject of a State can mean two different things. It can mean obeisance to an acknowledged or at least recognized authority, which is another way of saying legitimate authority, or it can take the form of mere submission, i.e. acquiescence to force, which means the degradation of the subject. The idea of the Greek *polis*, or the Roman *urb* for that matter, was to build together borders against Nature, and to form a place (the *agora*) for physical, commercial and juridical assembly (*synoikismos*). This town square was the physical wordly and concrete manifestation of the will to live together, to be citizens—together—regardless of blood lines or birth. The polity is thus, for Ortega, a unification of diverse groups that, in the end, is strictly speaking *unnatural*—it is, as he says, “a work of imagination”. He thus credits Julius Caeasar with being the first to broaden the European political imagination. Regarding the State as a common task rather than a thing (requiring *a primus inter pares*, to be sure), for Caesar, there was no such thing as physical limits: there were no “natural frontiers” for the idea of Rome. Indeed, Ortega considers all belief in real, naturally occurring national borders along linguistic, cultural, religious or physical lines, “geographical mysti-

cism”. To the contrary, frontiers and borders merely consolidate some form of unification that has already been attained (say, along linguistic or cultural lines). So a State is then the state of equilibrium achieved after a fusion of “us” with “others”. That is to say, a State is always an effect, and never a cause. It is something we have done and continue to do together. That is why the legal grounds and institutions are said to be “constituted”. (For Arendt, this is the fundamental sense of the term *Constitution* in the US.) Without this ongoing effort at political self-constitution, we are nothing but atomized individuals, groups unified by more or less fleeting and contingent interests, without any intrinsic relation to one another. And that “state” is one of disequilibrium, dissolution, decadence.

“Europe” is nothing but a name for the idea of a common project of unity of purpose among those of us calling ourselves “Europeans”. The only reasonable pre-condition is that one wants to be part of it. This idea need not remain in Europe, and it need not take its current consitutional form (parliamentarianism). But without such a common project (in which my autonomy is dependent on yours), it is difficult to conceive of its futurity.

## Education: Paying Attention and Taking Each Other into Account

Ortega appears to share with Hannah Arendt the view that the two fundamental requirements for engaging in such a project are imagination and judgment, rather than “knowledge” in the sense of subsuming some particular fact under a universal. Arendt interprets Kant’s idea of “disinterested judgment” as having to do with the necessity of withdrawing into the position of the “spectator” of events when considering a critical situation. The view of the participants

in these events is always, necessarily, “What shall we do?”, since the essence of a “crisis”, a word derived from the Greek signaling judgment, is the need to make a decision. The perspective of the spectator, as opposed to that of the agents, is one that encompasses all the actors on stage, from all their different positions, from a distance, since the spectator is not herself an actor. The result is not objectivity in the aforementioned sense of generality or scientific validity, but that of “impartiality”. As a spectator, one has no vested interest in the events on display. But, and here is the crucial point, as soon as we consider ourselves at a critical distance, we are ourselves spectators. To think meta-politically is to regard our own actions at a distance, not so as to objectify them, but rather as to be able to perceive the situation from the various perspectives of all the actors on stage. This capacity, that is, to take our own actions and opinions as well as those of others into consideration as on an equal footing on the scene, requires vigilance and effort to be maintained. It is not a matter of learning a set of established norms, rules and customs, but of taking responsibility for keeping the show going, as it were. The problem with all forms of intellectualism is that they presume that human beings live to think. Ortega is in this respect fairly called a vitalist insofar as he thinks, to the contrary, that human beings think in order to live. And this is the case for the collective as much as for the individual. “Thinking” is not a characteristic quality possessed by the human species in the way that having a “sting” is a quality attached to being a wasp. It is not something we “have” at all. Rather, thinking, clarity of ideas and action, must always and everywhere be achieved, fought for, guarded. It is fleeting and unstable. Intellectualism assumes from the outset that man is always already “thinking”. This assumption, on Ortega’s view, is plain dangerous. It implies that intellectual resources are just there at our disposal when

we need them. The danger of this attitude is that it easily leads to the complacency, obliviousness and negligence of little Mr. Satisfaction.

As distinct from other animals, whose lives consist of unceasing responsiveness to their current environment, and who are, in that respect, steered by it, man can from time to time withdraw “into himself”, as it were, and ignore everything around him except that which is the object of his concern. He can “pay attention”. What is that he is paying attention to? Himself: his ideas, thoughts, hopes, plans and aims. But all of these things are not just there in the individual; rather, they come to him from the world, in the speeches he has heard, the words he has read, the patterns of social life unto which he was born, the very language he speaks. Thus, paradoxically, in order to retreat into myself, I have to be exposed to others. Without others, there is no “inner world” into which to retreat. There are no thoughts to be thought. So we are each and every one of us everywhere and always already exposed to each other; and each of us must keep up the business of achieving our language, our civilization, our knowledge, through common action. We have to do everything ourselves – with each other. When we then return from our inner exile, we are no longer spectators but participants. Through our speeches and actions, we constitute our world. Every time one of us returns to the field of action, the world, we leave our imprint on it by leaving traces in the speeches and actions of others.

I spoke of intellectualism, the idea that we think first and act thereafter, as misleading. Making thought and its manifestations (science, art, philosophy, commerce) the aim and purpose of human life is a mistake. But so is its opposite, that is voluntarism, the idolatry of the will. Action in isolation from thought, for Ortega as well as for Arendt, is by definition unreflective—quite literally thoughtless (or, as Ortega says, “stupid”). When a human being is constantly

responding to threats, risks, and real or imagined dangers, when she is incessantly occupied with details and pre-occupations that prevent her from withdrawing to collect herself, she will follow the impulses provoked by an unquestioned mythology that gives structure to her lifeworld (this mythology can be religious, ideological or even aesthetic). If she cannot stand back for a moment and say, “Wait, let me think”, neither can she be “herself”. She becomes “one, “das Man”, everyone and no one.

When will and direct action (“strong leadership”, as we say today) dominate an epoch, Ortega says, the first thing to do is lock all your doors. Deprived of a time and place for reflection, human beings fall into thoughtless action, or, to use Ortega’s technical term, “stupidity”. In a bee society, all the bees do what they must. They have no reasons, and they don’t need them. But as the animal with logos, human beings are fated to reason, with themselves and with others. That is their constitution. But in order to decide if I have “good reasons”, have thought rightly, I have to confer and compare with the reasons and thoughts of others. Yet to do that means that we have already some kind of *sensus communis*, a common ground to stand on. If we deny at the outset the possibility of such a common ground, we reject with it the very possibility of sociality as such, i.e. of forming a coherent collective, of living together in union. Every opinion or judgment about a state of affairs is a kind of movement back and forth between myself and the other: in order to examine my reasons for making the judgement “X is good”, I have to be able to explain or at least relate those thoughts to someone else. This is because thinking requires communicability for its performance and enlargement. If I can’t give reasons, it’s really not a judgement at all, but rather just an expression of something—a preference, a visceral reaction, a feeling. The very notion of judgement then implies a movement

into myself (my reasons) and outward (the giving of grounds for my decision or choice), suggesting that there must be some common standard or point of reference, i.e. a shared human world. But that world, as we said, is just our common efforts at paying attention and taking each other into consideration in thought and deed.

Another word for this common effort and responsibility of “taking each other into account” in the creation of a life together, or a common world, an effort which is neither a merely intellectual stance nor a pure act of the will, is education. Education, broadly construed, is, together with the rule of law and its institutions, the strategy or plan we who have decided to live together have for ensuring the continuation of our common world, of creating and maintaining “a good society”. It is typical for our time that we think that we can leave the work of taking responsibility for the continuation of our common world, our civilization, to “specialists” or “experts”. Here we are confronted with a question that concerns all of us in our humanity, in Arendt’s words: “whether we love the world enough to assume responsibility for it and by the same token save it from that ruin which, except for renewal, except for the coming of the new and young, would be inevitable”. We cannot see that this is not a technical or scientific question, but an ethical one.

And here we return to the issue of *the human being as a problem for himself*. The very idea of what a proper education is presumes that we can answer the question, “Proper to what?” It has to do with the ideas, hopes, plans, expectations and highest goals that constitute our “common purpose”. The world we find ourselves in is always *already imbued* with our thoughts, hopes and ideals, not merely in the form of philosophy journals, the stock market, operas, movies, buildings and mathematical formulae, but also in orange groves, dams, highways and dairy farms. In thinking, evaluating and plan-

ning, we constantly make the world in our image. What we de facto value and are prepared to do, both individually and collectively, has consequences. A society bristling with advertising agencies and investment banks but without the resources to produce its most basic alimentary needs, that is, without dairy farms or orange groves, has most certainly made its imprint on the world. And it is this very concrete world which the young and the recently arrived are enjoined to find their place in and make their own.

The present day use of the term “knowledge” as in “knowledge society” or “the knowledge economy” assumes the idea of knowledge as something that human beings get by virtue of an already extant faculty, thinking, which gets filled with the stuff that the knowledge is about (this “stuffing” being called “education”). Were this the case, then it would be reasonable to construe our systems of education in such a manner as to expedite the transmission, not only of facts, skills, and methods, but also of values, so that the thinking apparatus can assimilate the material in a smooth and efficient manner. The most important “resource” here, “thinking”, is seen as already there to be integrated into the system. But Ortega (together with pretty much every philosopher that I’ve read on this subject, including inter alia Plato, Aristotle, Locke, Rousseau, Kant, Fichte, Hegel, Dewey, Mill and Arendt) argues that the capacity for genuinely human thought and action is something that must be *cultivated and nurtured*. And cultivation requires forethought and planning on the basis of what qualities one wishes to issue. What do we who are “Europeans” by accident of birth or life choices want to issue from our efforts to train the “newcomers” (the young, the recently arrived)? The answer to that question would seem to lead us back to the fundamental question of *who we think we are as a society*.

The serious challenge posed by Ortega is the pressing question of

the “we” who constitute society. If it is “we, the mass of European man as incarnated in the educated bourgeoisie”, one is inclined to recall Weber’s famous lament in *The Protestant Ethic and the Spirit of Capitalism*: “No one knows who will live in this cage in the future, or whether at the end of this tremendous development entirely new prophets will arise, or there will be a great rebirth of old ideas and ideals, or, if neither, mechanized petrification, embellished with a sort of convulsive self-importance. For of the “last man” of this cultural development, it might well be truly said: “Specialist without spirit, sensualist without heart; this nullity imagines that it has attained a level of humanity never before achieved”.<sup>8</sup>

## Endnotes

1 Mark Mazower, *Dark Continent: Europe’s Twentieth Century* (New York: Vintage, 1998).

2 See, for instance, Sharon Rider et al, *Transformations in Research, Higher Education and the Academic Market: The Breakdown of Scientific Thought* (Dordrecht: Springer 2013); “The Very Idea of Higher Education: Vocation of Man or Vocational Training?” in *The Humboldtian Tradition*, eds. Thomas Karlsohn, Peter Josephson & Johan Östling, (Leiden: Brill, 2014), 191–212; and “The Future of the European University: Liberal Democracy or Authoritarian Capitalism?” in *Culture Unbound: Journal of Current Cultural Research* Vol. 1, 2009, pp. 83–104.

3 Sections of this paper appear in slightly different form in Sharon Rider, “Liberalism and the University as an Institution of Truth”, *The Thinking University: A Philosophical Examination of Thought and Higher Education*, eds. Ron Barnet and Søren Bengtson (Dordrecht: Springer 2017).

4 T.H. Marshall, “Citizenship and Social Class”, reprinted in *Inequality and Society*, eds. Jeff Manza and Michael Sauder (New York: Norton, 2009): pp. 148–154.

5 W.B. Gallie, “Essentially Contested Concepts”, *Proceedings of the Aristotelian Society*, Vol.56, (1956), 167–198; W.E. Connolly, *The Terms of Political Discourse* (Lexington: Heath, 1974), pp. 10–44

6 José Ortega y Gasset, *The Revolt of the Masses* (New York: Norton, 1932); José Ortega y Gasset, *Man and People*, trans. Willard R. Trask (New York: Norton, 1957). *Revolt of the Masses* contains a series of articles from 1922, 1926, 1928, anthologized and published first 1930; *Man and People* contains a series of articles from 1940–1950, published together 1952.

7 See Hannah Arendt, *The Life of the Mind* (New York: Harcourt, 1978) and *Between Past and Present* (New York: Viking Press, 1961).

8 Max Weber (1905), *The Protestant Ethic and the Spirit of Capitalism* (London: Routledge, 1993), translated by Talcott Parsons, p. 132.