

## THE TOWER

ANTHONY BRADNEY

School of Law, Keele University

---

### Abstract

The image of the tower is a potent symbol in many cultures. In the 'Epilogue' in *Blackstone's Tower*, Twining referred to the Eiffel Tower with respect to his book. This article will instead look at the Tower of Babel, the concept of the ivory tower and the tower in which Montaigne composed his essays. It will ask what lessons universities and their law schools can learn from reflecting on these mythical and real towers.

**Keywords:** Tower of Babel; Montaigne's Tower; ivory tower.

---

### [A] INTRODUCTION

The image of the tower has long been a potent symbol in many cultures.<sup>1</sup> In *Blackstone's Tower*, Twining focused on ideas arising from consideration of the Eiffel Tower, specifically denying any attempt to conjure the notions of 'an ivory tower or a Victorian folly or the Tower of Babel' (Twining 1994: 190). In this article I will take a different approach, looking first at the story of the Tower of Babel, then at the tower in which Montaigne wrote his *Essays* and finally at the idea of an ivory tower. In each instance I will look at the background to the relevant tower and then at the various ideas that have arisen from consideration of the towers. I will argue that both the historical sources of the images and the way that each has come to be used in subsequent discourse offer a rich resource for reflection both on what university law schools are and, much more importantly, on what they can become.

---

<sup>1</sup> This article will focus on images of the tower in Western culture but, more widely, see, for example, Mandujano-Salazar on the tower in modern Japanese culture and Guo on the tower in Chinese culture from the late Eastern Han dynasty to the Qing dynasty (Mandujanu-Salazar 2016; Guo 2004).

## [B] THE TOWER OF BABEL

The Tower of Babel is the oldest image of the tower of the three that I will examine. It is also the one that is most widely used in the academy and beyond. A simple Google Scholar search generates tens of thousands of results crossing a vast range of academic disciplines. At a most basic level the picture of the Tower of Babel is widely seen as having rhetorical significance; it has been variously said that it ‘*is ubiquitous*’; a ‘familiar story’ and ‘a well known episode in Genesis’ (Sherman 2013: 1, original emphasis; Walton 1995: 155; Sasson 1980: 211). In fact, as will be seen that, despite its manifest pervasiveness, whether the story of the Tower of Babel is either familiar or well-known is doubtful.

The first explicit reference to the story of the Tower of Babel in the Bible is to be found in Genesis (chapter 11, verses 1-9) which tell both of the building of the tower and the subsequent introduction to mankind of a multiplicity of languages by God. Historically, however, not all references to the biblical story of the Tower of Babel have been references to these verses. Major, for example, in his study of the Tower of Babel in Anglo-Saxon literature, notes that: ‘The association between Nimrod and the Tower of Babel was very common’ (Major 2018: 15). The Bible’s account of Nimrod (in Genesis 10, verses 8-10) makes no mention of the Tower of Babel. Flavius Josephus’ *Antiquities of the Jews*, written around AD 94 or 93, does however, stating that it was Nimrod who persuaded people not to fear God and to build the Tower (Josephus, Book I, chapter 4, 2-3). Josephus’ book, the first 10 volumes of which are a transliteration of the Jewish Bible, was not a simple copy of the original texts. His account of the Tower of Babel was ‘a political translation of the narrative of the tower’, being shaped in part by his attempt to make the language intelligible to the audiences for whom his book was intended and in part by Jewish commentaries on the Babel story (Feldman 1981; Inowlocki 2006: 172; Sherman 2013: 153 and 7). His book was widely read and was influential on ‘intellectual traditions of Late Antiquity and the Middle Ages’ (Kletter 2016: 368; Major 2018: 36). This impact continued in later periods. Hardin, for example, ascribes Milton’s use of the Tower of Babel in *Paradise Lost* to the story of Nimrod, whilst Mansbach makes a similar case for Pieter Bruegel the Elder’s 1563 Vienna painting of the Tower of Babel, in both instances citing the influence of Josephus (Hardin 1988: 38; Mansbach 1982: 44-45). The starting point for consideration of the Tower of Babel is thus, which tower are we looking at; that in Genesis, that in Josephus or both?

One relatively straightforward interpretation of either of the stories of the Tower of Babel is that they are cautions against arrogance, pride or hubris (Levine 1993; Klinger 2004). Hiebert has termed this ‘the pride-and-punishment reading of the story’, suggesting that it goes back to the earliest interpretations, remaining dominant even in the modern era (Hiebert 2007: 29). If this interpretation is straightforward, its application to either universities or their law schools seems to be similarly uncomplicated. Universities and university law schools ought to be cautious and even modest in the claims that they make about themselves. Such a suggestion may seem to be unproblematic in the light of normal academic practices. Standard academic axioms such as ‘always verify your references’ and ‘doubt everything’ do not betoken an aggressive culture of risk and assertiveness. Scholarly detachment is not consistent with self-aggrandizement. Yet ‘the pride-and-punishment’ interpretation may have more bite for universities than it at first seems. Goodhart’s contention that universities exaggerate the connection between the education they offer and employment prospects for their graduates and Sandel’s more general criticisms of the role of universities in ‘credentialism’ could be read as being precisely a call for universities to show less arrogance about their role in societies (Goodhart 2020: chapter 4; Sandel 2020: chapter 4). However, ‘the pride-and-punishment’ interpretation may not be just simple but instead be simplistic.

One thing that is plain in both the Tower of Babel stories is the scale of ambition involved. The people and Nimrod are convinced both of their existing achievements and what they may be able to do in the future. As Genesis 11 verse 4 puts it, building ‘a tower, whose top may reach unto heaven’ is a possibility.<sup>2</sup> Not all interpretations of the Tower scold this ambition. Mansbach, for example, argues that in Pieter Bruegel the Elder’s Rotterdam painting of the Tower of Babel, in which ‘a full two-thirds of the depicted tower is finished’, Bruegel ‘has shown us the greatness and power of human productivity’ (Mansbach 1982: 49). Bruegel’s earlier Vienna depiction of the Tower of Babel has a royal figure in the lower left (a figure absent from the Rotterdam painting) commanding the building of the Tower. Narusevicius amongst others sees that royal figure portrayed as ‘dim witted and vain’ (Narusevicius 2013: 37). Mansbach describes the Vienna painting as an account of royal hubris: ‘No level [of the Tower] is finished nor is there evidence that any ever will be.’ (Mansbach 1982: 48) Yet, despite this, the painting ‘is alive with human ingenuity’ whilst the manner of the painting ‘openly expresses the authorial pleasures of devising and depicting’; on both levels, even in the Vienna painting, human drive

---

<sup>2</sup> All references to Genesis are to the King James version.

is not condemned (Snow 1983: 42 and 44). In Mansbach's view, Bruegel's Vienna painting is faulting not ambition but royal, autocratic ambition (Mansbach 1982: 54). The reliance on Josephus and his introduction of Nimrod into the story rather than solely considering the Genesis account is vital for this interpretation. Such an approach suggests a somewhat different application of the Tower of Babel story to universities to that derived from the pride-and-punishment interpretation.

Seeley, treating the building of the Tower of Babel story as an historical event, using the internal evidence offered by analysis of the Genesis verses, dates the building of the Tower to between 3,500 and 2,400 BC (Seeley, 2001: 19). Ambition is thus seen as a longstanding feature of human nature. Marcin argues that historically towers 'were watchtowers, protections' (Marcin 2003: 121). The Tower of Babel, he goes on, had the task of safeguarding the institutions and social order in Babel, the sin being in humanity not relying on God for this protection. Niebuhr, in his discussion of the Tower of Babel, goes further in his positive appraisal of the Tower of Babel: 'Man builds towers of the spirit from which he may survey larger horizons than those of class, race, and nation. This is a necessary human enterprise. Without it man could not come to his full estate' (Niebuhr 1938: 29). An ambition to build towers, in Niebuhr's account, is not castigated; instead the concern is that towers will 'pretend to reach higher than their real height, and ... claim a finality which they cannot possess' (Niebuhr 1938: 29). Following this line of argument, universities and their law schools should strive for accuracy in their assessments of themselves, as the pride-and-punishment interpretation suggests, but in addition, and equally importantly, their projects ought to match the attempt to build a tower 'whose top may reach unto heaven'. To have too little ambition, to not seek a 'tower of the spirit', to avoid attempting 'a necessary human enterprise', is as much a flaw as overstating success in making the attempt.

Niebuhr's interpretation of the story of the Tower of Babel prompts cautionary reflections on the nature of projects that universities and their law schools should choose to pursue. There are a myriad of ways in which universities and their law schools can direct their resources, intellectual and otherwise, towards different tasks, but just because they can do so, and can do so successfully, does not mean that it is necessarily appropriate for them to do so. The question of how far they are building 'a tower of the spirit' is always to the fore. For example, 'knowledge transfer' by universities may well produce benefits to a range of people and institutions (Universities UK 2020). Yet, notwithstanding this, Niebuhr's comments prompt the question: should universities concern themselves

with such matters? It has been argued that knowledge transfer by universities in practice is done either as an ‘income-generation strategy’ or as a ‘local development strategy’ (Giuri & Ors 2019). How far does either of these things equate to building towers to ‘reach unto heaven’? Research is central to the university sector (Bradney 2003: chapter 5); it is something that universities are uniquely equipped to do. Any research, whatever its subject-matter, which attempts to work ‘from the known to the unknown’ is necessarily a ‘tower of the spirit’, seeking, in Niebuhr’s terminology, to touch ‘the fringes of the eternal’ (Niebuhr 1938: 29; Davies 1983: 108). Does ‘knowledge transfer’, making universities public sector versions of Deloitte, have the same aura? For law schools, the arguments here are particularly difficult. To suggest, for example, that those in law schools should use their time and legal skills in pursuit of efforts to enhance social justice may seem beguiling, especially given the general left/liberal political disposition of UK academics (Morgan 2017). But, following Niebuhr’s lead, is it appropriate to use the resources of a university law school through, for example, clinical legal education programmes ‘as an effective means of responding to the impacts of the cuts to legal aid’ (Vaughan & Ors 2018)? Volunteering as an individual to work in a Citizen’s Advice Bureau may be a worthwhile thing to do but that does not mean that the role of university law schools, as a Tower of Babel, is to be a Citizens Advice Bureau.

## [C] MONTAIGNE’S TOWER

Even though there are no extant remains, the Tower of Babel probably has historical antecedents in Sumerian ziggurats (Williams 2007: 47-48). In contrast, the tower in which Michel de Montaigne withdrew from public life at the age of 38 in 1571, in order to write his book, *Essays*, still exists in much the same condition as it was in his time. Screech describes Montaigne as ‘one of the great sages of that modern world which ... began with the Renaissance’ (Screech 2003: xiii). His tower consists of a chapel with, above that, a bedroom and above the bedroom a library and small study (Ophir 1991: 169; Montaigne 2003: 933). The physical tower has long been of interest to people. It attracted visitors in the 18th and 19th centuries (Hoffmann 2006: 123). In the present day, 45-minute guided tours can be booked (Chateau-Montaigne.com). Over the centuries it has frequently been described in publications (see, for example, Barker 1893: 385). More recently, as a Google search will show, photographs of it have regularly been placed on the web. It has even been the subject of a poem (Grigson 1984: 11). A partial explanation for the sustained interest in Montaigne’s tower lies in the continuing fascination with his ideas

that has recently resulted in, amongst many other publications, Desan's 796-page biography, first published in 2014 and subsequently issued in English translation in 2017 (Desan 2017). Yet the physical circumstances in which other, even more famous, writers have worked have not tended to attract the same degree of attention. What is it that is special about Montaigne's tower?

Desan writes of 'the conventional image of the essayist [Montaigne] isolated in his tower, far from the agitations of his time, playing with his cat and inquiring [in his *Essays*] into the human condition' (Desan 2017: xix). Parts of this image are not relevant to this article. Montaigne's seemingly trivial question 'When I play with my cat, how do I know that she is not passing time with me rather than I with her?' can be read as a profound meditation on the traditional distinction made between animals and humans (Montaigne 2003: 505; Wallen 2015: 457-467). This in turn is important when considering the nature of Montaigne's humanism; this latter matter being something that has long been studied (see, for example, Logan 1975). However, it is neither the cat in the image of Montaigne nor the scope of his intellectual inquiries that are pertinent to this article. Instead, it is the picture of the solitary, isolated figure in the tower that matters.

Montaigne did not in fact completely retreat to his tower in 1571. After this date he was, amongst many other things, mayor of Bordeaux (Desan 1991: xxii). Desan's biography of Montaigne provides a very detailed account of the public life that Montaigne led until his death in 1592 (Desan 2017). Nonetheless, the image of the solitary figure in the tower does include a significant element of truth. Before his move to the tower Montaigne had been a political actor like many others in France at the time. Furbishing the tower in the way that was done constituted a recalibration of Montaigne's life.

The secession from the world ... figures as an inaugural act. It determines the site where Montaigne withdraws from the trade in deception; it establishes a frontier, consecrates a boundary line. The site in question is no abstract height; in Montaigne everything has substance. His separate place will be his tower library – a belvedere in the family manor which offers a commanding view of the surrounding countryside. It is no secret that Montaigne did not make this his permanent residence: he continued to devote much of his time to public affairs, to conciliatory negotiations. He did not shirk what he saw as his duty to the common weal. What mattered in his eyes was to have the possibility of occupying his own private territory, the *possibility* of withdrawing at any moment into absolute solitude, of quitting the game: the important thing was to establish a concrete as well as symbolic embodiment of the imagined distance between

himself and the world, a place always ready to receive him when he felt the need ... (Starobinski 1985: 6-7).

Montaigne's tower is a declaration of independence. It underlines the fact that, henceforward, in the final analysis, Montaigne's work will be on Montaigne's terms simply because those are his terms. Montaigne had established, in Virginia Woolf's phrase, a room, or in his case rooms, of his own; 'a quiet room' (Woolf 1945: 54). Desan is right to emphasise Montaigne's continued public life even after the tower became available to him. In addition to his period of office as Mayor of Bordeaux there was also 'his delicate role as intermediary between Henry III, the Catholic king of France, and the Protestant Henry of Navarre' (Guggenheim 1966: 365; Desan 2017: 495-508). Yet, during the same time, Montaigne was to publish three editions of his *Essays*; a work which was finally to grow, in Screech's modern English translation, to 1,283 pages (Montaigne 2003). At the beginning of the *Essays*, in a preface addressed to 'the Reader', Montaigne maintains that in writing the book he has 'no other end but a private family one' and that in it he does not 'seek the favour of the world'. Montaigne's public, political life continued after his withdrawal to the tower, but now there was also his private work out of the purview of the world. Desan insists that, even after his retreat to his tower, writing his *Essays* was for Montaigne only 'a secondary labor ... conceived as complement to his main political activity' (Desan 2017: 246). Nevertheless, notwithstanding his political activities, this book is Montaigne's 'main achievement' (Frame 1984: 266). It is therefore worthwhile considering what Montaigne thought was necessary in his tower if he were to accomplish this work.

The ground floor of Montaigne's tower is devoted to a chapel. Unsurprisingly, given the time in which he lived, religion figured highly in Montaigne's life. He himself was, in Screech's words, a 'practising Christian' who was 'superstitious' (Screech 2003: xlii). Much of his political life was dominated by the religious disputes in France between Catholics and Protestants (Desan 2017: 101-111). Bells tolling the *Ave Maria* marked dawn and sunset in the tower (Frame 1984: 120). A passage in the tower between his bedroom and the chapel allowed Montaigne to listen to services without actually being in the chapel (Barker 1893: 385). In itself the place of religion in Montaigne's life, and thus the chapel in his tower, will be of little personal relevance to the majority of modern academics in Great Britain given the prevalent and well-established trend of secularization (Bruce 2020). What is worth noting, however, is the care with which something which he valued is catered for in the

tower. Equally noteworthy is the fact that it is done in such a way that Montaigne's desire for privacy is respected.

Montaigne's desire for a library in his tower will be more easily understood by contemporary academics than will the value that he placed on having a chapel in it. Libraries have long been seen as being central to scholarly life in many cultures (Bennett 2009: 181). The precise place of libraries in contemporary universities is now something that is much debated (see, for example, Bennett 2007; Sennyey & Ors 2009). At the same time, to the regret of some, private libraries, like Montaigne's, are not as common as they once were (Steiner 2017). Nonetheless, legal academics will understand the need for recourse to books and will probably have at least a small collection of their own.

Montaigne's library is commonly thought to have totalled over one thousand books (Botton 1998: xv). Of these books only 101 survive, whilst the titles of 271 are known (Taylor Institution Library). Montaigne himself regarded his library as 'a fine one as village libraries go' (Montaigne 2003: 739). Some of the books in it he had inherited from his friend Estienne de La Boétie (Frame 1984: 93; Desan 2017: 117). Nonetheless, irrespective of his inheritance from La Boétie, Montaigne was himself already a 'lover and connoisseur of books' (Frame 1984: 110). His library was thus his personal collection reflecting his own tastes. In his *Essays* Montaigne says that he does not 'have much to do with books by modern authors, since the Ancients seem to me to be more taut and ample' (Montaigne 2003: 459). However, Montaigne then goes on to say that, amongst other books, Boccaccio's *Decameron* and Rabelais are 'worth spending time upon' (Montaigne 2003: 460). The collection was focused on classical authors who are much referred to in his *Essays*, but it is not exclusive in this regard. Josephus' *The Antiquities of the Jews*, discussed above, is one of the titles that he owned (Taylor Institution Library).

On first reflection, Montaigne's library might seem to be simply anachronistic in the context of the modern era. Academics in virtually any university law school now have access, through their library, to a vast range of materials not just in hard copy but also electronically. Even more importantly, this massive library will follow them wherever they choose to go. Mass higher education means that some academics elect to do some of their work at home (Trow 1973: 3). Remote access to electronic material will enable those academics to continue to use much of their library however far from their institution their home is. Montaigne liked to take books with him when he travelled (Frame 1984: 217). He could not take his whole library, but contemporary academics can come close to

doing so. Montaigne's library thus appears to have lost its utility. Whilst one can still understand Montaigne's need for a study in his tower, the library can be now replaced by a laptop.

It is necessary to acknowledge the huge increases that there have been over the last few decades in the amount of material available to academics both in their institutions and elsewhere. In this respect the conditions in which academics now work are immeasurably superior to those that once prevailed. Nonetheless, a pragmatic case still exists for Montaigne's library. This can be illustrated by reference to the response by universities to the Covid-19 pandemic. This reaction has meant that, amongst other things, most UK academics have had restricted access to their offices, and to the books in their offices, for nearly a year. Rules about access have changed frequently and unpredictably in various ways in different universities. This has also been true with regard to physical access to university libraries. The Covid-19 situation is unprecedented in recent decades in the United Kingdom. There is no evidence that it is likely to be a harbinger for the future. The reaction by universities to Covid-19 does, however, point to a structural weakness in individual academic's reliance on their universities both for library provision and for office space. Library provision is not determined by the wishes or even the needs of individual academics. Materials can be, and are, both allocated and withdrawn in ways which reflect a university's assessment of its changing priorities. Equally, universities will not always choose to provide individual offices for academics (Van Marrewijk & Van den Ende 2018). There is nothing inherently sinister in these things. It is simply a necessary concomitant of the fact that a modern university, as well as being a scholarly enterprise, is also a bureaucracy and a corporation (Barcan 2013: 72-76). 'Collection management' has long been a feature of the way in which university libraries are run, as has need for university libraries to fit in with university strategic plans (Brophy 2005: 118-120, 177). Providing office space for academics, particularly if they elect to work from home for some of their time, is an expensive matter. The value of personal libraries for academics in terms of protecting autonomy thus becomes clear. The nature of those personal libraries may change. Brownsword's wry observation, made when ruminating on the consequences of having to move to a smaller academic office, was that 'the vision for law school 2012 is one of offices that are not only paperless but also less populated by books' (Brownsword 2012: 296). Because of this, electronic copies of books rather than the traditional hard copy, although aesthetically less pleasing, may be more popular in the future. Nevertheless, as Montaigne found, the practical advantages of having one's own library remain.

The mundane benefits of access to one's own books, even when that collection is far inferior to a university library, are genuine. That should not lead us to forget the far greater symbolic importance that there is to Montaigne's library. Montaigne wrote that: 'We should set aside a room, just for ourselves, at the back of the shop, keeping it entirely free and establish there our true liberty, our principal solitude and asylum' (Montaigne 2003: 270). Heck describes this 'room ... at the back of the shop', 'as a disposition of mind which is capable of detaching us from everyone and everything else, wife, family, business, and wealth' (Heck 1971: 94). Green similarly refers to 'a symbolic retreat from the world into the seclusion of one's own home, library, or *arrireboutique* – spaces in which it is possible to live for or belong to oneself' (Green 2012: 2). Yet, for Montaigne, the room we should set aside is both a disposition of mind and a symbolic retreat whilst, at the same time, being very real. 'The library is detached ... in order to separate' (Ophir 1991: 169). Montaigne sought in his tower to create the physical conditions that would better allow him to accomplish his work. He wrote of his regret that fear of 'bother' and 'expense' meant that he did not have galleries built on either side of his tower because he thought better when he was walking (Montaigne 2003: 933). Ophir writes of 'the tranquillity provided by its [the tower's] unique physical construction' (Ophir 1991: 186).

Academics vary greatly in precisely what they prefer in terms of physical space in order to carry out their scholarship (Sword 2017; Dobelo & Veer 2019). In general it does seem that they 'highly value autonomy, freedom and solitary spaces for reading, writing and doing research' (Van Marrewijk & Van den Enden 2018: 1134). For this reason, most academics will have an immediate empathetic reaction to Montaigne's desire for his tower. It is this that may explain, at least in part, the longstanding interest that there has been in his tower as a place as well as the separate curiosity that there is about Montaigne's ideas.

## [D] THE IVORY TOWER

In one sense the ivory tower is very different from both the Tower of Babel and Montaigne's tower. 'There never was an Ivory Tower. It was always a figure of speech.' (Shapin 2012: 1) Panofsky argues that to suggest that someone lives in an ivory tower 'combines the stigma of egotistical self-isolation (on account of the tower) with that of snobbery (on account of the ivory) and dreamy inefficiency (on account of both)' (Panofsky 1957: 112). Shapin, however, whilst agreeing that 'The modern monologue finds no worth in the Ivory Tower', adds that: 'The story it tells is historically uninformed ...' (Shapin 2012: 27).

The idea of an ivory tower has an ancient lineage. Thus, for example, in English translations of the *Song of Solomon* it is said of the bride: 'Thy neck is as a tower of ivory' (7:4). However, the first use of ivory tower in a figure of speech is usually ascribed to the French writer Charles-Augustin Sainte-Beuve who, in 1837, in his *Pensées d'Août*, wrote of his fellow writer Alfred de Vigny: 'Comme en sa tour d'ivoire avant midi retrait'; 'withdraws before noon as though into his ivory tower' (Panofsky 1957: 113). What is not clear is what, in his allusive few lines, Sainte-Beuve is saying about Vigny's withdrawal. Ziolkowski describes Sainte-Beuve's figure of speech 'as a term of opprobrium'; Murawska writes of the 'accusing tone' in the words but Panofsky suggests that Vigny is merely 'mildly reprov'd' (Panofsky 1957: 113; Murawska 1982: 160; Ziolkowski 1998: 29-30). The use of the term ivory tower focuses to an even greater extent than Montaigne's tower does on the notion of separation, detachment and retreat. The question then is what is to be made of any of these things.

One thing that is clear about a move to an ivory tower is that it does not involve leading a life of leisure. In the period after he moved to his country estate in 1837 Vigny continued to write until 'the day of his death' (Whitridge 1933: 151). During this time, however, he published very little, his final volume of poems being issued after his death, and he 'wrote only to please himself' (Whitridge 1933: 199). This combination of productivity with an insistence of control over their work is to be found in others who have sought an ivory tower. In 1872 Flaubert, in a letter to Turgenev, wrote 'I have always tried to live in an ivory tower' (Steegmuller 1984: 200). Yet both before and after this letter Flaubert wrote assiduously (Starkie 1971: 384-385). His remark is not, however, disingenuous; instead, it captures accurately his dislike of many aspects of French society during his life and, in particular, his distaste for the contemporary idea of writing in order to produce an income (Winock 2016: 368-369). Many people in ivory towers have lived busy lives. What they were doing and why they were doing it has determined their choice of an ivory tower as a place of abode.

Collingwood has provided one of the more detailed accounts of why it is wrong to take up residence in an ivory tower. In *The Principles of Art* he argued: 'If artists are really to express "what all have felt", they must share the emotions of all. Their experiences, the general attitude they express towards life, must be of the same kind as that of persons among whom they hope to find an audience' (Collingwood 1938: 119). Collingwood goes on to argue that 'the literature of the ivory tower is a literature whose only possible value is an amusement value by which persons imprisoned

within that tower ... help themselves and each other to pass their time ...' (Collingwood 1938: 121). Collingwood's arguments are premised on the notion that all artistic work, which he defines widely to include that done by actors, musicians, painters and writers, is collaborative and that the collaboration always involves an audience who have more than a simply receptive function (Collingwood 1938: 324). One interpretation of this is that Collingwood's view is that 'artists collaborate with their communities, acting as spokespersons for them' (Gonzalez 2011: 144). For Collingwood, the rejection of the ivory tower is not a political statement; it is a necessary feature of being an artist. Such a view would not be congenial to many of those who would describe themselves as artists.

Flaubert's preference for residence in an ivory tower rested on grounds antithetical to those of Collingwood. First, Flaubert's relationship with the French society in which he lived was at best equivocal. In his letter to Turgenev Flaubert describes a 'tide of shit' beating at the walls of his ivory tower, instancing a new government education programme that paid more attention to physical education than to instruction in French literature (Steegmuller 1984: 200-201). More broadly, he saw 'Man in general as mean, conventional, insensitive and selfish ... those who were gross, insensitive and self-interested always prospered, and were left in command at the final curtain' (Starkie 1971: 340). Perhaps most importantly: 'Life did not exist for him except as a substance for art, and he came to think of it solely as something which could be turned into literature' (Starkie 1971: 396-397). Collaboration with an audience was not what Flaubert sought; an ivory tower was his settled home. Much more recently the Zimbabwean writer Dambudzo Marechera has put the same position very plainly: 'The writer has no duty, no responsibility, other than to his art. Art is higher than reality.' (Marechera 1987: 103) 'Either you are a writer or you are not. If you are a writer for a specific nation or a specific race, then fuck you' (cited in Ashcroft 2013: 79). Marechera's story, *The Black Insider*, published after his death, is set in a Faculty of Arts where the protagonists shelter from a war outside (Marechera 1992). The similarity in the position adopted by a 19th-century Frenchman whose father was a wealthy surgeon and a late 20th-century Zimbabwean born to a hospital orderly and a nanny is striking (Starkie 1971: 6-7; Veit-Wild 2004: 78-79). Many other writers over several centuries have espoused positions similar to those of Flaubert and Marechera, insisting on the necessity of adherence to norms of artistic integrity rather than allegiance to matters such as class or nationality, sometimes explicitly referring to the notion of the ivory tower (see, for example, Forster 1938; Nerval 1968: 54). They

choose an ivory tower ‘precisely because they find reality within it and unreality or less pure reality outside it’ (Child 1948: 135).

Individual moments, such as the Spanish Civil War, have brought the arguments about the merits of either detachment or engagement for the writer to the fore (Orwell 1946: 2-6; Muste 1966). Nevertheless, the arguments have been a recurring feature of the history of art in general and literature in particular. But the image of the ivory tower used in this debate proved to be ‘too useful and too vivid to belong to one context ...’ (Shapin 2012: 6). It is thus unsurprising that the image has come to be part of debates about the proper role of academics in universities. Through the latter half of the 20th century and into the present day it has been increasingly easy to find those who would deny that the ivory tower should be or ever was part of the university (Shapin 2012: 13-17). In *Blackstone’s Tower*, Twining wrote that ‘Blackstone’s tower was and is not a tower of ivory’ (Twining 1994: 3). Yet the salience of the idea of the ivory tower in universities has also been commended and defended. In 2004, for example, Stanley Fish published an article ‘Why We Built the Ivory Tower’ in the *New York Times* (Fish 2004). His argument, later amplified in *Save The World on Your Own Time*, was that the academic’s task was to focus on their professional specialism in their teaching and in their academic writing and not to engage in wider social and political activity (Fish 2008). Others have made similar points (see, for example, van der Vossion 2015). As in the case of literature and the arts in general the debate is about what work should be done: ‘is it better, more virtuous, more authentically human to be engaged with civic affairs or is it better – from time to time or always – intentionally to live apart from the polis?’ (Shapin 2012: 26). Even some of those commentators who have argued that universities as a whole should not be ivory towers have accepted the legitimacy of individual scholars seeing the ivory tower as being the place where they can best do their work (Rosovsky 2002: 28-29). The question for some scholars will be, given the personal responsibility that they have for their work, to what degree, if at all, can they cede control over that work to others?

## [E] CONCLUSION

Analysis of the three concepts of a tower discussed in this article make a number of things clear. First, whatever idea of a tower is being considered, care and clarity are necessary when the concept is being applied. Ideas of a tower can become little more than advertising slogans or playground terms of abuse. The ideas discussed here all have a history and patina of scholarship that is frequently ignored by those who refer to the ideas.

Outside the academy, in the mouths of government ministers for example, this is deplorable, but for academics themselves such behaviour is inexcusable. Merely regurgitating platitudes about the towers is not a suitable substitute for reflecting on how they can properly be a stimulus for thought. Secondly, interpretation of the images of the tower in this article and images of the tower more generally is complicated and contentious. Towers, whether real or figures of speech, may be useful in thinking about what our lives as academics and people should be. This does not mean, however, that such thinking then becomes straightforward. Indeed, if the thinking does become simple, this may be because it has degenerated into the rhetoric of political sloganeering. A third, final point is the one that is most significant. Each individual academic will select their own tower or towers as their guide and motivation. This article has touched upon some of the vast literature that is available when academics decide what their choice will be. There is also other relevant material such as the positions taken by academic associations and even the mission statements of individual universities. Not all the material available is of equal value. University mission statements, for example, have been described as 'identity narratives' (Seeber & Ors 2019: 239). One might wonder how far they can then ever differ from advertising material and thus how much real consequence they have when debating the nature of university work. Nonetheless, the more crucial point is the necessity of legal academics, whatever their specialist research or teaching areas, taking up a reasoned position as regards the role they think they and their law schools should have (Bradney and Cownie 2017: S129-S130). It is this that is what Twining's *Blackstone's Tower* was about, and its contribution to this debate is its ensuring legacy.

## References

- Ashcroft, Bill (2013) 'Menippean Marechera' in Grant Hamilton (ed) *Reading Marechera* Woodbridge: Boydell & Brewer.
- Barcan, Ruth (2013) *Academic Life and Labour in the New University: Hope and Other Choices* London: Routledge.
- Barker, E Harrison (1893) 'On the Track of Montaigne' 99 *Temple Bar* 381-392.
- Bennett, Scott (2007) 'Libraries and Learning: A History of Paradigm Change' *Libraries and the Academy* 181-197.
- de Botton, Gilbert (1998) 'Foreword' in Michael Screech *Montaigne's Annotated Copy of Lucretius* Geneva: Libraire Droz.

- Bradney, Anthony (2003) *Conversations, Choices and Chances: The Liberal Law School in the Twenty-First Century* Oxford: Hart Publishing.
- Bradney, Anthony & Fiona Cownie (2017) 'An Examined Life: Research into University Legal Education and the Journal of Law and Society' 44 S1 *Journal of Law and Society* S129-S143.
- Brophy, Peter (2005) *The Academic Library* London: Facet Publishing.
- Brownsword, Roger (2012) 'Whither the Law and Law Books? From Prescription to Possibility' 39 *Journal of Law and Society* 296-308.
- Bruce, Steve (2020) *British Gods: Religion in Modern Britain* Oxford: Oxford University Press.
- [Chateau-Montaigne.com](http://Chateau-Montaigne.com).
- Child, Harold (1948) 'Of Ivory Towers' in Harold Child *Essays and Reflections* Cambridge: Cambridge University Press.
- Collingwood, Robin (1938) *The Principles of Art* Oxford: Clarendon Press.
- Davies, Robertson (1983) *The Rebel Angels* Harmondsworth: Penguin Books.
- Desan, Philippe (1991) 'Introduction' in Hugo Friedrich *Montaigne* Berkeley CA: University of California Press.
- Desan, Philippe (2017) *Montaigne: A Life* Princeton NJ: Princeton University Press.
- Dobele, Angela & Enhant Veer (2019) 'My Best Writing Space: Understanding Academics Self-professed Writing Spaces' 78 *Higher Education* 345-364.
- Feldman, Louis (1981) 'Josephus' Commentary on Genesis' 72 *The Jewish Quarterly* 121-131.
- Fish, Stanley (2004) 'Why We Built the Ivory Tower' *New York Times* 21 May.
- Fish, Stanley (2008) *Save The World on Your Own Time* Oxford: Oxford University Press.
- Forster, Edward (1938) 'The Ivory Tower' 39 *London Mercury* 119-130.
- Frame, Donald (1984) *Montaigne: A Biography* San Francisco CA: North Point Press.

- Giuri, Paola & Ors (2019) 'The Strategic Orientation of Universities in Knowledge Transfer Activities' 138 *Technological Forecasting and Social Change* 261-278.
- Gonzalez, Alexander (2011) 'Evan Boland's "The Glass King" and R G Collingwood's Theory of Art' 76 *South Atlantic Review* 143-153.
- Goodhart, David (2020) *Head, Heart and Hands: The Struggle for Dignity and Status in the 21st Century* London: Allen Lane.
- Green, Felicity (2012) *Montaigne and the Life of Freedom* Cambridge: Cambridge University Press.
- Grigson, Geoffrey (1984) *Montaigne's Tower and Other Poems* London: Secker & Warburg.
- Guggenheim, Michel (1966) 'Montaigne: A Biography' 20 *Western Humanities Review* 364-366.
- Guo, Qinghua (2004) 'From Tower to Pagoda: Structural and Technological Transition' 20 *Construction History* 3-19.
- Hardin, Richard (1998) 'Milton's Nimrod' 22 *Milton Quarterly* 38-44
- Heck, Francis (1971) 'The Meaning of Solitude in Montaigne's "Essays"' 25 *The Bulletin of the Rocky Mountain Modern Language Association* 93-97.
- Hiebert, Theodore (2007) 'The Tower of Babel and the Origin of the World's Cultures' 126 *Journal of Biblical Literature* 29-58.
- Hoffmann, George (2006) 'Montaigne's Nudes: The Lost Tower Paintings Rediscovered' 110 *Yale French Studies* 122-133.
- Inowlocki, Sabrina (2006) 'Josephus' Rewriting of the Tower of Babel Narrative (Gen 11; 1-9)' XXXVII *Journal for the Study of Judaism* 169-191.
- Josephus, Flavius (nd) [\*The Antiquities of the Jews\*](#).
- Kletter, Karen (2016) 'The Christian Reception of Josephus in Late Antiquity and the Middle Ages' in Honora Chapman & Zuleika Rodgers (eds) *A Companion to Josephus* Chichester: Wiley Blackwell.
- Klinger, A (2004) 'Tower of Babel' 4 *Denison Journal of Religion* 34-44.
- Levine, Daniel (1993) 64 *Hebrew Union Annual* 51-87.

- Logan, George (1975) 'The Relation of Montaigne to Renaissance Humanism' 36 *Journal of the History of Ideas* 612-632.
- Major, Tristram (2018) *Undoing Babel: The Tower of Babel in Anglo-Saxon Literature* Toronto: University of Toronto Press.
- Mandujano-Salzar, Yunen (2016) 'Tokyo Tower and Tokyo Skytree: History and Symbolism in Contemporary Japan' 3(SI1) *Gremium* 11-21.
- Mansbach, Steven (1982) 'Pieter Bruegel's Towers of Babel' 45 *Zeitschrift für Kunstgeschichte* 43-56.
- Marcin, Raymond (2003) 'The City of Babel: Yesterday and Today' 6 *Logos: Journal of Catholic Social Thought and Culture* 120-130.
- Marechera, Dambudzo (1987) 'The African Writer's Experience of European Literature' XIV *Zambezia* 99-105.
- Marechera, Dambudzo (1992) *The Black Insider* London: Lawrence & Wishart.
- de Montaigne, Michel (2003) *The Complete Essays* London: Penguin Books.
- Morgan, John (2017) 'General Election 2017' *Times Higher Education* 1 June.
- Murawska, Katarzyna (1982) 'An Image of Mysterious Wisdom by Toil: The Tower as Symbol of Thoughtful Isolation in English Art and Literature from Milton to Yeats' 3 *Artibus et Historiae* 141-162.
- Muste, John (1966) *Say That We Saw Spain Die: Literary Consequences of the Spanish Civil War* Seattle WA: University of Washington Press.
- Narusevicius, Vytas (2013) 'The Labours of Translation: Towards Utopia in Bruegel's Tower of Babel' 4 *Wreck* 30-45.
- de Nerval, Gérard (1968) *Selected Writings* St Albans: Panther Books.
- Niebuhr, Reinhold (1938) *Beyond Tragedy* London: Nisbet & Co.
- Ophir, Adi (1991) 'A Place of Knowledge Re-created: The Library of Michel de Montaigne' 4 *Science in Context* 163-189.
- Orwell, George (1946) 'Why I Write' in Sonia Orwell & Ian Angus (eds) *The Collected Essays, Journalism and Letters of George Orwell* vol I London: Secker & Warburg.

- Panofsky, Erwin (1957) 'In Defense of the Ivory Tower' 1 *The Centennial Review of Arts and Science* 111-122.
- Rosovsky, Henry (2002) 'No Ivory Tower: University and Society in the Twenty-First Century' in Werner Hirsch & Luc Weber (eds) *As the Walls of Academia are Tumbling Down* London: Economica.
- Sandel, Michael (2020) *The Tyranny of Merit* London: Allen Lane.
- Sasson, Jack (1980) 'The "Tower of Babel" as a Clue to the Redactional Structuring of Primeval History' in Gary Rendsberg, R Adler & Afra Winter (eds) *The Bible World: Essays in Honor of Cyrus H Gordon* New York: KYAV Publishing House.
- Screech, Michael (2003) 'Introduction' in Michel de Montaigne *The Complete Essays* London: Penguin Books.
- Seeber, Marco & Ors (2019) 'Factors Affecting the Content of Universities' Mission Statements: An Analysis of the United Kingdom Higher Education System' 44 *Studies in Higher Education* 230-244.
- Seeley, Paul (2001) 'The Date of the Tower of Babel and some Theological Implications' 63 *Westminster Theological Journal* 15-38.
- Sennyey, Pongracz & Ors (2009) 'Exploring the Future of Academic Libraries: A Definitional Approach' 35 *Journal of Academic Librarianship* 252-259.
- Shapin, Steven (2012) 'The Ivory Tower: The History of a Figure of Speech and its Cultural Uses' 45 *British Journal of the History of Science* 1-21.
- Sherman, Phillip (2013) *Babel's Tower Translated: Genesis 11 and Ancient Jewish Interpretation* Leiden: Brill.
- Snow, Edward (1983) 5 *Anthropology and Aesthetics* 40-48.
- Starkie, Enid (1971) *Flaubert: The Making of the Master* Harmondsworth: Penguin Books.
- Starobinski, Jean (1985) *Montaigne in Motion* Chicago IL: University of Chicago Press.
- Stegmuller, Francis (ed) (1984) *The Letters of Gustave Flaubert 1857-1880* London: Faber & Faber.
- Steiner, George with Laure Adler (2017) *A Long Saturday: Conversations* Chicago IL: University of Chicago Press.

Sword, Helen (2017) *Air and Light and Time and Space: How Successful Academics Write* Cambridge: Harvard University Press.

[Taylor Institution Library](#).

Trow, Martin (1973) *Problems in the Transition from Elite to Mass Higher Education* Berkley: Carnegie Commission on Higher Education.

Twining, William (1994) *Blackstone's Tower: The English Law School* London: Stevens & Sons/Sweet & Maxwell.

Universities UK (2020) *Concordat for the Advancement of Knowledge Exchange in Higher Education* London: Universities UK.

Van der Vosson (2015) 'In Defense of the Ivory Tower: Why Philosophers Should Stay out of Politics' 28 *Philosophical Psychology* 1045-1063.

Van Marrewijk, Alfons & Leonore Van den Ende (2018) 'Changing Academic Work Places: The Introduction of Open-plan Offices in Universities' 31 *Journal of Organizational Change Management* 1119-1137.

Vaughan, Steven & Ors (2018) 'Clinical Legal Education Reimagined' in Thomas Linden & Ors *Reimagining Clinical Legal Education* Oxford: Hart Publishing.

Veit-Wild, Flora (2004) *Dambudzo Marechera: A Source Book on His Life and Work* Trenton NJ: Africa World Press.

Wallen, James (2015) "Our Natural and Original Illness": Tracking the Human/Animal Distinction in Montaigne and Nietzsche' 52 *Comparative Literature Studies* 449-478.

Walton, John (1995) 'The Mesopotamian Background of the Tower of Babel Account and its Implications' 5 *Bulletin of Biblical Research* 155-175.

Whitridge, Arnold (1933) *Alfred de Vigny* Oxford: Oxford University Press.

Williams, Stephen (2007) *Understanding the Bible* Boston MA: McGraw-Hill.

Winock, Michel (2016) *Flaubert* Cambridge: The Belknap Press.

Woolf, Virginia (1945) *A Room of One's Own* Harmondsworth: Penguin Books.

Ziolkowski, Theodore (1998) *The View from the Tower: Origins of an Antimodernist Image* Princeton NJ: Princeton University Press.