A Christian Theory of Social Institutions

Herman Dooyeweerd

Preface

THIS BOOK CONTAINS a translation of Herman Dooyeweerd's lectures on sociology delivered in 1946-47 at the Technical University of Delft in The Netherlands. These lectures were published in revised form in 1947 under the title *Tien Voordrachten over Sociologie (Ten Lectures on Sociology).*[1] They were reprinted with minor corrections in 1962 under the title *Grondproblemen der wijsgerige Sociologie (Fundamental Problems of Philosophical Sociology).*[2] None of these versions has previously been translated into English. The present translation is based upon the 1962 reprint.

The translation adheres as closely as possible to the original Dutch text. Certain inordinately long sentences and paragraphs have been broken up where such division did no violence to the continuity or meaning of the discussion. Minor typographical and grammatical errors in the original text have been silently corrected. Certain Dutch maxims and idioms with no English equivalent or parallel have been reduced to simple prose. A few parenthetical comments that provide incidental biographical or bibliographical information have been relegated to footnotes. Titles have been added to each of the lectures. In general, however, the translation has sought to preserve the structure, wording, and flavor of the original text and to convey the author's meaning clearly and accurately. The

1. Herman Dooyeweerd, "Tien Voordrachten over Sociologie: 1946-47," *Stichting S'tudium Generale aan de Technische Hogeschool te Delft* (1947), pp. 129-178.

2. Id., "Grondproblemen der wijsgerige Sociologie," in J. Stellingwerf, ed., *Verkenningen in de Wijsbegeerte, de Sociologie, en de Rechtsgeschiedenis [Investigations in Philosophy. Sodology, and Legal History]* (Amsterdam; 1962), pp. 69-146.

translator, Dr. Magnus Verbrugge, has adopted the conventional translation of most of Dooyeweerd's technical terms and neologisms.' On occasion, however, he has seen fit to offer a novel translation and has explained his reasons therefor in footnotes.

In this tract, Dooyeweerd presents his ideas and offers his criticisms tersely, at times even cryptically. He demands of his reader more than a passing knowledge both of his own philosophical system and parlance and of the tradition of sociological thought. It has thus seemed appropriate to add (1) a substantial introduction, which summarizes Dooyeweerd's activities and achievements and outlines the sources and contours of his social theory or philosophy; and (2) footnotes which furnish information on authors briefly mentioned in the text or which cite the reader to Dooyeweerd's more extensive discussion of a given point in his other writings.

This is the first of a number of Dooyeweerd's works to be translated and published under the auspices of The Herman Dooyeweerd Foundation. This Foundation was established in 1982 by Dooyeweerd's family for the purpose of making more of Dooyeweerd's writings available in English translation. The Foundation has already undertaken to translate Dooyeweerd's two volume *Encyclopedia of Legal Science,* his three volume *Reformation and Scholasticism in Philosophy,* as well as a number of his

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3. Herman Dooyeweerd, *A New Critique of Theoretical Thought,* D.H. Freeman and W.S. Young, trans. (Philadelphia: 1953, reprint 1969) is considered by most concerned parties to be the authoritative translation of Dooyeweerd's technical terms and neologisms since Dooyeweerd himself helped to edit and approved of this translation.

Professor Albert M. Wolters, a careful student of Dooyeweerd, has provided a glossary of the most frequently used technical terms in an Appendix to L. Kalsbeek, *Contours of a Christian Philosophy: An Introduction to Herman Dooyeweerd's Thought,* B. Zylstra and J. Zylstra, eds. (Toronto: 1985), pp. 346-354, reprinted with some revisions in C,T. McIntire, ed., *The Legacy of Herman Dooyeweerd: Reflections on Critical Philosophy in the Christian Tradition* (Lanham, MD: 1985), pp. 167-171. Professor Wolters has graciously permitted us to reproduce the revised version of this glossary in an appendix to the present volume.

shorter works and articles. While each of these translations will be published separately upon completion, all extant and forthcoming translations will ultimately be assembled and published as Dooyeweerd's Collected Works.

John Witte, Jr. Emory Law School

Introduction

Biography of Dooyeweerd

Herman Dooyeweerd was born in Amsterdam in 1894, the child of Calvinist parents. In 1912 he matriculated as a law student in the Free University of Amsterdam, a Christian institution established in 1880. Five years later he took the doctorate in law.' From 1918 to 1921 he worked in the Dutch Department of Labor as a legislative draftsman. From late 1921 to mid-1926 he served as assistant director of the newly organized Dr. Abraham Kuyper Foundation, a research and policy organ of the Anti-Revolutionary Party of The Netherlands.[3] There he was responsible not only

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1. The biographical information summarized in this section is drawn from Hendrik van Eikema Hommes, *Inleiding tot de Wijsbegeerte van Herman Dooyeweerd* (The Hague: 1982), pp. 1-4, 123; Bernard Zylstra, Introduction to L. Kalsbeek, *Contours of a Christian Philosophy: An Introduction to Herman Dooyeweerd's Thought* (Toronto: 1975), pp. 14-33, 296-302; G. Puchinger, "Dr. Herman Dooyeweerd," *Perspectief: Feestbundel van de Jongeren* (Kampen: 1961), pp. 43-70. See also Dooyeweerd's brief autobiographical comments in "Introduction by the Editor in Chief," 38 *Philosophia Reformata* tFestschrift for Vollenhovent (1973), pp. 5-16; Forewords-to *Wijsbegeerte der Wetsidee* (Amsterdam; 1935-1936), Vols. 1 and 3. The Foreword to Vol. 1 is partly translated in Herman Dooyeweerd, *A New Critique of Theoretical Thought,* D.H. Freeman and W.S. Young, trans. (Philadelphia: 1953, 1969), Vol. 1, pp. v-ix. The Foreword to Vol. 3 is unaccountably missing from the translation.

2. Dooyeweerd's dissertation, *De Ministerraad in Nederlandsche Staatsrecht (The Cabinet in Dutch Constitutional Law)* was written under the supervision of D.P.D. Fabius, a constitutional theorist.

3. The Foundation was established on the death of Abraham Kuyper (1837-1920), a brilliant Calvinist theologian, pastor, journalist, and politician. As theologian and pastor, Kuyper had articulated a rich systematic Calvinist theology, revitalized a grass-roots Calvinism in The Netherlands, and led the 1886 Separation *(Scheiding)* of the new reformed churches *(Gereformeerde Kerken)* from the old reformed church *(Hervormde Kerk).* As a politician and journalist, he had reorganized the Anti-Revolutionary political party and brought it to power, serving as Prime Minister of The Netherlands from 1901-1905. Throughout his career, Kuyper remained committed to applying

to address the immediate issues of policy that faced the Anti-Revolutionary Party, but also to elaborate the Calvinist principles of law, politics, and society upon which the Party had been established some 80 years before. It was in discharging this latter responsibility—a responsibility upon which he had himself insisted—that Dooyeweerd began (1) to study systematically traditional Calvinist legal, political, and social theories; (2) to explore the structures and organization of a number of historical societies; and (3) to engage critically a wide range of present and past theories of law, politics, and society. His work in these four years culminated in five major articles, including a fifteen-part tract "In the Struggle for a Christian Politics" [4] and an important monograph *Calvinism and Natural Law.*'

In 1926 Dooyeweerd returned to his alma mater as a pro-

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reformed beliefs to all walks of life. In that spirit, he had founded the Free University of Amsterdam in 1880, requiring in the University Constitution that all spheres of scholarship be imbued with Calvinist principles. In that spirit, he had also delivered *his Lectures on Calvinism* at Princeton University in 1898, articulating basic Calvinist principles of religion, politics, law, science, and art. In the spirit also, Kuyper's followers (Colijn and Idenburg) had, on his death, developed the Dr. Abraham Kuyper Foundation: to provide a forum for articulating Calvinist principles of law, politics, society, and economics and applying them to resolve specific issues of policy.

A biography of Kuyper's writings and of studies on Kuyper is available in Kaisbeek, supra note 1, pp. 340-342. See also McKendree Langley, *The Practice of Political Spirituality: Episodes from the Public Career of Abraham Kuyper 1879-1918* (Jordan Station, ON: 1984); James W. Skillen and Stanely W. Carlson-Thies, "Religion and Political Development in Nineteenth-Century Holland," 12 (3) *Publius: the Journal of Federalism* (1982), pp. 43ff; Steven E. Meyer, *Calvinism and the Rise of the Protestant Political Movement in the Netherlands* (Ph.D. Diss„ Georgetown, 1976); Justus M. VanderKroef, "Abraham Kuyper and the Rise of Neo-Calvinism in the Netherlands," 17 *Church History* (1948), pp. 316ff; P.A. Kasteel, *Abraham Kuyper* (Amsterdam: 1938); P.A. Diepenhorst, *Dr. A. Kuyper* (Haarlem: 1931).

4. Herman Dooyeweerd, "In den strijd om een Christelijke Staatkunde. Proeve van ecn fundeering der Calvinistische levens—en wereldheschouwing in hare Wetsidee," 1 *Antirevolutionaire Staalkunde* (henceforth A.R.S.) 7-25, 62-79, 104-118, 161-173, 189-200, 228-244, 309-324, 433-460, 489-504, 528-542, 581-598, 617-634, (1924-5); 2 A.R.S. 244-65, 425-445 (1926). A.R.S. was the monthly journal of the Dr. Abraham Kuyper Foundation, which Dooyeweerd edited for several years.

5. Id., *Calventsme en Natuurrech1* (Amersfoort: 1925). *Introduction* 13

fessor of legal philosophy, Dutch legal history, and encyclopedia of law. He retained this position until his retirement in 1965. For the first five or six years of his professorship, he shifted the focus of his research and publications from the broader issues of Calvinist political and social theory to intricate questions of legal doctrine and legal philosophy. In a series of brilliant articles, he analyzed, historically and philosophically, the intricate questions of juridical causality, fault, responsibility, rights, and sources of law. All along, however, he insisted upon viewing these legal questions, as well as questions of politics and society, in the context of a broader theory of the nature and destiny of man (anthropology), of being and order (ontology), and of knowledge and its sources (epistemology).

In the 1930s Dooyeweerd began to elaborate systematically and in detail these latter three philosophical theories and to show their importance for defining and resolving issues of law, political science, sociology, and many other sciences. He first articulated his views in *The Crisis of Humanistic Political Theory in the Light of Calvinist Cosmology and Epistemology* (1931).[6] This work was quickly eclipsed by his path-breaking three volume work *The Philosophy of the Law-Idea* (1935-1936).[7] While his articles of a decade before had made only rudimentary advances in traditional Calvinist teachings, the ideas and analysis set forth in these latter volumes were profound and original contributions, rooted in Calvinist thought. They remained at the center of Dooyeweerd's philosophical system for the rest of his life. His work over the next forty years was, in many respects, an amplification and application of the seminal ideas developed in this formative period. He amplified his anthropology and his critique of traditional theories in a series of articles and reviews and then in a three volume work *Reformation and*

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6. Id., *De Crisis der Humanistischen Staatsleer in het Licht eener Calvinistische Kosmologie en Kennistheorie* (Amsterdam: 1931).

7. Id., *De Wijsbegeerte der Wetsidee* (Amsterdam: 1935-36).

Scholasticism in Philosophy.[,] He amplified his ontology and epistemology in several subsequent articles and in later editions and translations of his *The Philosophy of the Law-Idea.* At the same time, he resumed his detailed treatment of questions of law, politics, and society with which he had started his career. He systematized many of his concepts of law and politics and sharpened his earlier analysis of the history of legal and political theory, in his two volume work *Encyclopedia of Legal Science.*[,] He also elaborated his social theory in a number of articles and reviews in the 1940s and 1950s. One of the most important of these works is his *Ten Lectures of Sociology,* which is translated in the present volume.

Dooyeweerd remained a profound and prolific scholar until his death in 1977. Over the course of his life, he published more than 200 books and articles,[10] presided over numerous legal and philosophical societies and symposia, edited a variety of academic and popular publications, and lectured widely in Europe and North America. Though the novelty of his ideas, and the acuity of his critiques of others, often made Dooyeweerd's work an object of controversy, he garnered respect and praise from adherents and antagonists alike." He was a premier Chris-

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8. Id., *Reformatie en Scholastiek in de Wtjsbcgeerte* (Franeker: 1949), Vol. I. The subsequent two volumes, though substantially complete, remain unpublished.

9. Id., *Encyclopaedic. der Rechtswetenschap* (Amsterdam: 1946), 2 Vols. Dooyeweerd revised this early edition several times thereafter, but never published any of these revised editions.

10. An exhaustive bibliography of Dooyeweerd's writings through 1960 is provided by C. Groen, "Publicaties van Dr. H. Dooyeweerd," *Perspectief: Feestbundel van de Jongeren* (1961), pp. 71-86, updated selectively in Kalsbeek, supra note 1, pp. 310ff. A comprehensive bibliography of Dooyeweerd's writings, with only a few minor omissions, is provided in Hommes, supra note 1, pp. 126-148.

A contemporary Roman Catholic jurist, Professor G.E. Langemeijer of the University of Leiden, wrote that Dooyeweerd "has awakened an unusual flowering of philosophy in reformed circles . . land] can be called the most original philosopher Holland has ever produced, even Spinoza not excepted." Quoted in Kalsbeek, supra note 1, p. 10. Giorgio Delvecchio, the great Italian neo-Kantian philosopher, regarded Dooyeweerd as "the most profound, in novative, and penetrating philosopher since Kant." Letter from Delvccchio to Dooyeweerd, quoted to the author by Dr. Bernard Zylstra, a student and close friend of Dooyewecrd.

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tian polymath who commands the attention of scholars in every discipline who seek to integrate faith and learning.

Having summarized, in the briefest of terms, the history of Dooyeweerd's activities and achievements, I shall outline the developments of his social theory as it emerged out of his Calvinist beliefs and his broader philosophical system. His ultimate goal was to provide a philosophical account of the various institutions which comprise society. The analysis will pay particular attention to the analytical stages through which Dooyeweerd passed to develop this account.

The Development of Dooyeweerd's Social Theory

1. Every social theory, Dooyeweerd argued, is inevitably founded upon certain religious beliefs. These beliefs shape one's general understanding of the origin, nature, and purpose of societies and communities as a whole and of the various institutions that comprise them. They also provide general criteria to distinguish between legitimate and illegitimate institutions and between appropriate and inappropriate relations among these institutions.

Already in his earliest years, Dooyeweerd isolated four traditional Calvinist beliefs which would henceforth remain the cornerstones of his social theory. Neither his emphasis upon these beliefs nor his characterization of them strayed far from the traditional formulations of John Calvin, Johannes Althusius, Herman Bavinck, and Abraham Kuyper. Dooyeweerd went beyond his predecessors, however, in moving these beliefs beyond the province of theological discourse. To be an effective foun-

dation for all theoretical work, including social theory, such beliefs had to be seen as integral parts of a broader Calvinist world-view. "Merely to rehearse Calvin's work historically. . . or to restrict its significance to theology," Dooyeweerd wrote in 1924, "is to cast doubt on the possibility of developing an independent Calvinist principle which will guide and dominate the development of our culture."" A theory of society, like any other theory, must form part of and proceed out of a Calvinist world-view.

Although, in his early years, Dooyeweerd vacillated in his definition and description of these four beliefs, his general views admit of short summary:"

(1) All social institutions, whether past or present, find their ultimate origin in creation. In creation, all things were separated "after their own kind" and vested with "the right to exist" and develop.

(2) God is the absolute sovereign over all creation, at its inception and in its unfolding. Through His word, He called creation into being. Through His providential plan, He guides its becoming. His sovereignty is absolute and constant: no creature and no activity is ever exempt from His authority.

(3) God's authority is a legal authority. He established creation and governs His creatures by law. Though God Himself is above law, and not bound by it, He promises covenant faithfulness to it. The laws of creation coin-

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12. Dooyeweerd, supra note 4, Vol. 1, ᴘ. 8.

13. The following discussion is drawn from Id., supra note 5, pp. 11-32; Id., "Tweetrlei Kritiek om de Principeele Zijde van het Vraagstuk der Medezeggenschap," [Two Critiques to Support the Principled Side of the Problem of Workers' Co-Management) 2 A.R.S. (1926), pp. 1-5; Id., "Het Oude Probleem der Christelijke Staatkunde," [The Old Problem of Christian Politics] 2 A.R.S. 63-68; Id., *De Beteekenis der Wetsidee voor Rechtswetenschap en Rechtsphilosophie* [The Significance of the Law-Idea for Legal Science and Legal Philosophy] (1926), pp. 60-72, 106-111; Id., "De Oorsprong van de Anti-These tusschen Christelijke en Humanistische Wetsidee en hare Beteekenis voor de Staatkundc," [The Origin of the Antithesis between Christian and Humanist Law-Ideas and Its Significance for Politics) 3 A.R.S. 73-81, 102-107.

municate the will of the Creator. They provide order and constancy, not chaos and indeterminacy. Because God's sovereignty is absolute and constant, His law is comprehensive and continually obligates all creatures in all their activities. The laws of creation, therefore, assume a plurality of forms. Some govern the activity of inorganic and organic things. Others govern the multiple activities of man, such as his language and logic, his legal and social activities, or his moral functions. Still others govern the formation and function of human institutions, such as the family, church, or state.

(4) Under the laws of creation, each social institution has a "legal right" to exist alongside other individuals and institutions. It also has a "legal duty" to function in accordance with God's creation ordinances and providential plan, to fulfill its task or calling in history. The laws of creation, therefore, make possible a plurality of social institutions or spheres, each with a measure of autonomy or sovereignty vis-a-vis all others. The sovereignty of any social sphere, however, is always limited *by* the sovereignty of co-existing spheres and limited *to* the task or function to which it is called. Moreover, this earthly sovereignty is subservient to the absolute sovereignty of God. It is delegated by God and remains ever dependent upon Him.

2. These four beliefs—in creation, God's absolute sovereignty, creation ordinances, and sphere sovereignty—recur as a constant refrain in Dooyeweerd's earlier writings on law, politics, and society. On the strength of these beliefs, he repeatedly defended the sovereign independence of the church, state, family, and various economic organizations. He also criticized at great length historical theories and polities that countenance the hegemony of church and state.

As Dooyeweerd sought to build a social theory on this foundation, however, he realized that these beliefs, as formulated, left critical questions unanswered. They did not provide specific criteria to identify the institutions that are

part of the created order. They did not define, in more than a general way, the nature and function of each of these institutions or the proper relationship among them. Though they insisted on a transcendental origin for all social institutions, these beliefs did little to describe the effect of such a pedigree. Without a greater degree of specificity, without being amplified in the form of tangible principles for society and polity, these Calvinist beliefs could easily be adduced, as they had been in the past, to rationalize any number of social forms. Their application in social theory was prone to submit to the demands of utility or political expediency.

In response to this problem of knowledge, this epistemological problem, Dooyeweerd began to develop a method of social theory. In his writings of the late 1920s and early 1930s[14] he began to distinguish between the tasks of these foundational religious beliefs and those of social theory. The task of religious beliefs, he argued, is simply to orient theoretical work, to set its outer boundaries, to describe in general terms the origin, nature, and task of all parts of creation, including parts of human culture. These beliefs are "pre-theoretical" or "pre-scientific": they are known prior to any theoretical work, and they are the foundation upon which theoretical work must build. The task of a theoretical science, such as social theory, is to provide a detailed understanding of the requirements of God's law for social life.

With this distinction between "pre-theoretical" and "theoretical" knowledge, Dooyeweerd was able to challenge social theory with the questions about society left unanswered by his religious beliefs alone. Every social theory, he averred, had to fulfill four interrelated tasks: (1) to identify the independent structures or institutions which comprise society; (2) to describe the nature, the inner norms and constituent parts, which renders each of these

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14. See, particularly, Id., supra note 6, pp. 84-96.

social institutions distinctive; (3) to define the purpose, function, or reason for which each of these structures exists; and (4) to analyze the proper relationship among them. These four tasks demand far more than a mere empirical description of the different aggregates and groups which happen to exist in a given society. Such empirical work is the task of social *science,* of positive sociology. The task of social *theory* is to inquire into the abiding ontic order and laws that constitute all social institutions, prescribe their functions, and dictate their interaction. It demands the social theorist to penetrate beyond the positive forms of a given society to underlying social norms and principles.

To develop a social theory that fulfills these four tasks, Dooyeweerd argued, requires both historical analysis and philosophical reflection on one's basic religious beliefs. A social theory that rests upon a study of contemporary society alone can be little more than a parochial apologia for the status quo. It must also be based upon the study of historical societies and of the tradition of social thought. Past societies reveal a great variety of organizations and institutions, which attest, albeit obliquely, to an underlying ontic order. Likewise, the tradition of reflection on society has yielded important insights into the identity and requirements of the norms and principles prescribed by this ontic order. Dooyeweerd thus viewed the history of social action and thought as an important source of knowledge of God's law for society.

An even more important source of such knowledge is philosophical analysis of one's basic religious beliefs. It was the downfall of earlier Calvinist social theorists, Dooyeweerd wrote, "that they never did think through [their beliefs] philosophically . . . and never indicated a methodical criterion for the determination of what Ithey] understood by sphere sovereignty . . . even though they had given this conception profound biblically religious anchorage in relating it to God's absolute sovereignty over all

that He has created after its inner nature in subjection to His law." Just as an understanding of the method of social theory has to draw upon the insights of epistemology, so the content of a social theory has to draw upon the broader insights of a Christian philosophy, particularly ontology.

3. In the early 1930s Dooyeweerd began to apply this method for social theory. He focussed his attention initially on the historical and philosophical analysis necessary to fulfill the four tasks he had prescribed.

Dooyeweerd had begun his historical analysis in his earlier writings. He now expanded this analysis into an exhaustive critical account of, inter alia, the concept of the Greek polis; the relation between the church and the Roman Empire, before and after Constantine; the problems of Carolingian absolutism; the hierarchical view of social institutions (headed by the church) in medieval scholasticism; the contest between papal and civil authorities in the conciliar period; fourteenth through seventeenth century theories of absolute monarchy; the wide range of theories of church, state, family, and other institutions born of the Reformation; sixteenth through eighteenth century theories of social and governmental contract; and a wide range of theories of society from Grotius, Hobbes, and Locke in the seventeenth century, to Weber, `ninnies, and Oppenheimer in his own day. Dooyeweerd subjected many of these traditional views, and their underlying beliefs, to elaborate and exacting criticisms, extracting their valuable insights and refining his own views in light of these insights.

While this historical analysis helped Dooyeweerd refine his social theory, his philosophical analysis of creation and its laws gave it its definitive form. For, out of this analysis,

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15. Id., supra note 1, Introduction by the Editor in Chief, p. 8. Cf. also Dooyeweerd's critique of Kuyper in *Roots of Western Culture: Pagan, Secular, and Christian Options,* J. Kraay, trans.; Mr. Vandervennen and B. Zylstra, eds. (Toronto: 1979), pp. 54-55.

Dooyeweerd produced an intricate ontology which came to full expression in his theory of social institutions.[16]

Every creature, Dooyeweerd argued, reveals a number of distinct aspects or modes of being. He distinguished fourteen such aspects, which he arranged hierarchically: (1) numerical (discrete quantity); (2) spatial (extension); (3) physical (motion); (4) biotic (organic life or vitality); (5) psychic (sensitive or feeling); (6) logical (analytical distinction); (7) historical (cultural formation); (8) lingual (symbolic meaning); (9) social (social association); (10) economic (frugality or sparing of resources); (11) aesthetic (harmony or balance); (12) jural (just recompensing; balancing multiple interests); (13) moral (love); (14) faith (belief or assurance) aspects.[17]

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16. This cryptic summary of Dooyeweerd's theory of modalities is a distillation of the rich discussion in *A New Critique of Theoretical Thought,* supra note 1, Vol. 2, pp. 1-413. To do justice even to the highlights of this discussion requires more space than is available here. Thus I have simply drawn out those ideas which are crucial to an understanding of Dooyeweerd's theory of social institutions. Dooyeweerd provides a more comprehensive introduction to his ontology in *In the Twilight of Western Thought: Studies in the Pretended Autonomy of Theoretical Thought* (Nutley, NJ: 1960, 1980), pp. 1-26. See also Kalsbeek, supra note 1, pp. 76-159.

17. In later years, after the initial publication of these sociology essays, Dooyeweerd identified a fifteenth modality, called the kinematic (energy) aspect, which he inserted between the physical and biotic aspects. This modification of his general ontology, however, had little apparent impact upon his theory of social institutions.

Dooyeweerd's discussion of a social modality and law, on the one hand, and of social institutions, on the other hand, has given rise to considerable confusion even among those sympathetic to Dooyeweercl's views. The confusion stems, in part, from the extremely laconic treatment of the social modality in *A New Critique of Theoretical Thought* and other writings, in part, from a misunderstanding of Dooyeweerd's broader philosophical system. By identifying a social modality, Dooyeweerd averred that all human activities, interactions, and institutions reveal distinctive social aspects and characteristics which are governed by social norms. These are defined narrowly as aspects of "courtesy, modesty, politeness, tact, fashion, etc." which manifest themselves in, "for example, making a bow, giving a handshake, lifting one's hat, letting a superior proceed." (1d., Vol. 2, pp. 227-228) Dooyeweerd also spoke of "social institutions," a phrase which described, more conventionally, the human organizations, structures, associations, and interrelationships in a given culture. All of these social institutions do reveal social aspects and characteristics (now in the modal sense), but the social modality is not what necessarily renders these institutions to be social (now in the broader sense). There are gentry and etiquette clubs, which are qualified and governed by the social modality, but many other institutions, such as the family, church, state, or union are qualified and governed by other modalities.

Each modal aspect is distinct and irreducible. Dooyeweerd identified this irreducibility as the "sphere sovereignty of the modality"—a phrase which had traditionally been used to describe the created independence of social institutions.[18] With this phrase, he expressed the inviolable and irreducible status of these various aspects or modes of being which creatures display. A living thing, for example, cannot be understood only as matter in motion—that is, the biotic aspect cannot be reduced to the physical or spatial aspects. The justice of a man's act cannot be understood simply as a product of economic, logical, or mathematical calculus—that is, the jural aspect cannot be reduced to the economic, logical, or numerical modal aspects.

Each modal aspect also builds on those below it. Spatial extension, for example, cannot be understood without a concept of numerical multiplicity. Beings that are alive do move in space and can be counted—that is, they have physical, spatial, and numerical functions. For a thing to be symbolic presupposes that its symbolic character has previously been formed in an analytically discernible manner which can be perceived by living beings—that is, that it has underlying historical, analytical, psychic, and biotic aspects, which, in turn, presuppose the lower aspects.

Creatures display such modes of being, and these modalities remain distinctive and ordered, Dooyeweerd believed, because they are governed by the laws of creation. God has created groups of specific laws for each

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18. The phrase "sovereignty within its own sphere," (souvereiniteit in eigen sfeer), was coined by the great Dutch Calvinist historian and political philosopher Guillaume Groen van Prinsterer (1801-1876) and was memorialized by Abraham Knyper, who entitled his address at the founding of the Free University in 1880 as *Souvereiniteh in Eigen tiring* (Amsterdam: 1880). Gordon Spykrnan has traced the idea of sphere sovereignty in the history of Calvinist thought in an important essay, "Sphere Sovereignty in Calvin and the Calvinist Tradition," in David Holwerda, ed., *Exploring the Heritage of John Calvin* (Grand Rapids, MI: 1976), pp. 163-208.

modality. Thus, alongside a hierarchy of modes of being, Dooyeweerd also identified a hierarchy of modal laws: laws of counting and arithmetic, geometry, motion, life, sensitivity, logic, history, language, society, economics, aesthetics, legal science, ethics, and theology. These laws are not derived from scientific inquiry; they are simply discovered by scientists and given positive form. They are "ontic a prioris," which provide order and constancy in the creation and make distinctive aspects of being possible.

This plurality of modalities is an essential source of the plurality of distinct creatures. All inanimate things, living beings, cultural things and relationships, including social institutions, are subject to at least some of these modal laws. These laws govern the function of each of these creatures in each aspect. Creatures can thus be classified, in part, by the laws to which their functioning is subject. Inorganic things are subject to the first three modal laws of number, space, and motion; plants, to the first four laws through the biotic; animals, to the first five laws through the psychic or sensitive. Man himself is subject to all the laws, but human social institutions are subject to a select number of higher modal laws.

The highest modal law to which each creature is subject helps to render it distinctive. It gives the creature its distinguishing character or purpose, its unique created calling in this world, and prescribes a creaturely form in which this calling can be fulfilled. Dooyeweerd frequently describes this highest modal law as the qualifying modality, the structural principle, or the internal law of the creature. Thus the physical laws, for example, dictate that the physical thing move in space. The biotic laws mandate that the constituent parts of the plant not only move in space but that this motion be in service of and directed by a living process. The sensitive laws prescribe that the animal feel or sense things or events around it and react in a way that preserves its life. The jural laws which qualify the state command that the institutions of government, which men

form, develop and implement laws and policies of justice, peace, and harmonious balance. The moral laws obligate the family and marriage communities to serve the ends not only of justice and equity, but also of love, service, and cooperation.

4. Dooyeweerd invoked this philosophical theory of created order and law, this ontology, to fulfill the four tasks he had posed for social theory.I[9]

A plurality of social institutions, he argued, is made possible by the plurality of modal laws which govern them. Their irreducibility or sovereignty is guaranteed by the irreducibility or sovereignty of these underlying modal laws and aspects. The abiding structural principles, the inner constitution of each social institution—and thus also its "typical" nature and function—are prescribed by the modal laws to which that institution is subject.

Dooyeweerd utilized thi, modal analysis to classify a broad range of contemporary and historical social institutions. I shall summarize only the broadest outlines of his classificatory scheme since in the text Dooyeweerd subjects each separate institution to close modal analysis. He identifies the grounding and leading modal functions and laws of each institution, its distinctive purpose and function, and the various forms which these institutions have assumed in the past.

First, Dooyeweerd distinguished between undifferentiated and differentiated societies. The former are usually found in earlier cultures that have not yet developed separate institutions, each with its own defined form and task. Instead, one or two institutions perform several tasks. Dooyeweerd cites as examples of such undifferentiated societies the tribe, the folk sib, the Roman family, the medieval guilds, and others. Differentiated societies,

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19. The following section is a very brief summary of Dooyeweerd's *A New Critique,* supra note 1, Vol. 3, pp. 157-626 as well as the discussion in later chapters of the text.

by contrast, have a far clearer separation of institutions and a greater specification of the distinctive task and social role of each.

Second, Dooyeweerd separated natural institutions from social institutions. Natural institutions, though subject to a variety of lower modal laws, are founded in particular on the biotic modality of life and are qualified by the moral modality of love. Such institutions include marriage, the family, and the cognate family. All other institutions are social institutions.' They are founded primarily on the historical modality—that is, they are the product of human cultural formation. They are qualified or directed by a variety of higher functions from the analytical to the faith aspects.

Third, Dooyeweerd distinguished between communities and intercommunal or interindividual relationships. Communities bind people together more or less permanently as members of the same social whole. Such communities include the state, church, or family. Intercommunal or interpersonal relationships are the cooperative or antagonistic interactions between (1) two institutions; (2) two individuals; or (3) an institution and an individual. Examples of such relationships include the interaction between church and state, between a buyer and seller, or between an individual and the family.

Fourth, Dooyeweerd separated authoritative social forms and free social forms. The former type are organized institutions with a relatively permanent internal communal character and a distinct division of authority and subjects. They embrace their members non-voluntarily for their entire lives or a substantial portion thereof. Such institutions include the church (at least with baptized members), states, natural institutions, and some undifferentiated communities. Free social relationships are generally non-

20. This more technical definition of a "social institution" is to be distinguished from both the narrower and broader definitions of the phrase discussed in supra note 17.

organized institutions that are voluntarily formed and dissolved and based on a general democratic equality among all members. Such relations include the numerous forms of economic, labor, scientific, artistic, academic, and many other associations.

While Dooyeweerd explicated in detail the distinctive structure and function of a variety of social institutions—and thereby defended the sovereignty of each—he also explicated the structural interaction between certain institutions. He described these interactions as encaptic relations. In such relations the internal modal constitutions of two distinct institutions are interwoven to form a more complex social whole. This new institution is qualified by the highest modal function to which either of the two institutions had been subject. In the text, Dooyeweerd describes various types of encaptic relationships, and the mutual dependence among various social institutions which arise from such relations.

Specialists in the history of Continental social theory will find ready analogies between Dooyeweerd's ideas and terminology and those of several of his immediate predecessors and contemporaries, most notably Karl Friederich von Savigny, Otto von Gierke, Wilhelm Dilthey, Max Weber, Maurice Hauroui, and Ferdinand Tonnies. Such analogies, however, do not support the charge, levelled by certain critics, that Dooyeweerd's social theory is nothing more than an eclectic assemblage of commonplaces. In this text, and in many of his other writings, Dooyeweerd sharply distinguishes himself from these and many other social theorists. For Dooyeweerd's social theory rests upon a new ensemble of religious and philosophical beliefs. These underlying beliefs not only furnish him with a new hermeneutic, a penetrating critical assessment and interpretation of the traditional teachings of social theory and their underlying assumptions. They also permit him to create a new synthesis of his own in-

sights and those traditional teachings which survive his criticisms.

Summary of the Text

In these ten lectures, Dooyeweerd presents a terse overview of his social theory. He remains committed to the method he had developed two decades before: historical and philosophical analysis are brought to bear on the first-order questions of the origin, nature, function, and interrelationships of social institutions. But here his exposition is more balanced and systematic. It avoids the abrasive polemicism and annoying disgressions of the earlier writings. It is the product of a more tempered and seasoned judgment and is thus more authoritative and arresting.

In the first two lectures, Dooyeweerd defends the role of social theory (or social philosophy) against the claims of modern sociologists. In their attempt to establish the independent task of sociology vis-a-vis other sciences, modern sociologists have depicted it either as (1) a unique science of the totality of society; or (2) a distinctive special science of society. Sociologists of both schools have sought to sever all relations between sociology and philosophy. The first group of sociologists, from Comte to Oppenheimer and Sorokin, saw it as their task to describe society as a whole, to define the broad causal relationships between "scientific social facts" discovered by the other special sciences. Theirs was to be an objective scientific analysis, free from appeal to any normative criteria or philosophical judgments. A second group of sociologists, most notably Pareto, have despaired of any ability to offer such a totality view of such an objective causal explanation. Sociology was simply one of many special sciences whose own task was to offer a functional explanation of certain social facts.

To Dooyeweerd, both positions were unsatisfactory.

First, any such causal or functional explanation inevitably invokes normative criteria. For social relationships are not objectively presented facts, simple effects of non-normative causes, or functional parts of a larger whole. They are independent complex social institutions which are the manifestations of underlying social norms. They can be understood and explained only in light of such norms, even when the particular social form deviates from them. "Even the actual activity of a gang of thieves," Dooyeweerd writes, "cannot be recognized as such without the application of the norms of a given society." Second, neither group of sociologists properly recognizes the indispensable task of social theory. The task of social theory is "to gain a total overview of distinctive modal aspects of social relationships." It is to describe their underlying norms, their ontic status, their origin, nature, functions, and interrelationships. Only with such an understanding, Dooyeweerd argues, can the positive science of sociology be properly defined and directed.

In Lectures III and IV, Dooyeweerd shows how any such social theory is shaped by certain religious beliefs and by the exigencies of the theorist's social milieu. He adduces proof for this thesis from history. He describes (1) the religious form/ matter ground-motive which undergirded the Greek concept of the polis; (2) the religious grace/nature view upon which the Roman Catholic Church built its hierarchic view of society as well as the two-swords theory; (3) the religious freedom/nature ground-motive which manifested itself in both the individualist natural law and social contract theories of Grotius, Hobbes, Locke, and others as well as in the communitarian historical theories of the German Idealists and Romantics. Modern sociology, Dooyeweerd contends in the last portion of these two lectures, was ultimately born of this third set of religious beliefs.' it was based on a synthesis between the historical-cultural concepts and

21. Dooyeweerd expounds this analysis of the origin of modern sociology in brilliant fashion in supra note 15, pp. 189ff.

methods of the German schools and the natural-scientific concepts and methods of seventeenth and eighteenth century theorists. This bifurcated source has spawned the subsequent struggles between sociological universalism and individualism and between the Marxist materialist method and Weber's ideal-typical method of analyzing the history of social development.

In Lecture V, Dooyeweerd shows how a fourth, Christian, religious ground-motive can found a new concept of society and social institutions. The Christian concept of creation grounds one's belief in abiding structural principles, which, in turn, are rooted in the various modal laws. These principles guide sinful man in his social development and provide unity for the multiplicity of social forms which are revealed in history. It is the task of a general ontology to study the modal laws; of social theory to study the structural principles; and of positive sociology to study the forms of a given society.

In Lecture VI, Dooyeweerd provides a cryptic modal analysis of simple and more complex social institutions. Each simple institution, Dooyeweerd argues, has an internal structural constitution or "idionomy" *(individualiteitsstructuur)* that renders it distinctive or "typical." A grounding and a leading modal law combine to prescribe for each social institution a unique destination or task and a distinctive positive form. Dooyeweerd cites as an example the family, with its founding biotic function and its leading moral function. More complex social institutions originate from encaptic interrelations between the structural constitutions of two or more social institutions. This encaptic relation is either unilateral (where one institution cannot exist without the other) or correlative (where the two institutions presuppose each other). The two encaptically related institutions, Dooyeweerd insists, are originally distinctive, with their own "typical" individual structure and function. Thus, even with unilateral encapsis, neither institution can be seen as a part of the

other whole. He cites the encaptic relation between marriage and the family as a particularly provocative illustration. By eliding the encaptic relation into a part-whole relation, Dooyeweerd argues, modern sociologists have inevitably been drawn to a sociological universalism.

In Lecture VII, Dooyeweerd makes a number of distinctions which, as was shown, are crucial to his social theory:
(I) social genetic forms and existential forms; (2) social and natural institutions; (3) communal and social relationships; (4) institutional and non-institutional communities; and (5) differentiated and undifferentiated communal and social relationships. Dooyeweerd then utilizes these distinctions to criticize the famous theory of *Gemeinschaft* and *Gesellschaft* propounded by the German sociologist Ferdinand Tonnies.

In Lectures VIII-X, Dooyeweerd provides a lucid modal and structural analysis of the social institutions which he had distinguished, in principle, in Lecture VII. He describes, *seriatim, (1)* undifferentiated social organizations, such as the Roman *familia,* and ancient sibs and other folk bonds, medieval social relations, such as feudal bonds, guilds, mark communities, and others; (2) natural communities, such as marriage, the family, and extended family; (3) the differentiated institutional organizations of church and state (he also includes in this section a critique of Ernst Troeltsch's distinction between "church-type" and "sect-type"); and (4) non-institutional social organizations, such as economic, scientific, artistic, and other free associations.

In his conclusion, Dooyeweerd summons us all to continue to discover and implement God's creation norms for social institutions and to heed Christ's call to love our neighbors in all our relationships with them.

Lectures I and II

The Struggle to Define the Province of Social Science and Social Philosophy

AT THE BEGINNING of the nineteenth century, sociology was introduced in France by St. Simonl and especially by Auguste Comte.' Its field of inquiry was defined as that of community *(societe)* or human society. This society is comprised not only of personal relationships between human beings as individuals, but also of man's relationships with the inorganic world, with the kingdoms of plants and of animals, and with cultural things. These inorganic things (processes), plants, animals, and cultural things cannot, of course, function as subjects in human society. They can function only as an object or mode of a human subject; their function is unilaterally dependent upon social relationships in which man is the subject. •

Even a preliminary attempt to circumscribe the field of inquiry of sociology as an independent science gives rise to a number of fundamental questions.

Inside our temporal world of experience, society exhibits

[1.Claude-Henri de Rouvroy de Comte Saint Simon (1760-1825), French social philosopher, theologian, and historian, whose extensive sociological and historical writings are collected in *Oeuvres completes de Saint Simon et Enfantin* (Paris: 1865-1876), 47 Vols., excerpted in *Selected Writings On Science, Industry and Social Organization,* K. Taylor, trans. and ed. (London: 1975).]

[2.Auguste Comte (1798-1857), author of *Cours de philosophic. positive* (Paris: 1830-1842), excerpted extensively *in The Positive Philosophy of Auguste Comte,* H. Martineau. ed. (London: 1853), 2 Vols. Cf. also Auguste Comte, *System de Politique Positive* (Paris: 1851-1854), translated by F.H. Bridges, et, al. as *The System of Positive Polity* (London: 1875-1877), 4 Vols.1

a great diversity of modal aspects. These aspects correspond to the fundamental *modi* or manners in which we experience everything and define, at least in principle, the fields of inquiry of the various special sciences. But if every possible modal aspect of human society already belongs to the field of inquiry of a particular special science, how can there be any room left for sociology as an independent science? Have not the sciences of social geography, social psychology and history, philology and linguistics, social economy and jurisprudence, social ethics, anthropology of religion, and others not already subsumed the entire field of inquiry into social human relations? Can the still immature science of sociology, therefore, be anything more than a sporadic, dilettantish summary of what all the special social sciences (each in its own territory) have taught us through their sophisticated investigation of our human society?

Only two roads seem to allow escape from a conclusion so devastating to the claims of sociology to be a science: (1) one might show that sociology—as distinct from all other special scientific viewpoints—can offer a truly theoretical view of the totality of human society, which can expose the real coherence of the various aspects of social relationships; or (2) one might establish a specific point of view for sociology that would both ensure it of a lawful place among the special sciences and guarantee it a distinctive field of inquiry alongside competing special sciences. Both roads, however—the second of which has been taken only in the twentieth century—appear to lead to new obstacles. These are denoted below as A and B.

A

If one chooses the first approach, and thus views sociology as the science which investigates human society in its totality, then inevitably a philosophy of society, a

social philosophy, is the only possible recourse. For questions about the mutual relations and coherence of the different modal aspects (or modes of experiencing reality) are undeniably of a philosophical character. But a social philosophy may not follow the methods of investigation of the special sciences. It must instead lay the foundations for the special sciences. It must offer insight into the diversity of typical social totality-structures and their mutual relationships, which social scientists continually encounter in their specialized inquiries. But, in so doing, the social philosopher cannot describe these structures and relationships from a specialized scientific viewpoint alone. For each of the special sciences views one particular modal aspect of social relations. A theoretical view of the totality of human social relationships, however, grasps these aspects in the structural unity of typical totalities and in their typical mutual relationships.

   This philosophical problem of how such a theoretical view of this totality is possible has never been critically addressed by sociologists. Some have certainly tried to explain the development of sociology as a necessary process of integrating the social sciences, independent of philosophy. Sociology was then defined as an empirical science which dealt with all of human society. This process was to reverse the trend toward differentiation and particularization of special scientific points of view.

   Though the various social scientists have their own distinctive fields of inquiry, they frequently encounter inquiries which concern more than one special science. Such interdisciplinary inquiries can be investigated only from a more general viewpoint, which allows us to survey the coherence between the different fields of inquiry as well as the laws to which they are jointly subject.

   In the first part of his voluminous *System der Soziologie*[3] Fr. Oppenheimer pointed to biology, which has

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3. Franz Oppenheimer, *System der Soziologie* (Jena: 1912), pp. 132ff. [Cf. the analysis of Oppenheimer's views in Herman Dooyeweercl, *A New Critique of Theoretical Thought,* D.1-1, Freeman and W.S. Young, trans. (Philadelphia: 1969), Vol. 3, pp. 158-1601.

likewise become a science of the totality of botany, zoology, and geology, on the one hand, and of physics and chemistry, on the other. This has resulted, according to Oppenheimer, because all these special sciences ultimately have the same object, viz., "life process in general." This purported explanation, however, ignores the basic problem of how we must view the mutual relation and coherence of the aspects which are displayed in the typical structural totality of an animal or plant organism: psychic, organic, living, physico-chemical, spatial, and numerical aspects. This philosophical problem highlights the question of how a scientific totality-view, as Oppenheimer conceives of it, is possible.

A fundamental difference manifests itself here between the mechanistic, neo-vitalistic, and holistic viewpoints in biology (to mention only the three with the most adherents). Each of these viewpoints is founded on its own idea of totality. Mechanism absolutizes the physicochemical aspect. Holism absolutizes the biotic aspect of the plant organism or the psychic aspect of the animal organism, and reduces the remaining aspects to the one that is absolutized. Neo-vitalism attempts to understand the totality of the plant and animal organism in a pseudo-Aristotelian form-matter scheme: an entelechy and a psychoide intervene in the closed physico-chemical constellation of matter, give it form and direction, and thereby produce plants and animals respectively. These [three] distinctive philosophical positions form in principle the differences in scientific interpretation of empirical data. It is therefore out of the question that biology, independent of philosophy, has arrived at an idea of the mutual coherence of the distinctive aspects within the totality of animal and plant organisms.

The foundation of Oppenheimer's argument regarding sociology is thereby also dissolved. For he claimed that,

like biology, sociology would develop in complete independence of philosophy. It would be an empirical science of the totality of society, in which the specific viewpoints of the social sciences could be grasped in their mutual relationship. But in sociology this idea of totality, from which one seeks to gain insight into the mutual coherence of the distinctive modal aspects of social relationships, appears to be of a philosophical character.

Time and again one's attempts to form an autonomous science inevitably lead to the absolutizing of one aspect to which the remaining aspects are reduced as constituent modalities. In this case, the "higher point of view," as Oppenheimer called it, is the one that seeks to conjoin the various aspects [within one absolutized aspect]. Thus mechanistic, biologistic, psychologistic, cultural-historical, and other totality-ideas have been touted in sociology as the basis for its status as an empirical science. Oppenheimer himself starts out from a biologistic totality idea. For he views life as the all-encompassing viewpoint in both biology and sociology. He immediately absolutizes and hypostasizes this life as an immortal substance. Human society with its distinctive social-cultural aspects becomes as much a special branch of this immortal substance as are the different kinds of plant and animal organisms.

In his system of general sociology, the well known sociologist Pitirim Sorokin' has attempted to explain all such isms in the totality-ideas of general sociology in terms of the multi-faceted character of the "socio-cultural universe." "Since the socio-cultural world itself is multifaceted," he remarks, "it follows logically that there must be several viewpoints, each of which specializes in the study of one of its main aspects." The result of this divergence of viewpoints can only be a more adequate and

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4. See Pitirim A. Sorokin, *Society, Culture, and Personality, Their Structure and Dynamics: A System of General Sociology* (New York and London: 1947). [Cf. the analysis in Dooyeweerd, supra note 3, pp. 160-163.1

multi-faceted knowledge of the socio-cultural world of man. Exaggerating a special [scientific] point of view, as the mechanistic and biologistic schools do, must be corrected by criticism from other sociological schools.'

So to deprecate this presence of isms in general sociology, however, betrays a fundamental lack of insight into the real character of the problem of totality in an empirical science which deals with the totality of human society. For the different isms are produced because scholars have absolutized particular aspects *in order to gain a total overview of the distinctive aspects of society.* Such absolutizations cannot be corrected by simply absolutizing other aspects. The fundamental problem is exactly how a general, empirical sociology can avoid absolutizations altogether in articulating its own idea of totality.

Sorokin has obviously not seen this problem. He simply avers that general sociology distinguishes itself from such special social sciences as economics, political science, and anthropology of religion because it focuses on the totality of society. He elaborates this thesis thus:

> "[E]conomics studies only business organizations as a variety of society; political science analyzes the state as a specific kind of society; the science of religion investigates the church as a special form of society; general sociology, on the other hand, is concerned with society as a genus, with the properties and relationships that are found in any society, be it a business firm, a church, a state, a club, the family, or anything else."[6]

Clearly, in this analysis our problem of how sociology can gain a total overview of distinctive modal aspects of social relationships without reverting to absolutizing one particular aspect is not at all addressed. Yet this is the very problem that confronts sociology whenever it attempts to group the various social aspects of an organized enterprise, a state, a church, a family, etc. in the typical totality struc-

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5. Id., p. 24. 16, Id., p.

ture of these communities. A business organization is not reducible to its economic aspect, nor is a state reducible to its power or jural aspects, nor a church to its aspect of a community of faith. The question of whether all these types of organized, as well as unorganized, communities can be brought under one generic viewpoint is of an entirely different character. It can be properly addressed only after one had dealt satisfactorily with the basic philosophical problem of sociology: what is the nature of the typical totality structures of social relationships in all their modal diversity?

Closely connected with the problem of totality in the science of human society are questions of causality and of the relation between norm and fact.

The positivist founders of sociology introduced it as an empirical totality-science. It was to have no other task than to offer a causal explanation of social phenomena as pure facts. Such explanations were to be free of all value judgments and normative criteria. Thus the sociologists of the nineteenth century took as their models the methods of investigation used in the natural sciences.

They failed to realize that human social relations are not given to us as empirical natural facts, as these facts are understood in classical physics. Instead, these relations manifest themselves only in a diversity of typical structures. They are intangible and thus cannot be ascertained by the methods of natural science. The state, church, family, marriage, and commercial enterprise, as well as social classes, ranks, and others are not entities that one can weigh and measure. They are not objectively presented to one's sensory perception. One cannot discern or understand them without the application of norms or criteria of propriety. For the very existence of these social relations depends upon these norms, even though in their actual functioning these relations may conflict with such norms. Even the actual activity of a gang of thieves cannot be recognized as such without the application of the norms of an ordered society.

The attempt to explain these social norms simply as the causal effect of non-normative facts—and thereby to establish their validity empirically—utterly misunderstands the nature of the norm and ultimately explains nothing. For example, group customs are said to result in a feeling for what is proper. Yet there are numerous group customs which have no connection with an awareness of what is proper, and, in fact, undermine the group's awareness of such a norm. (Think of traditions such as longshoremen committing petty thefts.) Even the psychic feeling of propriety presupposes the existence of valid norms, which we can never explain psychologically.

We must, therefore, realize that we can never discuss factual social relations in human society without discussing real social norms, even when these relations violate the norms. This also implies that it is impossible for sociologists to give a causal explanation without reference to social norms. For instance, a causal explanation which attributes increased criminality to a wrong social environment, poor housing, economic crisis, and other factors relates facts in a way that is evidently determined by norms. If we try to make a consistent attempt to eliminate normative criteria, we shall discover that we end up with no real *human* social facts.

Furthermore, any causal explanations of social phenomena demands insight into both the typical structures of society mentioned above, and into the mutual relations and coherence of the distinct modal aspects of social reality. We cannot explain, for example, the juridical, moral, or faith aspects as causal effects of entirely different aspects, such as the economic, psychic feeling, or organic life aspects of human society.

That there is an unbreakable coherence between these different aspects does not at all entail that we can, for example, explain right, morality, or religion psychologically, economically or biologically. We may never forget that in the special sciences we can speak of cause and .effect rela-

tions between various phenomena only insofar as they reveal themselves in the same aspect of reality. Only then can we compare these phenomena. In physics the concept of cause and effect, as it applies to macro-phenomena, appears to be strictly bound to the establishing of equivalences which we can express in mathematical equations. On the other hand, when we wish to investigate empirically the coherence of the different modal aspects of a real event, we are able to do this only from our insight into a typical structure of totality in which these various aspects are united.

As we have seen, our modern society displays a great diversity of such typical totality structures as the state, church, family, business, and school, organized and unorganized social relationships in science and art, trade and commerce, and others. Within each of these structures we can investigate the typical coherence between their various modal aspects. But what is the nature of the mutual relationship of these structures? Must we see these structures as parts of a higher encompassing whole? And, if so, what then is the typical totality structure of this whole? All these fundamental questions are still waiting for answers from schools in sociology which hold to this totality view.

Some scholars have proposed that human society is one large whole, comparable to a living organism. But they have failed miserably to clarify the typical structure of this whole. When they begin to "explain" social phenomena on this shaky foundation, they lose sight of the typical structural character of these phenomena. Indeed, they operate with a concept of causality that is useless for sociology (seen as the science of totality of human society). As discussed above, they fall all too readily into the trap of absolutizing a certain aspect to which they then try to reduce all the other aspects as constituent modalities.

It is hardly evident that normative points of view have been eliminated from modern sociology. Sociological

theories have actually been infused with normative value judgments derived from various world-views and political convictions. Under the dominance of the natural scientific mode of thought of the nineteenth century, sociology became a mighty weapon in the battle between *Weltanschauungen* and political convictions. Marxist sociology became the gospel of the militant proletariat. Spencerian sociology became the gospel of liberalism. It is rather premature to believe that sociology has extricated itself from this situation in our twentieth century. We shall establish below that in our day, too, a diversity of philosophical currents and *Weltanschauungen* have by no means been conquered in the contemporary science of society.

The modern movement to make sociology a special science by staking out a specific aspect or viewpoint for it seems to have been able to avoid the problems of taking a totalitarian viewpoint.

We shall later see, however, that this current formal movement had not succeeded in validating the existence of such a specific aspect for sociological inquiry (see Lecture VII). Its founder, George Simmel, has himself later admitted this. Thus no one can still maintain that all the investigators who belong to this movement view sociology as a specific scientific discipline.

Theodore Litt—who, in the introduction to his well known work *Individuum und Gemeinschaft,* expressly states his adherence to this formal school—developed a theory of organizations *(Gesellschaftslere)* which he called a "philosophy of culture." But, in so doing, he implicitly

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17. Theodor Litt, *lndividuum und Gemeinschaft,* 3d, ed., (Leipzig: 1926), pp. 1-44,1

turned against the special scientific viewpoint of formal sociology.

The basic problems of sociology, which define its real field of inquiry, remain those which require a theory of the typical structures of totality in society and of their mutual relations. These typical structures determine the nature of the various spheres of society.

Though we can recognize great changes in the social picture, we must also recognize that these changes manifest themselves in a very distinctive manner within the special spheres of life: the family, state, church, business, social, artistic, and scientific relationships. The type or manner of social change is determined by the typical structure and nature of these spheres of life.

We cannot explain the structure and nature of a state by referring to the church or an industry. To determine the extent to which there is a one-sided dependence between one sphere of life and another is, in turn, a problem of structure. We can solve this problem only after a careful investigation of the nature of these spheres of life. In what follows we shall see that every general answer to this question, whether affirming or denying the question, is scientifically irresponsible.

Marxist sociologists believed that the historical system of economic production in a society, and its implicit interpersonal relations, does one-sidedly determine the so-called ideological superstructure of politics, jurisprudence, morals, art, religion, etc. But non-communist oriented sociologists today generally reject as invalid such a one-sided historical-economic explanation of the most diverse social institutions. For great differences in the political system, the legal order, religious conviction, etc. can appear in essentially similar systems of production. In fact, the one-sided historical-economic account of social institutions and customs cannot even fully explain primitive societies, which have no modern differentiation of the spheres of life.

For example, one can point to the status of women. The well known American ethnologist R.H. Lowies has demonstrated that in many instances this status is determined by the tradition of a clan, independent of the economic function of women within it.

We adopt another example from totemistic cultures. Among many primitive peoples we find a remarkable organization of society into clans or sibs, which are organized as patriarchies or matriarchies. Each clan frequently traces its origin to an animal or plant, the totem, which is worshipped as the original male or female ancestor. This animal or plant, whether or not divine, can become taboo, that is, protected by a sacred prohibition against killing and eating it. Occasionally, members of the clan even identify themselves with the totem.

Some ethnologists, such as Koppers[9] and others, have sought an historical-economic explanation of this taboo, suggesting, for instance, that intensive hunting of the economically useful totem animal might have threatened its extinction and led to an economic catastrophe. In order to protect society, the animal was protected by putting it under a taboo. Initially, this explanation appears to be reasonable. But what do we say when the totem animal is harmful (we can think of the eagle), or the totem plant is poisonous?

In those very cultures that we call primitive the social institutions often appear to be so strongly dominated by the cultic religious practices that violation of the cultus would threaten the very foundations of these institutions. But this fact is so closely related to the still undifferentiated structure of a primitive society that we must not generally conclude that a similar interaction between religion and social institutions must prevail in our modern society.

After much trial and error, modern sociologists finally

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18. Robert H. Lowie, *The Primitive Society,* 2d. ed. (New York: 1929).]
19. Wilhelm Koppers, *Die Menschliche Wirtschaft* in *Volker und Kulturen* (Berlin: 1925), Vol. 3, pp. 479ff.]

concluded that such use of the concept of causality was not scientifically admissible in its field. A fundamental structural problem was hidden in every attempt to explain social phenomena causally. So sociologists tried to replace the concept of causality with the concept of function borrowed from mathematics.

The economist and sociologist, Pareto,n) the second ranking leader in the school of Lausanne (who counted Mussolini among his pupils), was the first to abandon the concept of causality. In its stead, he proposed the concept of a mutual functional dependence of all the "elements" of society. According to Pareto, we can provisionally isolate a complex of variable social factors which can be viewed as a function of some other complex of variables. What phenomena, one must ask, occur in the first complex when certain changes occur in the second? One must be prepared immediately to reverse this functional relationship as well.

It is clear that this method of analysis also ignores the basic problem of sociology as the science of the totality of human society, that is, the problem of the different typical totality structures of social relationships and their mutual relationships.

Pareto's whole idea of society—as a system comprised of a number of more or less constant elements which mutually interact and are kept in equilibrium through a balance of forces—is still deeply rooted in the classical belief that natural scientific modes of thought provide a universal model for all sciences. As Pareto himself emphasized, to use the mathematical concept of function in sociology is to presuppose that we must study the "social elements" and their "connections" on a quantitative basis.

[10, Vilfredo Pareto (1848-1923), Italian economist and sociologist, author of *Trattato di sociologic generale,* 2d. ed. (Florence: 1923), 3 Vols., translated by A. Bongiorno and A. Livingston as *The Mind and Society* (New York: 1935), 4 Vols. See particularly Vol. 4, "The General Form of Society"; cf. also Id„ *Sociological Writings,* **D.** Mirfin, trans. and S.E. Finer, ed. (London: 1966)1

A Christian Theory of Social Institutions

Ala See below that, since Max Weber,' 1 the natural itiC mode of thought in sociology has been largely taped by a so-called cultural scientific mode of thought. Yet, important as it may be, this turn of events in aociological thinking has not led to a truly structural-theoretical method of investigation.

From the beginning, modern sociology has eliminated the typical structural principles which determine the abiding inner essence of various social relationships. Upon eliminating these principles, most sociologists have taken the historicistic position, which is founded on absolutizing the cultural-historic aspect of society. They see society in all its aspects as a product of cultural development. This view leaves no room for constant differences in the nature of the historical and social spheres of life.

The historicist's concept of social structure is also nearly always imbued with a natural scientific concept of a balanced connection of "elements." These "connections" themselves are viewed as historical variables.

[11. Max Weber (1864-1920), German historian and philosopher, author of *Wirtschaft and Gesellschaft,* 2d. ed. (Tubingen: 1925), 2 Vols.; Part I translated by A.M. Henderson and T. Parsons *as The Theory of Economic Organization* (Glencoe, IL: 1947); sections of Part II translated by D. Martindale and G. Neuwirth as *The City* (New York: 1958) as well as by E.A. Schils and M. Rheinstcin *as Max Weber on Law in Economy and Society* (Cambridge, MA: 1954). See also Max Weber, *Essays in Sociology,* H. Gerth and C.W. Mills, trans. (New York: 1946) and Id., *On the Methodology of the Social Sciences,* E.A. Schils and I I.A. Finch, trans. (Glencoe, IL: 1949).[

Lectures III and IV

The Religious Foundations of Historical Social Philosophies

IN ORDER TO UNDERSTAND the predominantly historicist view of human society in modern sociology, we must give a brief overview of its history. One must remember that sociological thinking is itself strongly influenced by its social and historical milieu and ultimately by certain religious ground-motives. Such ground-motives dominate our entire attitude toward life and thought (often unconsciously) and so become central driving forces of cultural development. For they are communal motives that touch the religious root of all social relationships.

The youngest branch of sociological science, sociology of knowledge *(Wissenssoziologie),* has undertaken to investigate the first of these influences Ithe social and historical milieu]. Jerusalem, Scheler, and Mannheimu are the most prominent members of this school, though they all build on the foundations laid by the famous

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[12. Franz Wilhelm Jerusalem (1883-), German sociologist and jurist, author of *Grundzuge der Sociologie* (Berlin: 1930). Max Scheler (1874-1928), German phenomenologist and social philosopher, author of *Versuche zu einer Soziologie des Wissens* (Koln: 1924), partly translated by M.S. Frings as *Problems of a Sociology of Knowledge,* K.W. Stikkers, ed. (London and Boston: 1980); *Schriften zur Sociologic and Weltanschauungslehre* (Leipzig: 1923-1924), Vols.; *Die Wilssensformen and die Gesellschafts* (Leipzig: 1926). Karl Mannheim (1893-1947), German sociologist and philosopher, whose most important works on sociology of knowledge include *Ideologic and Utopie* (Berlin: 1929), translated by L. Wirth and E.A. Schils as *Ideology and Utopia* (Bonn: 1929); *Essays on the Sociology of Knowledge,* P. Kecskemeti, ed. (London: 1952); and *Systematic Sociology,* J.S. Eros and W.A.C. Stewart, eds. (London: 1957).]

philosopher and historian Wilhelm Dilthey.'[3]

The sociology of knowledge raises the problem of how science can free itself from being bound by a standpoint *(Standortsgebundeheit)* and retain its impartiality. Mannheim formulated this as the problem of the "socially free-floating intellect" *(sozial freischwebende Intelligenz).*

Of course, sociology must keep its distance from such traditional prejudices of nationality, race, rank, class, and group which clash with the very nature of science. This task is difficult enough. It is an illusion, however, to believe that one can also detach himself from the central religious ground-motive in his scientific pursuit. For these very themes make science possible; they form its real point of departure and dominate its entire theoretical view of the structure of social reality. We can free ourselves from a certain religious ground-motive that dominates our scientific thinking only when another one gains a central hold of our attitude to life and thought.

We shall briefly examine the history of sociological thinking from the perspective of the four main religious ground-motives that have dominated the development of our western culture.'[4]

The Greeks were the first in western culture to reflect scientifically on the questions of human society. Their sociological insight was strongly influenced by the contrast between Greeks and barbarians. According to the classical view, barbarians were not fully human, for they lacked the *paideia,* the cultural formation offered by the Greek polis to its citizens. *Paideia* gives human nature its true form.

This prejudice is dominated by the religious ground-

[13. Wilhelm Dilthey (1833-1911), German philosopher and historian, whose essential writings on the sociology of knowledge include *Grundlagen der Wissenschaft von Menschen der Gesellschaft um! der Geschichte in Gesammelte Schriften* (Leipzig and Berlin: 1921-). Vol. 18; *Pattern and Meaning in History: Thoughts on History and Society.* H.P. Rickman, ed., (New York: 1961).]

114. Dooyeweerd provides a more comprehensive, yet still popular, overview of the four ground-motives of western culture in his *Roots of Western Culture: Pagan, Secular, and Christian Options,* J. Kraay, trans., M. VanderVennen and II. Zylstra, eds. (Toronto: 1979).1

motive of Greek culture, which, since Aristotle, has been called the form-matter motive. This motive arose from an unresolved conflict between the older nature religions of life and death and the younger national culture-religion of the Olympian gods, represented in the Greek polis.[15] Already the founder of Sophism, Protagoras,[16] in his remarkable teachings on the natural barbaric state of man, saw that the polis gives true form to human nature.

As a religious-political community, the Greek polis was totalitarian in nature. It knew nothing of either the modern concept of the freedom of certain spheres of life—which as a matter of principle are withdrawn from the state's control—or of the distinction between state and society. Thus both Plato" and Aristotle's treated all sociological questions within the framework of the *politica,* the theory of the polis.

Although both these great thinkers always founded their investigations on their philosophical concept of the state, they did initiate important empirical inquiries into the character of the state at the time. They knew the social significance of the division of labor, and the impact of climate, geography, demography, and the economy on state organization. Aristotle's teaching of the social disposition of human nature was seminal for later thinking. But his view of a narrowly circumscribed social field (produced by his belief in the Greek polis as the perfect

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15. See Herman Dooyeweerd, "Calvinistische Wijsbegeerte," 1 *Scientia* 127-159 (1956), Part 1. [Cl. Dooyeweerd, supra note 14, pp. 15-22 for further analysis.]

[16. Protagoras of Abdera (c. 490-c. 420-B.C.), fragments of whose writings are found in H. Diels and W. Krantz, eds., *Fragmente der Vorsokratiker. Grieclusch um! Deutsch,* 10th ed. (Berlin: 1961), Vol. 2, Part 1, pp. 525-542; and A. Capizzi, *Protagora* (Florence: 1955).1

[17. Aristotle (384-322 B.C.), whose writings on the polls and society are included in W.D. Ross, ed., *The Works of Aristotle Translated into English* (Oxford: 1910-1952), 12 Vols. See the critical analysis of Aristotle's theory of society in Dooyeweerd, supra note 3, Vol. 3, pp. 200-216.]

[18. Plato (c. 429-347 B.C.) whose writings on the polis and society are included in E. Hamilton and H. Cairns, eds., *The Collected Dialogues of Plato, Including the Letters* (Princeton: 1961).]

society) was destroyed in the Hellenistic period by the rise of the Macedonian world empire. The new empire, too, was founded religiously on the idea of the divine rule, an idea borrowed from Eastern religions and later incorporated into the emperor cult of the Romans. After Christianity was accepted as the public religion of the state [in 381], this idea of divine rule was given a Christian twist. The emperor [held his office] "by the grace of God." The idea of the Holy Roman Empire was ushered in during the Carolingian period of the ninth century. It survived, at least in form, until the French Revolution of 17891, though by then it had lost its social significance.

The Christian religion, linked to Old Testament revelation, provides a new religious ground-motive for reflection on the foundations of human society. It is the theme of creation, fall into sin, and redemption by Christ Jesus in the communion of the Holy Spirit. It reveals that the religious community of the human race is rooted in creation, in the solidarity of the fall into sin, and in the spiritual kingdom of God through Christ Jesus (the *Corpus Christi).* In this belief Christianity destroys in principle any claim made by a temporal community to encompass all of human life in a totalitarian sense. It demands internal independence for the church in its relation to the state and sharpens our view of the proper nature of the spheres of life.

All of this has posed new problems for society. Modern sociologists of religion have paid special attention to the social significance of the various sects and of the church as a temporal institution. They have examined the influence of the dogmatic-theological and ethical views of certain Protestant groups on the rise of modern capitalism."[9]

In the Middle Ages a third religious ground-motive of

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20. See Max Weber, *Gesammelte Aufsatze zur Religionsgeschichte* (Tubingen: 1920-1921), Vol. 1, Part 1, translated by T. Parsons as *The Protestant Ethic and the Spirit of Capitalism* (London: 1930). See also R.H. Tawney, *Religion and the Rise of Capitalism* (London: 1926).

nature and grace began to dominate both the spirit of temporal society and the theoretical view of society. In its original conception, adopted by the Roman Catholic Church, this ground-motive was based on an attempt to synthesize the Greek and the Christian religious ground-motives. Later it lent itself to an equally effective pseudo-synthesis of the Christian ground-motive and of the spiritual movement of humanism which arose with the Renaissance. In the High Middle Ages this ground-motive of nature and grace resulted in the so-called ecclesiastical cultural unity which subordinated all spheres of culture to the leadership of the church.

With the collapse of the Carolingian state, the natural (worldly) infrastructure of Christian society again assumed an undifferentiated and fragmented form. This infrastructure was complemented by the supernatural superstructure of the Roman Catholic Church as the institute of grace. The Greek *lex naturalis* [natural law], adapted to church doctrine, governed natural relations; the *lex divina* [divine law] governed the life of grace.

The church embraced all of Christendom, understood as the *Corpus Christianum,* and led society from the natural to the supranatural stage of perfection.

In the medieval view of the Holy Roman Empire *(Sacrum Imperium Romanum)* this scheme was elaborated. Christendom has a secular and a spiritual head, emperor and pope respectively. The secular authority, however, is subordinate to the spiritual authority. The pope bestows the emperor's crown. The emperor can be divested of his crown if he is unworthy in the judgment of the pope. This is the doctrine of the two swords. Furthermore, if the church excommunicates the emperor, every Christian is relieved of his duty to obey him.

This sociological scheme of infrastructure and superstructure was philosophically elaborated by Thomas Aquinas.' His theories still serve as a model for the Roman

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120. Thomas Aquinas (1225-1274), scholastic, Dominican philosopher and theologian, whose sociological and political writings include *De Regno,* J. Perrier, ed. (Paris: 1949), translated by G.B. Phelan and I.T. Eschmann as *On Kingship* (Toronto: 1949); *In Libros Politicorum,* A.M. Spiazzi, ed. (Turin: 1951); and *Summa Theologica,* English Dominican Fathers, trans. (London: 1912-1936), Part passim. Cf. the critical analysis in Dooyeweerd, supra note 3, Vol. 3, pp. 217-222.1

Catholic view of society, based on the religious ground-motive of nature and grace, and form the foundation for the famous papal encyclical letters *Rerun? Novarum* (1891) and *Quadragesimo Anno* (1931).[21]

With the Renaissance, a fourth religious ground-motive began to emerge in western culture: the modern humanistic motive of nature and freedom. It is religiously rooted in the cult of the human personality as an absolute end in itself *(Selbstzweck).* It claims human freedom and autonomy from all belief in authority. It develops a concomitant new view of nature as a field to be controlled by autonomous science.

Under its influence, Descartes[22] founded analytical geometry; Leibniz[23] and Newton,[24] differential and integral calculus; and Galilei[25] and Newton, mathematical physics.

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21. These two encyclicals are translated as "Condition of Labor" and "Reconstructing the Social Order" in William J. Gibbons, ed., *Seven Great Encyclicals* (New York: 1939, 1961), pp. 1-36, 125-176.]

[22. Rene Descartes (1596-1650), French philosopher and mathematician, author of *Discourse of the Method of Rightly Conducting the Reason and Seeking the Truth in the Sciences* (1637) and *Meditations on the First Philosophy* (1637) included in *The Philosophical Works of Descartes,* E.S. Haldane and G.T. Ross, eds. (Cambridge: 1911; reprint ed., 1973), 2 Vols.; see also *The Geometry of Rene Descartes,* D. Smith and M.L. Latham, trans. and eds. (Chicago: 1925); *Principles of Philosophy, V .R.* Miller and R.P. Miller, trans. and eds. (Dordrecht: 1983).]

[23. Gottfried Wilhelm Leibniz (1646-1716), German philosopher and mathematician, author of *Mathematische Schriften,* C.1. Gerhardt, ed. (Berlin and Halle: 1849-1863; reprint ed., 1962), 3 Vols., parts of which are included *in Philosophical Works,* G.M. Duncan, trans. (New Haven: 1890).]

124.Isaac Newton (1642-1727), English mathematician and physicist, who developed his theories of differential and integral calculus and mathematical physics in *Isaac Newton's Philosophiae Naturalis Principia Mathematica,* 3d. ed., A. Koyre, et. al., eds. (Cambridge and Cambridge, MA: 1972), 2 Vols.]

125.Galileo Galilei (1564-1642), Italian astronomer, physicist, and mathematician, whose most important scientific writings are *Dialogue Concerning the Two Chief World Systems,* S. Drake, trans. (Berkeley: 1953) and *Dialogue Concerning Two New Sciences,* H. Crew and A. De Salvio, eds. and trans. (New York: 1914).]

Since then, the methods of the new mathematics and natural sciences have been elevated to a science ideal that has claimed validity for all disciplines. This science ideal implies a strictly closed mechanistic view of the world. But such a world-view leaves no room for the autonomous freedom of man as a volitional and acting being. Nature and freedom are thus brought into conflict.

The new science ideal soon betrayed a proclivity to dominate. In a society liberated from the domination of the church this urge to dominate was first directed towards the state. Since the late Middle Ages, the state had often come into violent conflict with the feudal system. It was now increasingly believed that, by following a rational method, the state could be built up as an instrument for dominating the entire society. Accordingly, feudal relations were challenged by the concept of the absolute sovereignty of government.[26]

This modern concept of sovereignty, however, had to be harmonized with the personality ideal of autonomous freedom. For this purpose, the humanistic doctrine of natural law—espoused already by Hugo Grotius," but especially by Thomas Hobbes" and later representatives—construed the state according to a mathematical method on the basis of a social contract. This contract was often complemented (though not in the theories of Hobbes and Rousseau[29]) by a contract of authority and submission.

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26. Jean Bodin [(1530-1596), French philosopher, statesman, and economist, one of the chief modern architects of the theory of absolute sovereignty as developed in his *The Six Books of a Commonwealth,* R. Knolles, trans. (London: 1606; modernized reprint ed., K.D. McRae, ed., Cambridge, MA: 1962).]

127. Hugo Grotius (1583-1645), Dutch jurist, statesman, and theologian whose mature natural law theory is set out in *De Jure Belli ac Pacis,* F.W. Kelsey, et. al., trans. (Oxford: 1925). See the detailed analysis of Grotius' writings in Herman Dooyeweerd, *Encyclopaedic. der Rechtswetenschap* (Amsterdam: c. 1946), Vol. 1, pp. 164ff.]

[28.   Thomas Hobbes (1588-1679), English philosopher, mathematician, and physicist, whose numerous writings on legal and political philosophy are collected in *English Works of Thomas Hobbes,* W. Molesworth, ed. (London: 1839-1845; reprint ed., 1961).]

Jean-Jacques Rousseau (1712-1778), French philosopher and novelist, whose legal and political writings are collected in *Political Writings of Rousseau,* C.A. Vaughan, ed. (Cambridge: 1915), 2 Vols.]

Pufendorf" added a third contract to define the form of government. Various other teachers of natural law proceeded to construe natural communities and the church in the same manner: as free associations, organized for a certain purpose. In the eighteenth century this manner of thinking, predicated on an a priori natural law, which considered society entirely from the juridical aspect, was replaced with a more empirical orientation. These eighteenth century investigators concentrated on cultural-historical and sociological phenomena.

In natural law theory itself, Locket began to undermine the concept of absolute state sovereignty by restricting the purpose of the [social] contract to the protection of innate human rights. The freedom motif [expressed by Locke's theory] opposed the absolutist construction of earlier natural law doctrine.

The newly emerged science of economics allied itself with this liberal natural law idea. Both the physiocratic and the so-called classical schools taught that economic life is subjected to eternal, immutable natural laws. These laws guarantee a natural harmony in economic relationships and ensure the greatest possible prosperity, provided (1) the individual's innate right to private property is respected and protected by the state; (2) the individual can freely pursue his economic self-interests; and (3) the state prohibits the formation of positions of monopolistic economic power. The state must refrain from positive interference in

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[30. Samuel von Pufendorf (1632-1694), German political and legal philosopher and historian who developed his theory of a social and governmental contract in his *De Officio Hominis at Civis Juxta Legum naturalem,* F.G. Moore, trans. (New York: 1947), Vol. 2; *De Iure Naturae et Gentium,* C.H. Oldfather and W.A. Oldfather, trans. (Oxford: 1934), Vol. 2.]

[31. John Locke (1612-1704), English political and moral philosopher, whose theories of a social and governmental contract are set forth in *Two Treatises of Government,* P. Laslett, ed. (Cambridge: 1960), Book II, pp. 301ff. Cf. also Id., *Essays on the Law of Nature,* W. von Leyden, trans. and ed. (Oxford: 1954). For a critical analysis of Locke's legal and political theory, see Dooyeweerd, supra note 27, Vol. 1, pp. 205ff.]

the economic life of society. Such a conception focussed attention for the first time on the distinction between state and society. Society came to be viewed in wholly economic terms as the free play of economic forces.

The French Revolution liquidated the remnants of the feudal system. The state as *res publica* began to stand in sharp contrast to a free society with its private interests.

Meanwhile, under the influence of the concept of freedom of Romanticism and German idealism, a new view of society had emerged. The ideal of the autonomous freedom of the individual began to direct itself to communities in their historical individuality. Against a rationalistic and individualistic view of society, established by the classical science ideal, a new irrationalistic-historical viewpoint emerged which saw society as an historically evolving_ whole. The historical school of law taught that

jfieti⁻ce, language, morals, economic life, art, etc. are merely dependent aspects of the culture which springs from the individual folk spirit. In the footsteps of Schelling, von Savigny,[32] the founder of this school, taught that nature and freedom are dialectically united in the process of cultural development. Though each folk-community brings forth its culture in autonomous freedom, it is still bound up in an historical process of development, which is itself governed by a hidden natural necessity. The autarky of the individual was supplanted by the community as an historical given. The historians of German law showed great interest in the medieval forms of association and submitted them to careful investigation."

[32. Karl Friederich von Savigny (1779-1861), German legal historian and jurist, whose historical jurisprudence is developed in great detail in his *Geschichte der rOmischen Rechts im Mittelalter* (Heidelberg; 1815-1834), 6 Vols.; *System des heutigen romischen Rechts* (Berlin: 1840-1849), 8 Vols.; and *Vermischte Schriften* (Berlin: 1851-1853), 5 Vols. See Dooyeweerd's critical remarks in Id., Vol. 1, pp. 226ff.]

33. Otto von Gierke, *[Das deutschen Genossenschaft* (reprint ed., Graz: 1954), parts of which are translated by F.W. Maitland as *The Political Theories of the Middle Ages* (Boston: 1958).] George Beseler, [*Volksrecht, Juristenrecht, Genossenschaft, Stiinde, gemeinen Recht* (Rostock: 1896).]

This viewpoint, however, absolutized the cultural
-historical aspect of society. All other aspects of society were
reduced to this aspect and were to find their inner coherence in the
historical development of the folk culture as a whole. This
historicism rendered impossible any insight into the typical
structures of relationships in society.

The sociological way of thinking of the historical school broke new
ground, but it did not lead to the proclamation of sociology as an
independent science. This occurred in the first half of the
nineteenth century in France with the positivistic thinker Auguste
Comte. In the footsteps of his teacher, Count Claude Henri de Saint
Simon, he elevated sociology to the crowning science of the
encyclopedic system of sciences which he formulated.

This new sociology was based on a synthesis between the natural
scientific thought of the Enlightenment and the historical-organic
thought of Romanticism and of the Historical School. Already St.
Simon began to see class conflicts as basic driving forces in a free
society, of which the state is merely the instrument.

On the foundation of positivistic philosophy, Comte tried to
explain the development of society using the natural scientific
method. For him the historical method remained the grandest form
of natural scientific method. Yet he remained convinced that the
solidarity or consensus of the members of society can be guaranteed
only by communal ideas. For society was an organism, a whole, with
interconnected parts.

After Comte, however, sociology began to move down pseudo-
natural scientific, materialistic paths. Social reality was reduced to
mechanistic, then biological, and finally historical-economic
common denominators, until the rise of a psychologistic force
halted this triumphant march of materialism. Spencer[34] introduced
the doctrine of evolu-

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134. Herbert Spencer (1820-1903), English philosopher, whose evolutionary theory of
sociology is set out in *Herbert Spencer: Structure, Function and Evolution,* S. Andreski, ed. (London:
1971) and *On Social Evolution: Selected Writings,* J.D.Y. Peel, ed. (Chicago: 1972). Spencer
applied this theory in great detail in *Principles of Sociology* (London: 1876-1896), 3 Vols.]

tion into sociology and thus incorporated ethnology into sociology. On the foundation of historical-materialism, Marx[35] introduced his sociological scheme of the technical-economic infrastructure and the ideological superstructure.

The monopoly of the natural scientific method of thought was first broken at the end of the nineteenth century.

Under the influence of the epistemological investigations of the neo-Kantian Heinrich Rickert, Max Weber" introduced a general cultural scientific method into sociology. This method seeks to understand the subjective meaning of social actions through study of the motives for these actions. Weber promoted this study by constructing ideal types. He did not, however, present these ideal types as normative types of general validity. They cannot be found in pure form in historical reality. Instead, they are based on isolating and highlighting certain empirically observed motivating factors in social actions. But any such effort is limited by a rational direction towards a purpose within the limits of what is objectively possible *(Zweckrationalitat).* Thus these ideal types are intended to be

abstract generalizing schenries, which provide a causal, . understandable explanition–Of individual social actions. Social actions are portrayed as events, objectively possible according to the rules of adequate cause. Thus Weber called both the concept *holm economicus* and all economic laws "ideal types." But he also used the same term to identify individuality types of a collective character, seen merely in their cultural-historical sense—for instance, the medieval city, medieval han-

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135. Karl Marx (1818-1883), German social and economic theorist, who developed his theory of economic base and ideological superstructure in a number of works, principally, *On the Jewish Question* (1843) and *The German Ideology* (1848) included in *The Works of Karl Marx* (Moscow: 1975-), 45 Vols.]

[36. See supra note 11.]

dicraft, the modern state, the ancient Polis, the Italian Renaissance, etc. These examples, as such, are not schemes constructed to explain how social actions are caused by one of the teleological motives he has rationally idealized. Instead, they help us understand individual cultural-historical aspects of social action as integral parts of a meaningful cultural-historical individual whole.

This was especially true for the ideal types which Weber used in his discussions of the sociology of religion. For example, concerning the religious foundations of ascetism, Weber remarks "that we present religious thoughts in the form of an ideal type such as we can rarely find in

historical reality."Though the latter sort of ideal type itself fails to provide

a schematic structure for causally explaining social actions, it still belongs to the meaning-totality of a religious interpretation of life and the world. For certain distinctive motives and rules that govern spiritual groups of people are rooted in these ideal types. Weber thus had to assign an important causal significance to them in explaining the social actions of these groups. In this sense, Weber ascribed to Calvinism and related ascetic Protestant sects (with their theological-ethical ideas) great causal significance for the rise of the spirit of modern western capitalism."

In his epistemology Heinrich Rickert [39] introduced the antithesis between the methods of cultural science and of natural science. This distinction was dominated by the assumption that human culture belongs to an imagined

37. "... dasz wir die religiosen Gedanken in einer `idealtypisch' kompilierten Konsequenz vorfuerhen, vie sie in den historischen Realitat nur selten anzutreffen war." [Weber, supra note 19, *The Protestant Ethic,* p. 98.]

f38. Id., pp. 95184. Cf. also Weber's closely related work, *Dos protestantischen Sekten und der Geist des Kapitalismus* in *Gesammelte Aufsatze zur Religionsgeschichte* (Tubingen: 1920-1921), Vol. ¹.1

[39. Heinrich Rickert (1863-1936), German neo-Kantian philosopher, who developed his epistemology of method chiefly in two works, *Der Gegenstand der Erkenntais* (Freiburg: 1892) and *Die Grenzen der naturwissensehaftlichen Begriffshildung,* 2d. ed. (Tubingen: 1913).1

sphere of meaning, a sphere logically constructed out of subjectively-conceived relations between [objective] natural reality and "values." These values are not real, but are legitimate ideals. This same reference to value *(Wertbeziehung)* pervades the individualizing formation of concepts—which is especially characteristic of historical science—in contrast with value-free *(wertblinde)* generalizing natural science.

Other cultural sciences, however, such as dogmatic jurisprudence, theoretical economics, and sociology have no such individualizing formation of concepts. Thus Rickert felt compelled to recognize generalizing cultural sciences along with individualizing sciences, a distinction upon which Max Weber continued to build.

Various naturalistic and individualistic elements remained latent in Weber's view of the cultural scientific method. Yet the neo-Kantian philosophy of the so-called Baden school, which had introduced these elements, was losing ground toward the end of the 1930s. Many sociologists continued to demand a cultural-scientific method of thought in the science of society, even though the elaboration of this method of thought and its philosophical orientation yielded a number of significant differences.

Thus the cultural scientific method of thought has pervaded general sociology in a variety of forms. For instance, in [the works of the] aforementioned Pitirim Soro kin the influence of Rickert's neo-Kantian philosophy is clear. On the other hand, we find a cultural scientific mode of thought developed by Theodore Litt in a philosophical framework of dialectical phenomenology.

All these distinctive perceptions of the contrast between natural scientific and cultural scientific methods of thought in sociology have in common an irrationalistichistoricistic conception of human society. This conception leaves no room for the acknowledgment of constant, typical structural principles in social relationships which

determine their inner nature, and which are founded in the order of creation. The humanistic ground-motive of nature and freedom, out of which historicism was born, has kept science under its central influence. It has also cut science loose from biblical revelation concerning the creation of all things after their own kind.

Lecture V

Prerequisites to a Christian Social Philosophy

THE SCRIPTURAL GROUND-MOTIVE of the Christian religion, that reveals the common religious origin of mankind, is the foundation of all temporal social relationships. Its motif of creation sharpens our scientific perception of the distinctive nature of each temporal sphere of life. It circumscribes the distinctive field of sociological inquiry as follows:

(1) Sociology is the theoretical analysis of particular structural types or typical structural principles. These structural types or principles are part of the community relationships that form society. They are manifest in diverse social forms, which they themselves make possible. Sociology is also the inquiry into the mutual relationships and connections between these types and principles.

This is the task of philosophical sociology. None of the special social sciences as such can take its place. Where these sciences encounter typical structural totalities in their field of inquiry, they must gain insight into these structures precisely from philosophical sociology.

(2) Sociology is also the investigation of the variable forms in which these particular structural types manifest themselves in temporal society and of the various ways in which they interact and influence each other. This is the task of positive or empirical sociology, as opposed to philosophical sociology. (Its empirical character is not

completely distinctive since philosophical sociology, too, must build upon experience, if it is not to lapse into arbitrary, aprioristic constructions.)

In its view of the typical nature of various types of social relationships and the mutual connections among these relations, [positive] sociology depends on philosophical sociology. The latter, in turn, depends on the religious ground-motive on which it is based.

Those who believe they can separate positive sociology from philosophical sociology, often conceive of social psychology as the foundation for empirical sociological investigation. In many textbooks one encounters elaborate summaries of what social psychology has taught us about the social feeling-impulses *(Triebe)* of man. Unlike fixed animal instincts, these impulses can together comprise only a social predisposition, for they are completely plastic. They thus assume very different forms in society. They are of a polar character and can be diametrically opposed.

Among these social impulses the following are often mentioned: the feeling of self-worth (as socially determined by the judgments of our peers), the urge to submission (the urge to submit oneself entirely to a personality or group which one worships), the impulse to help and care for others, the impulse to fight (which reveals itself in the various forms of competition and regulated contests), the impulse to communicate and express oneself, the impulsive feelings of sympathy (by which we can empathize with the feelings of others, including the feeling of compassion and sharing in another's joy), the impulse to imitate (often, but not always, connected with the impulse to submit oneself), the impulses toward conviviality and playfulness, and so forth.

The English sociologist MacDougall gave a good summary of this approach in his *Introduction to Social Psychology* and in his later work .[40] Franz Oppenheimer

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140. William MacDougall, An *Introduction to Social Psychology* (Boston: 1912) itid *The Group Mind: A Sketch of the Principles of Colledive Psychology with some Attempt to Apply Them to the Interpretation of National We and Character* (New York and London: 1920).]

provided an individual-psychological as well as a socitiod psychological foundation.' He distinguished between modal and final social impulses. While final impulses strive for a state of satisfaction, modal impulses are directed only toward a type of intermediate action which prescribes the only means or way for a final impulse to achieve its purpose. For example, the impulse to deal sparingly with scarce goods is often included among modal impulses. This impulse is manifest in economic activities, and, precisely for this reason, it cannot be the most important motor of social history. All other normative impulses *(Solltriebe),* such as ethical impulses, are explained in this way.

These psychological investigations, however, though interesting, cannot serve as a foundation for sociology. For true social psychology can study only the empirical impulses of feeling in distinctive social relationships. Insight into the structural types or typical structural principles of these social relationships, as well as their variable forms, is essential, lest we revert to irreversible generalizations.

An absolute prerequisite to insight into these typical structural principles is an insight into various modal aspects or transcendental modes of experiencing social relationships. These relationships possess an invariant modal structure, by which their place in the temporal order of the [modal] aspects is expressed. The structural aspects are what we call the modal structures of human experience or of empirically manifest reality. For only they make known to us the general ways, the modalities, in which temporal reality presents itself. We must thus briefly examine them more closely.[42]

These structural aspects give unity to the multiplicity of structural moments. The modal core moment occupies a

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41. Oppenheimer, supra note 3.

[42. For a comprehensive analysis of the nature and interaction of modalities, see Dooyeweerd, supra note 3, Vol. 2.1

central position in such a structural aspect and qualifies the meaning of all the other moments. This core moment has an original meaning only in its own aspect and guarantees the irreducibility of this aspect. All other modal structural moments, not of an original character, are grouped around this modal core. Some of these structural moments point back to the modal cores of earlier aspects; others point forward to the cores of aspects of a later rank. Naturally, the aspect in question does not itself occupy the [first] or last position in the inter-modal order of our experience.

In the philosophy of the law idea, the first group of structural moments are called retrospective or retrocipatory moments; the second group are called anticipatory moments. The latter moments expand and deepen the meaning of one aspect. Both groups together reveal the unbreakable inner coherence of one aspect with all the others in the temporal order of modal structures.

To absolutize one aspect (as is done, for instance, in the biologistic, psychologistic or historicistic vision of society) is to lose sight of the modal structure of this aspect as well as insight into the structures of the remaining aspects. One continually identifies the absolutized aspect with concrete reality, though the latter only functions in this aspect.

Thus historicism identifies the cultural historical aspect with what has happened in the past. Actual events, however, display wholly different modal aspects alongside the historical-cultural aspect, which sociology (as the totality-science of society) may not eliminate.

Precisely because the modal structural aspect expresses the total coherence of all aspects, there are absolutizations (themselves religiously rooted). When absolutizing [one aspect], we forget that the universality of this aspect is valid only within its own sphere, and that all aspects share equally in such universality.

Having briefly summarized the modal structures of the aspects, we shall investigate the typical totality structures

of social relationships. These structures, as distinguished from modalities, we shall call the idionomieso *[individualiteitsstructuren].*

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> "The cosmic order expresses itself, . . . according to its structures of individuality, in the typical arrangement of the modal aspects within structuraltotalities . . . (T)hese structures . . . belong to the *law-side* of cosmic time."

Hence we can investigate the created lawful order in each individual entity (totality) from "the typical way its aspects are arranged." Evolutionists have introduced the term "teleonomy" in place of "teleology," to express that the arrangement of functions in individual totalities is subject to laws which serve art "inherent purpose" *(telos)* instead of a created order. Dooyeweerd demonstrated that this concept of *telos* "moves in a vicious circle' **(1c1.,** p. 745). Unfortunately, the term "individuality structure" as "law-side" has never found general acceptance among Dooyeweerd's followers, e.g., his closest collaborator Dr. D.H.Th. Vollenhoven, his successor Dr. H. van Riessen, and Dr. P.A. Verburg, professor in the philosophy of language. It has often been confused with the "subject-side" of things. Hence I translated it with the term "idionomy" for the law-conforming "typical arrangement of the modal aspects within (each particular) structural totality." (Idios = particular or peculiar as in "idiosyncracy" and "idiopathic"; nomos = law.)]

Lecture VI

A Modal Analysis of
Social Institutions and
Their Interrelations

WE ENCOUNTER IDIONOMIES *[indiVidUaiiteitS,StrUCtUren]* in temporal reality wherever we find individual beings, things, events, or ordered relationships in human society.

  These idionomies reveal themselves, first of all, in a typical arrangement of their modal aspects." This arrangement does not destroy the general temporal sequence of these aspects; nevertheless, it cannot be derived from the aspects themselves. These aspects are arranged in such a manner that one particular aspect stands out to qualify the whole idionomy. The function of this qualifying aspect determines the internal destiny of the individual whole. This internal leading function plays a typical role, giving direction and leadership within the idionomy. It opens up all earlier aspects of the whole and directs them towards the typical inner destiny of this whole. All earlier functions thereby expose their anticipatory modal structural moments. In this way, a typical structural whole emerges and begins to distinguish itself from everything outside of it

  Take from nature, for example, the living organism of a plant. It is qualified by the organic function, its internal leading function. Within the internal structure of the organism, this leading function also opens up the physico-

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144. For a further analysis of "the typical structure of things," see Dooyeweerd, supra note 3, Vol. 3, pp. 53-156.]

chemical, spatial, and numerical functions of the individual whole. It directs them toward the plant's typical destiny to live. Nevertheless, these earlier functions retain their distinctive modal character and conformity to modal law. They cannot be reduced to the biotic aspect of the organism, nor can the biotic aspect be reduced to the physico-chemical or another lower aspect.

The typical leading function of an idionomy does not only display a general modal character. Within its modal aspect it also possesses an individuality type, which descends from a radical type, to more or less general subtypes, ending with an elementary type, which is comprised strictly of individual things, beings, relationships, or events.

The individuality type of the leading function can be a core type of individuality, whose original meaning derives from this aspect only. It can also, however, point back to a real core type within an earlier aspect, or point forward to a core type of a later aspect—that is, among the idionomies we discover a state of affairs similar to that encountered in the structure of the modal aspects.

As an example of a retrocipatory type (a type that points back) in the qualifying aspect of a relationship, we point to the love between parents and children. This is an individuality type of the moral love relationship within the family community. It does not originate in the moral aspect, but points back to the immediate blood relationship within the biotic aspect. The core type is located in this aspect. The love between parents and children is a typical moral relationship, pointing back to the biotic aspect upon which it is founded.

All idionomies whose leading function displays such a retrospective type of individuality—and this is the case in all social structures—are characterized by a typical founding function, in addition to a leading function. This founding function determines the core type of individuality of the social relationship.

We shall call these two functions, which give form to structural types in accordance with their modal character, the radical functions of a social idionomy. The structural type, thus formed, gives expression to all its constituent modal aspects; but each aspect is not expressed separately.

The idionomy can be realized only in a typical form or gestalt. In this gestalt, the idionomy of a living plant can realize itself only when intertwined with the idionomies of its physico-chemically qualified components which unilaterally found the living organism. These radically different component structures are intertwined in the body of the plant.

In the philosophy of the law-idea we denote such intertwinement of two intrinsically different structures with the term encapsis.[45] The internal structures of the components are encaptically bound in the internal structure of the living plant. In this bond these components begin to display so-called variability types—for example, the components display characteristics somewhat different from those which occur in their free state. We necessarily encounter a further intertwinement of structure in the connection between a plant and its environment. This encapsis, however, does not change the internal nature of the intertwined structures. It can only call forth variability types of such structures.

One must make a principled distinction between the figure of encapsis and the relation of a whole and its parts. The latter relation can occur only between entities of which one, according to its nature as a whole, determines the inner nature of its parts. In this manner, the various organs of a living organism are indeed its parts. Likewise, in modern society a municipality and province are parts of a state; for the state is the whole which actually determines their inner nature.

By contrast, an encaptic relation occurs between

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145. For a further analysis of encapsis, see Id., Vol. 3, pp. 126-128, 346-376, and 626-781.1

idionornies with an intrinsically different nature; these idionomies can never relate as parts to a whole. We also constantly encounter this encapsis in society, for example, in the interweaving of the family with state and church. Because of its internal structural characteristics, the family cannot be a part of state or church. By its very inner nature the family is radically and typically distinct from these latter two. Ties to state and church can cut right through the center of a family, for example, when parents are of different nationalities or belong to different church communities. Inside the state or church, the family has merely an encaptic function; it can be either closely or loosely tied to state or church. The church can likewise enter into a typically close structural intertwining with the state, yielding encaptic figures of the state-church or church-state. The state enterprise, too, is an encaptic figure, the result of a very close bond between enterprise and state, each of which are of a radically different structural type.

These encaptic figures, however, are mere variability types of church, state, and enterprise respectively. They do not touch upon the inner nature and typical structural characteristics of these differentiated human communities. Such a close intertwining can, to be sure, exert a degenerating influence upon the internal subjective [structural characteristics] of each of these communities when one begins to dominate the other. These types of structural characteristics, however, are not of a subjective character. They are, rather, the normative internal laws of the human communities. The communities are subject to these laws, and their subjective degeneration can be tested only with these laws.

Social encapsis can, however, display various other types. Besides those just discussed, which we can call unifying types, we can distinguish unilaterally founded encapsis and correlative encapsis. We found an example of unilateral encapsis in the intertwining of the marriage community and the family. No family can exist without mar-

t a marriage can exist without a family. There is a similar relation between family and state, industry and labor unions, or state and political parties.

With correlative encapsis, the intertwined structures mutually presuppose one another. We find examples in the intertwining between the structures of community and society. This intertwinement we shall discuss below.

Correlative encapsis assumes greater significance with the increasing differentiation and division of labor in society. This, in turn, leads to an increasing mutual dependence of communities. One particular subtype of this encapsis (as well as of unilaterally-founded encapsis) is the territorial type, which binds together all other life spheres, either partly or completely, in the territorial state community.

All of these types of encaptic structural intertwining find their nexus in the different social forms in which these idionomies are realized. If the social forms are abstracted from their internal structural characteristics and absolutized, the natural differences between various [structures] in society are levelled.

A lack of insight into the principal difference between the social relation of encapsis and the social whole-part relation leads to a universalistic view of society. Sociological universalism—in all its forms and with consequences of varying importance—always constructs a temporal social whole, of which all other social wholes are merely organic parts.

In opposition to this universalistic view, one finds the individualistic view. Its proponents regard society as an aggregate of individuals or of elementary relations between individuals. The Viennese professor Othmar Spann[46] is the most important universalist in modern sociology. Herbert Spencer, inspired by natural scientific thought, was a

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146. Othmar Spann (1878-1950), Austrian philosopher and sociologist, who developed his sociological universalism in his early work *Kurzgefasstes System der Gesellschaftslehre* (Berlin: 1914) which he later elaborated ahd revised in *Gesellschaftsphilosophie* (Jena: 1932).]

typical representative of sociological individualism.[47]

Some believe that this conflict [between universalism and individualism has] been fundamentally resolved by Theodor Litt, a claim which Litt himself made in his popular book *Individuum und Gemeinschaft* .[48] This belief, however, is mistaken. Litt has, indeed, demonstrated in elegant fashion that, on the one hand, temporal communities have no inner center *[Belevingscentrum]* of their own; they remain centered in the individual egos of separate people. (He viewed this ego uncritically in a psychological sense.) He showed, on the other hand, that the individual ego, as *Belevingscentrum,* is intertwined with other egos in an internal social fashion. Nevertheless, Litt remained in principle a universalist, for he viewed all social relations, regardless of their inner nature, as parts of the still expanding historical cultural community of mankind. As an adherent to the so-called formal movement in sociology, he also eliminated internal structural types and the figure of social encapsis.

It is immensely important to have a correct insight into the various types of social encapsis in order to evaluate properly the Marxist scheme of infrastructure and suprastructure. Not only is its historical-material foundation untenable, but also the unilaterally-founded encapsis [which Marxism assumes] is of very limited importance in modern society.

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147. See Spencer, supra note 34, *The Principles of Sociology,* Vol. I, pp. 447ff.; cf. Id., *The Study of Sociology* (Ann Arbor: 1461).1
148. Litt, supra note 7, pp. 408-415.1

A Classification of Social Institutions

WE LEARNED THAT SOCIAL FORMS are produced out of the encaptic nexus between various typical structures in society. It will do no harm to discuss these entities at greater length, for they are subjects of the most likely confusion in modern sociology.

A recent movement, which calls itself formal sociology, has tried to identify social forms as a special field of inquiry for the science of society. It has done so in reaction to the sharp criticism by special scientists against sociology as a totality-science. The formal school thus broke with the encyclopedic or totality view of sociology. It consciously renounced the claim of giving a scientific view of the totality of human society.

Sociology, the formal school holds, must make a sharp distinction between the form and matter of social phenomena and leave the investigation of these phenomena to various special social sciences.
G. Simme1,4⁹ the founder of this movement, maintained that just as geometry determines the real spatial form of spatial things by abstracting them from matter, so sociology determines the more or less constant forms of variable social

[49. Georg Simmel (1858-1918), German philosopher and sociologist, whose mature theory of social forms is set out in *Soziologie. Untersuchungen uber die Formen der Gesellschaftung* (Leipzig: 1908), partly translated, with other works, by K.H. Wolff as *The Sociology of Georg Simmel* (Glencoe, IL: 1950)1

phenomena. These forms Simmel understood to be the elementary social relations through whose mutual connection all complicated social relations were to have been built.

Social phenomena for Simmel are of an entirely psychical character (n.b. the psychologistic totality idea!). One can separate the subjective social-psychological activity from its actual objective content; within the latter, one can then isolate the social forms. These forms, he says, are forms of psychic interaction, or of mutual relations between people. Such interaction always arises out of certain sensory impulses and has certain goals (e.g., self defense or attack, play, pursuit of economic profit, philanthropy, religion, etc.). All these goals are merely the objective material content of social interactions. Sociology, as a formal science, however, has merely to investigate the more or less constant forms in which individuals try to satisfy their subjective social impulses and to achieve their objective goals. Simmel includes among such forms: isolation, contact, ranking under or above others, competition, imitation, division of labor, representation, party formation, etc. (He does not try to provide a detailed system of the elementary social relationships, as Leopold von Wiese° later would do.) The sphere of sociology was thus to have been separated from both social psychology and the remaining special social sciences, such as jurisprudence, linguistics, anthropology of religion, political theory, economics, social ethics, and others.

This view of social forms did not survive criticism. The social forms exhibit as many modal aspects as does society itself; they thus raise the same totality problem that confronted sociology as a totality science. Furthermore, formal sociology has never remained bound by its own criterion, but instead has assimilated much social-

150. Leopold von Wiese, *A llgemeine Soziologie* (Berlin: 1924), Vol. 1, adapted by H. Becker as *Systematic Sociology on the Basis of Bezeihungslehre and Bebildelehre of Leopold von Wiese* (New York: 1932).1

psychological data and investigated social goals as well. The formal school, composed of Ferdinand Tonnies, Vierkandt, von Wiese, Richard, Theodor Litt,[51] and others has thus increasingly detached itself from Simmel's contrast between social forms and social matter. Later, Simmel himself abandoned the distinction and eventually was no longer considered as a member of the movement. Von Wiese calls formal sociology the "social science of relations." Others, such as Fr. Oppenheimer, et. al., recognize the rightful existence of formal sociology alongside material sociology in the sense of a science of the totality of society. Such analysis left the concept of social form completely vague.

This concept begins to become clear when one accepts our view that social forms are nothing but the result of man giving form to supra-arbitrary idionomies. One can thus understand these social forms only in light of these idionomies and their mutual intertwinements. Social forms are by no means abstract elements of society. Rather, they are the concrete figures—variable in form, yet relatively durable—which man makes of the idionomies through his cultural formative activity.

We must, however, distinguish between social genetic forms *[Ontstaansvormen]* and existential forms *Pestaansvorinen].* Genetic forms serve only to constitute a special social relationship (e.g., a marriage agreement and the civil solemnization of a marriage). Existential forms give concrete shape to this social relationship itself. It is obvious, however, that in sociology one cannot isolate the genetic forms from the internal structure of social relationships which they constitute. Even in the form of the primitive purchase-marriage a marriage agreement is

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151. Ferdinand Tonnies, *Gemeinschaft und Gesellschaft,* 8th ed. (Leipzig: 1935) and *Einfuhrung in die Sociologic* (Stuttgart: 1931); Alfred Vierkandt, *Gesellschaftslehre,* 2d. ed. (Stuttgart: 1928; reprint ed., New York: 1975); von Wiese, supra note 50; Gaston Richard, *La sociologic generale er,les lois socioli,giques* (Paris: 1912); and I,itt, supra note 7.1

something very different from an economically-qualified free purchase agreement.

Social forms are distinguished from all natural forms through their typical cultural-historical foundation. The structural types of society are of a supra-arbitrary, normative nature. They are given to us as structural principles that can assume positive form only through human formative action.

Though grounded by this cultural-historical foundation, the process of shaping human forms leaves ample room for subjective human insight and a variety of purposes. Such purposes, however, must remain sharply distinguished from the internal leading function of social structures. Because of this flexibility, and doubtless also because of the influence of circumstances [surrounding the formation process], the social forms of the same social structures can exhibit important internal differences, even where they have markedly similar sub-types. (Cf., for example, the different forms of the democratic state in The Netherlands, England, France, and America.)

In the philosophy of the law idea the general distinction between communal and social relationships" does not

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[52. Tr. Note: *Dooyeweerd's Classification of Human Relationships*
  I. Communal Relationships.
    A. Institutional communities
      1. Natural Institutions,
         Marriage and Family.
      2. Undifferentiated Organized Institutions.
         i. The family as organizing principle. The patriarchal family, primitive domestic communities, sibs, clans, etc.
         ii. The political organizing principle. The medieval marks, guilds, towns, ethnic and feudal bonds, etc.
      3. Differentiated Organized Institutions.
         i. Church Institutions.
         ii. State institutions.
    B. Non-Institutional Communities
      I. Voluntary organizations.
      2. Unilaterally founded organizations.
  II. Social Relationships.]

belong to the variable social forms but to what are called social categories. Both types of relationships do, of course, exhibit different invariant types of structural characteristics and variable social forms. In accordance with their normative character, certain social structures have a communal character; others have a social character.

We identify communal relationships as all those which bind people together as members of a whole. We identify social relationships, by contrast, as those which permit people to coexist in society either in cooperation with or in opposition to each other. (The social relationship can, then, be one of cooperation, of mutual complementation, of neutrality, or of adversity.) Real class controversies arise only in social relationships of a typical economic qualification. In an unorganized and amorphous state of affairs, classes are not solidarist collectivities. Solidarity consciousness can be cultivated only through propaganda and organization. Class conflicts are a dangerous outgrowth of the capitalistic system of production. In the encaptic intertwinement of state and industry, these conflicts can assume dangerous political tendencies where the state is an instrument of class interest. Differences in status, however, do arise in social relationships that are qualified by the aspect of social interaction. Such differences, which are the normal result of social differentiation, create certain differences in lifestyle and related differences in the sense of social honor. In the undifferentiated society of the later Middle Ages, those of [higher} social status were politically organized and held privileged positions. One cannot account for these differences in status, however, using the internal [undifferentiated social] structure of this period. Communal and social structures, as defined above, can emerge only in a correlative encapsis, which we discussed earlier. When viewed from the outside, every temporal communal relationship has its necessary correlate in social relationships and vice versa.

A limited number of communities such as marriage, the family and the cognate family are typically founded by the biotic aspect in relationships of organic life. We can, therefore, call them natural communities. Most communities, however, are typically founded by the historical aspect in a certain type of power-organization. Natural communities, by virtue of their natural character, can emerge in all eras, albeit in a wide variety of forms. Historically-founded communities, by contrast, depend upon and are bound to certain historical conditions.

Only historically-founded communities have a continuously existing organization that is independent of the life span of its members. We call these organized communities "organizations."

In all organizations there is of necessity authority and subordination. As with other natural communities, the broader family relationship lacks the structure of authority. In social relationships the authority structure is definitely absent. Social structures, to be sure, reveal tremendous differences in talent, possessions, and social power. Such differences do permit certain groups of persons to assume positions of leadership or domination in their social interaction with others. In this, imitation plays an important, though not exclusive, role. But authority and the obligation to obey have no place in these social relationships; nor do these relationships have a lasting organizational tie.

We must, therefore, sharply distinguish between institutional communities, on the one hand, and non-institutional organizations, on the other. Institutional communities, in accordance with their normative structural principles, are intended to embrace their members for their entire lives or some portion thereof, independent of their will. This is characteristic of natural communities, of state and church institutions (the latter, at least, when it has baptized members) as well as undifferentiated organizations (see discussion below). Non-institutional organizations, by

contrast, have arisen from free, differentiated social relationships. They are, by their very nature, based on the principle that their members can freely enter and depart. Free associations or unilaterally-founded organizations, whose establishment of a purpose and a means to accomplish it are the constituent elements, are the typical social genetic forms of these non-institutional organizations. To qualify as free social organizations, organizational forms must be instituted by public law. They can function only in an encaptic manner, and only by virtue of a special structural intertwinement with the state as an institutional organization. Examples of such associations are trade unions, employer's organizations, and separate concerns which operate in freedom of enterprise.

Finally, we must make a sharp distinction between the undifferentiated and differentiated character of both communal and social relationships."

In undifferentiated communities—we shall discuss social relationships later—the most divergent structural principles are intertwined in one form of communal bond and are realized inside one and the same communal bond. Examples include the family, vigilante organizations, enterprise, entertainment and religious communities. For this very reason they display a more or less totalitarian character, for they embrace their members in all the areas of life which this bond incorporates. Yet natural communal relationships within these undifferentiated communities are never entirely dissolved. As soon as the process of differentiation is ushered into society, these communities are doomed to perish.

The following primitive undifferentiated communities, which always have an organization, belong to this category: sibs, gentile communities or clans, the primitive domestic community, the patriarchal extended family, the primitive ethnic and clan bonds, the medieval

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53. All these general distinctions are called "social categories" in *A New Critique,* supra note 3, Vol. 3, pp. 56ff.

neighborhoods and guilds, the medieval town, and others.

Modern sociologists have made a grave mistake by failing to appreciate the radical difference between these undifferentiated organizations and the truly natural communities. Particularly Ferdinand 'ninnies, the famous German sociologist, has done much to further this confusion in his epoch-making book *Gemeinschaft und Gesellschaft.*[54]

TOnnies' concepts of *Gemeinschaft* and *Gesellsch aft* are certainly not identical with the distinction between communal and social relationships defined above. By using the two German terms *Gemeinsch aft* and *Gesellschaft,* which earlier had been used interchangeably, he sought, for the first time, to express a fundamental distinction between natural or organic relationships between people who belong together and what he calls "the mechanical aggregate of social relationships" (including the organized types). The latter relationship *[Gesellschaft]* must be viewed as the artificial product of human arbitrariness; it can never bring about a real bond, but only an imagined unifying bond. The members of a true *Gemeinschaft* are intrinsically united in their entire being and remain so even when they are bodily separated from one another. The members of a *Gesellschaft,* by contrast, are intrinsically separated from one another in spite of all artificial organizational bonds.

According to Tonnies, true *Gemeinsch aft* can be found both in what we have called natural communities and in the undifferentiated domestic organization, in the sibs or clans, medieval guilds and neighborhoods, the ancient polis and medieval town, and what are generally called patriarchal and feudal relationships. Historically, Tonnies avers, *Gemeinschaft* always precedes *Gesellschaft.* The *Gesellschaft* is, to him, a modern rationalistic factor in society, which exerts a destructive influence on the founda-

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54. TOnnies, supra note 51.

tion of culture. In this fashion the contrast between *Gemeinschaft* and *Gesellschaft* described in TOnnies' work becomes a historic-philosophical theme.

A later period of predominantly individualistic *Gesellschaft* followed an earlier period of *Gem einschaft.* The earlier period of *Gemeinschaft* is characterized by internal concord, common morals and religion, and by a natural unity of will among all members *(Wesenswille).* The later period of *Gesellsch aft* is characterized by tradition, politics, and public opinion which manifest themselves in typical forms of *Gesellschaft.* These typical forms are evident in the modern metropolis with its trade and commerce, in the life of the national state with its calculating politics, and in cosmopolitan life. They are expressed in concepts of rationalistic science, and are taken up by literature and the press, and thus enter "public opinion." In the *Gesellschaft* we find no *Wesenswille* but only an artificial creation of a unified will *(Kurwille).* In modern rationalized western society, says Tonnies, only a few vestiges of *Gemeinschaft* remain: in family life, the state, the church, labor unions, etc. The period of *Gemeinschaft* has passed. We now live in the period of *Gesellschaft,* which must lead to the downfall of western culture.

The concept of community utilized by this theory was strongly influenced by romantic philosophy. Tonnies' concept of *Gesellschaft,* especially in its historical-philosophical sense, gives a distorted picture of the process of differentiation in modern society. For a detailed critique of Tonnies' views allow me to refer you to the third volume of my *A New Critique of Theoretical Thought."*

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[55. Dooyeweerd, supra note 3, Vol. 3, pp. 184-187, 245, 211-272, 57I-582.]

Lecture VIII

An Analysis of Undifferentiated Social Organizations

THE CONFUSION BETWEEN undifferentiated organizations and natural communities is understandable; for various undifferentiated organizations often seek a real or fictional association with true natural communities such as a family or clan.

Upon closer examination, one can see that natural communities are often artificially traversed by these organizations, which can, in fact, have a very unhealthy influence upon these communities.

Sibs, for example, which are closed organizations, were nearly always one-sided patriarchal or matriarchal organizations. Whether one belonged to the Roman *familia* or to the German household community depended entirely upon whether one was subjected to the undifferentiated power of the head of the house. The wife and children (among the Romans, only the children) were so completely subject to this legal power that they could be sold by the father of the house in order to settle his debts. They would then be outside of his family in a juridical sense.

In a so-called free marriage, the Roman wife remained outside of the *manus* (domestic power) of her husband, and, according to folk law, was a stranger in his domestic community. She could at all times be reclaimed by her father and returned to his *familia.* Thus it is definitely in-

correct to maintain that the sib and undifferentiated domestic community were primitive forms of the natural community of marriage and family.

Undifferentiated social organizations pose a particularly difficult problem for philosophical sociology. Since, undeniably, the most diverse structural principles are realized here in one type of organization, what guarantees the internal unity of these artificial associations? The unity of an organizational form is not sufficient for this. Everything hinges on the power of the common spirit which binds the organization together. When we investigate the life relations in these organizations, it always turns out that one of the constituent structural principles intertwined in it fulfills a leading role and leaves its mark on the whole.

In sibs (the most primitive folk bonds) and likewise in medieval guilds and neighborhoods, this principle is the family (fraternity) principle, even if it is realized only on a partly fictitious basis. By contrast, in more fully developed primitive clan organizations, a political structure, founded on the power of the sword, assumes the leading role.

The difference between undifferentiated organizations characterized by the fraternity principle and those characterized by the political principle is revealed in a variety of ways: in differences in regulating exogamy, the initiation rites among primitive people, and in the introduction of classification according to age and fraternity houses in more completely developed totemistic organizations. A concomitant of the development of the organized clan is the removal of the family principle from the central position it occupies in simpler human relationships." The removal of the family principle must thus not be considered as a modern dissolution of true community life.

Medieval forms of organization demand special attention. They have often been regarded by nineteenth century

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56. H. Schurtz, *fAlterklassen und Mannerbünde* (Berlin: 1902)3

Romantics and twentieth century Roman Catholic sociologists as models of true communal forms for our modern society.

In contrast to these idealists, one finds various modern historians who tend to portray medieval society as particularistic, since separate groups tenaciously defended their privileges and were not prepared to make any sacrifice for the general interest. Particularly sociologists have also noted individualistic phenomena in the merchant cities of the late Middle Ages under the influence of a nominalistic culture."

These divergent sociological accounts of the Middle Ages are intimately tied to the ideas of historical development assumed by the investigators. These assumptions, in turn, build on the basic religious ground-motives of their thought. These presuppositions play a central role even in an avowedly positivistic sociology. Tonnies defends a pessimistic view of the historical development of our society from a true community with its natural bonds of morals, concord, and religion to a condition of individualistic *Gesellschaft* which eventually dissolves society.

Durkheim's" and Spencer's" evolutionary school gave us a completely contrary optimistic view. They saw progress in the dissolution of primitive communal forms and their replacement by the principle of differentiated cooperation on the basis of a contract. The famous British legal historian Sumner Maine[60] characterized this course

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57. See the work of Paul Honigsheim, ["Zur Soziologie der mittelalterliehen Scholastik," in *Hauptprobleme der Soziologie. Errinerungsgabe fur Max Weber* (Berlin: 1923), pp. 173-221] who stresses the prominence of speculators, adventurers and vagabonds in the Middle Ages.

[56. Emile Durkheim (1858-1917), French sociologist and philosopher, who set out his evolutionary theory in *Sociologic et Philosophie* (Paris: 1914), translated by S.D. Fox as *Education and Sociology* (Glencoe, IL: 1950).]

159. Spencer, supra note 34.]

[60. Sir Henry Sumner Maine (1822-1888), English jurist and legal historian, who developed his theory of the movement of legal history from status to contrast in *Ancient Law: Its Connection with the Early History of Society and Its Relation to Modern Ideas,* 10th ed., F. Pollock, ed. (New York: 1960), pp. 164ff.]

of development as one which leads from status to contract.

To understand medieval society as it developed during the period of ecclesiastical hegemony,[61] one must first see its development in the light of the basic religious ground-motive that dominated this society (that of nature and grace). Under the influence of Roman Catholic authors of the restoration era, de Bonald," de Maistre," and Balanche,[64] St. Simon and Comte have seen this truth and have therefore abandoned the prejudice of the Enlightenment against the dark Middle Ages. The development of medieval society [led to] a highly undifferentiated natural or worldly infrastructure and a highly differentiated supranatural superstructure (the hierarchically organized church institution). The natural infrastructure lacked a real political system and thus also the idea of the public interest in its typically political sense. This of itself yielded a very particularistic picture. Only the temporal church institution, building on the idea of the Holy Roman Empire, forged the communal bond of all Christendom.

Two major types of organizations were ubiquitous in the undifferentiated infrastructure: the guilds, characterized by the principle of fraternity, and the feudal bond, characterized by the mund principle of the old German

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61. The picture of society in the late Middle Ages already displayed very different characteristics in the "Holy Roman Empire," in which the unity of the ecclesiastical culture already began to dissolve.

162. Louis Gabriel Ambrose Vicomte de Bonald (1754-1840), author of *Les prophets du passe,* 2d. ed. (Paris: 1889) and *Reflexiones sur l'interet generate de l'Europe* (Paris:1815).]

163. Joseph Marie Comte de Maistre (1753-1821), author of *The Pope Considered in His Relations with the Church, Temporal Sovereignties, Separated Churches, and the Cause of Civilization,* A.M. Dawson, trans. (London: 1850) and *On God and Society. Essays on the Generative Principle of Political Constitutions and Other Human Institutions,* E. Greifer and L.M. Porter, trans. and eds. (South Bend, IN: 1959).]

[64. The author is apparently referring to Jean-Louis Balanche (1770-1850), a Parisian abbot, though 1 have found none of Balanche's writings to corroborate this reference.]

65. Following the famous German jurist and legal historian Otto von Gierke, one of the main figures of the German wing of the Historical School of Law, 1 use the term *"mund,"* and also the Roman juridical term *"manus,"* in the sense of power as symbolized by the armed hand.

domestic organization. These forms could mutually intertwine, although they were basically antagonistic.

The guild was essentially nothing more than an artificial imitation of the sib, understood as the organization built on patriarchal right; this German organization had already earlier dissolved.[66] It embraced the guild brothers with their families in all spheres of life and was founded on the adherence to a common oath.

Already the Frankish kings had fought against this guild system, which they saw as a politically dangerous competitor in the relation between government and subject. But after the disintegration of the Carolingian state, the guild system developed fully in medieval society.

The free associations of neighborhoods and marks in rural areas as well as in the medieval cities were often organized as true guilds. Citizens united in so-called civic guilds. Merchants, who settled in the district outside of the walled portion of the city, united in merchant guilds. Artisans in the city, who had to discharge a true office with their handiwork, united in trade guilds; such guilds bear no relation to our modern differentiated trade organizations. In the late Middle Ages, political classes developed, whose corporate character was first established through the guild principle. In so far as it rested on this foundation, the medieval town indeed displayed the character of a totalitarian, undifferentiated community. The Germanic wing of the Historical School is mistaken in its belief that the medieval city was the first realization of the idea of the modern state.

The towns, neighborhood organizations, and merchant and trade guilds usually were autonomous. But this autonomy is not comparable to the autonomy of our

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66. Recently some historians of law have called into question whether such agnatic (patriarchical) sib organizations had ever existed among the old Germans. They believe that the historical sources make no mention of them. But Caesar certainly did mention the existence of gentes (i.e. agnatic gentile or sib organizations) among the Germans in his *De Bello Gallica,* [translated by A. Wiseman and P. Wiseman as *The Battles for Gaul* (Boston: 1980), pp. 38ff.]

modern differentiated society. Its boundaries were not set by a whole state in accordance with the public interest; these were purely formal boundaries defined by privileges and old traditions.

The trade guilds were parts of the medieval city, when the city itself was organized as a guild encompassing all its citizens. The city defended its privileges, which it had often purchased, against the landed gentry who had the right to rule the city territory either as liege lords or as feudal lords.

We find a manorial type of organization in the liege relationship between a lord and his subjects. Such relations often arose when a high office, purchased with loaned money, became hereditary, and involved the ownership and rental of land. This was also an undifferentiated relation, resembling the prototype of the old domestic organization. In cities and marks, where the lord owned the territory and also ruled the citizens and neighborhood dwellers who were organized in guilds, the feudal and guild structures were conjoined.

If we compare the medieval city in its different forms with the modern city, whose numerous types range from the metropolis to small provincial towns, one radical structural difference appears. The medieval town was indeed a community, but it was undifferentiated. The modern city can no longer be a whole or a community because the process of differentiation has yielded a variety of radically different social structures, dispersed into separate spheres of life.

The modern city is an intricate encaptic intertwinement of differentiated spheres of life: the civic municipality, marriage, family, and household communities, church communities, commercial enterprise, sundry foundations, voluntary associations, and other individual social relations of different structures. In these encaptic structural intertwinements we do not necessarily find a disintegration of communal life. We find only disintegration of undifferentiated communal forms that cannot tolerate the modern level of culture.

One must immediately admit that the modern metropolis does indeed seriously threaten natural communities. Increasing industrialization with its round-the-clock shift work and the many opportunities for entertainment and amusement do threaten domestic life. Yet the evil does not lie primarily in these external factors. It lies in the undermining of man's awareness of the actual structural norms for marriage and family life, and, even more basically, in the religious uprooting of broad segments of our society.

Lecture IX

An Analysis of Natural Communities and of State and Church

HAVING EXAMINED UNDIFFERENTIATED social organizations, we shall now analyze the theoretical structure of natural communities. The structural principles of these communities all exhibit a typical biotic foundation and a typical ethical qualification in accordance with their internal leading function. For further elucidation of this thesis, I must refer the reader to the third volume of my work *A New Critique of Theoretical Thought.*°

We must again warn against identifying the internal leading function with either the naturally ordained purposes which facilitate a social relationship, or with the subjective goals of those who enter into this relationship. The marriage community, for example, undoubtedly serves in the natural order to propagate the human race. It can also be subjectively made to serve a number of purposes of the marriage partners; some of these purposes can be very reprehensible, such as economic profit, furthering one's career, or improving one's social status.

Neither propagation nor other subjective goals, however, touch upon the internal function for which the marital institutional community was established. The internal leading function, in accordance with the structural principle for marriage, belongs exclusively to the internal

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167. Dooyeweerd, supra note 3, Vol. 3, pp. 266-346.1

side of the marriage relationship. It impresses itself on the spirit which must, by the very nature of marriage, pervade this community in all its aspects. According to its two radical functions (the moral and biotic functions) the marriage community can be described as a community of moral life-long love between husband and wife based on a relatively durable organic sexual bond.

The durability of the internal marriage relationship does not depend upon its function as a legal institution within the primitive folk community or within the order of the modern state or church. Marriage has a legal function within folk law, civil law, or church law, only in its encaptic intertwinement with human communities of a different nature. Its durability depends upon its institutional character, upon the [inner] nature of this most intimate community of life. This character of nature also expresses itself in the juridical aspect of the marriage. To eliminate the institutional structural principle is to remove all criteria for distinguishing between the true marriage community and non-ordered sexual relationships.

No one has proved that the marriage institution is a late product of social development. Morgan" and his followers developed the evolutionary theory that the marriage community evolved from an original condition of sexual promiscuity. Thus sibs were formed before real relationships of marriage and family. Matriarchy preceded patriarchy. This theory, however, was thoroughly refuted by later investigations of the North American School of Boas and the Viennese School of ethnology. Indeed, among many of the most primitive folks, the sib and the matriarchy are apparently absent, and strong natural communities lie at the core of society.

Monogamy is by no means a late form in the development of the marriage institution. In its numerical aspect,

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168. Lewis H. Morgan (1818-1881), American anthropologist, who developed his theory of the marriage community in *Systems of Consanguinity and Affinity* (Washington, D.C.: 1871) and *Ancient Society* (New York: 1877).]

marriage is indeed one community of two human beings. This requirement cannot be eliminated even in the case of polygamy. Polygamy does not mean that one is bound in one marriage community with numerous wives; rather, he is part of many marriage communities, each of which bind one husband and one wife. Futhermore, polygamy is definitely not a natural social form of married life. The traditional view that men have a constant polygamous inclination has been abandoned by modern social psychologists, as empirically untenable. Ethnologists (or cultural anthropologists) have presented phenomena such as levirate, sororate, polyandry, and the so-called pirra-ura relationship as proof for the traditional evolutionary construction. But these scholars have misinterpreted these phenomena, for they have misperceived the social encapsis figure and eliminated the true structural principle of marriage. Also such interpretations do not comport with the views of the people under investigation.

An internal structural principle expresses itself in all aspects of a natural community. Especially social-psychological and symbolic sides of a community merit attention. The so-called *Unterordnungstrieb* (the impulse of submission) reveals itself in a completely irreducible type.

Having investigated the structure of natural communities, we first turn to a discussion of the differentiated institutional organizations of state and church. I have tried to describe the structure of the state in copious detail in the third volume of my work A *New Critique of Theoretical Thought.*[69] In accordance with its two radical functions, the state is characterized as an organized community of public law, with authority and subjects; it is founded on the cultural-historical modality as a monopolistic organiza-

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[69. Dooyeweercl, supra note 3, Vol. 3, pp. 379-508; cf. also Herman Dooyeweerd, *The Christian Idea of the State,* J. Kraay, trans. (Nutley, NJ: 1978).]

tion whose power of the sword extends over a cultural area within defined territorial boundaries.

Failure to recognize the inseparable structural connection between these two characterizing functions [the cultural-historical and the juridical] has led modern political theorists to a dualistic concept of the state: a sociological and juridical concept. These concepts are logically antithetical; their opposition has led to a fictitious problem concerning the relation between state and right which, of course, are incomparable.

Positivist sociologists, by expunging all normative perspectives, believed that they could view the state as a sovereign territorial power organization bent upon fulfilling merely subjective, strictly variable political goals. This approach compelled jurists to construct their own normative concept of the state that would have only a juridical significance. Furthermore, this sociology of the state erased the fundamental distinction between undifferentiated organizations and the state organization. Its proponents quarrelled over the question whether the state arose from undifferentiated family relationships or by conquest. Both views ignored the difference between natural communities, on the one hand, and sibs and undifferentiated clan organizations, on the other.

As with other communities, the structural principle of the state, with its two radical functions, expresses itself in all aspects. On the social-psychological side, the impulse to submit oneself again appears to accommodate itself completely to the nature of the state organizations. On the social-logical side of political life, we must encounter political logic, the so-called *raison d'etat,* and the politico-logical function of public opinion. On the symbolic side, we encounter typical state symbolism (flags, symbols of government authority, etc.). In the area of social interaction, we deal with political courtesy, official ceremony, and signs of distinction, all of which have a symbolic significance.

There are many intertwinements between state and society, such as enterpreneurial organizations instituted by public law, political parties, state schools, state enterprises, and others. Here, too, our method of analysis must sharply distinguish between the relation of parts to a whole and the encapsis figure. A political party is not part of the state, though it has an essential encaptic function inside of the state organization. This is evident in a parliamentary-democratic regime, but also in a modern totalitarian regime where one party becomes the central organ of government, and no other parties are tolerated. We shall return to this state of affairs in our final lecture.

The typical founding function of the state is an historical power function. Only the institutional social organization of the state has this as its founding function.

There are numerous other types of power: the spiritual power of the Word and sacraments in the church community, the economic power of free enterprise, and the power of science and the arts. All such types of power fulfill extremely important encaptic functions within the structure of the state. It is a totalitarian fantasy, however, to assume that the state, like a modern Leviathan, can make all these power-types subservient to its political purposes, that it can absorb them within its own sphere of power, yet permit them to retain their distinctive character. The monopolistic organization with the power of the sword is doubtless inseparably connected with psychic, logical, economic, juridical, ethical, and faith factors. For the state is not merely an objective armed apparatus. It is primarily an organization of subjective human activity, without which no one could operate the objective apparatus. Within the organization of human activity, the community spirit is of crucial significance.

The typical forms of power of the church, enterprise, science, the arts, etc. are based on the freedom of each of these life spheres to be brought into being in accordance with their peculiar nature. These non-state forms of power can truly strengthen and shore up state power only in encaptic intertwinements with the state that do not destroy their own peculiar characters. Such intertwinement is impossible if these forms of power are viewed and treated as parts of state power. Where the church, science, and art are denatured by the state, with totalitarian political ideology, they lose their typical social power.

When investigating the internal leading function of the state one must again be cautioned against identifying it with the subjective purposes of a state. These purposes assume a variety of forms. Compare, for example, the old liberal idea of the law-state, the idea of the police and welfare state of the Enlightenment, and the idea of the cultural state during the Restoration. The internal leading function, by contrast, belongs to the constant internal structural principle of every possible state organization. It demands a community of public law with authority and subjects within a given territory. The founding function is also of a normative character that prescribes that each authority must organize the monopolistic power of the sword within its territory. This is an historical norm of the *raison d'etat* which can be appropriated for better or for worse.

The basic principle of the public law within a state is that of the *salus publica* [the common good, public interest]. Obviously, public interest also includes non-juridical aspects. In its relation to the juridical leading function of the state, however, the public interest must be seen as a true principle of law. Such a principle brings various interests into a juridical harmony, while respecting the original non-political spheres of life whose competence is not derived from the state. Absolute sovereignty, in a juridical sense, is a contradiction in terms and places the state beyond and above the legal function by which it is led and qualified.

The civil private law is closely connected with the internal political sphere of public law. Both civil private law

and internal political public law are, by their very nature, qualified by a juridical leading function. All other law spheres, by contrast, are defined by the internal structural principles of non-political spheres of life.

The internal public law of the state, however, governs the internal organization of the state, while civil private law bears a social character (in the sense defined above). One modern school of sociology of law, building on the views of French sociologist Emile Durkheim, has failed to recognize the idionomies of different spheres of law. It has thus improperly urged that individualistic civil private law (at least the civil laws of private property) be transformed into an economically-qualified social law. This attack upon the foundation of civil law has been coupled with an attack upon the modern idea of the state. These attacks were made particularly by Leon Duguit,[70] a member of Durkheim's school.

The church is the second institutional social organization that demands the interest of sociologists.[7] According to its internal structural principle, the institutional church is characterized as a Christian confessional faith community. It is founded on the spiritual power of the organized service of the Word and sacraments. To define the church as an association with a religious purpose is to contradict its inner nature.

The basic sociological problem which science confronts in the institutional church and in the remaining social spheres is what, among its diverse modal aspects, provides its internal unity. As a temporal institution, the church is not only a community of faith but is also a moral, juridical, economic, social, linguistic, psychic, and a logical thought community. The idionomy, which guarantees the church unity and which expresses itself in

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170. See, particularly, Leon Duguit, *Law in the Modern State,* F. Laski and H. Laski, trans. (New York: 1919).]

171. See the comprehensive analysis of the structure and function of the church in Dooyeweerd, supra note 3, Vol. 3, pp. 509-64.]

all its aspects, occupies a very unique position vis-à-vis other structural types of social relationships. It attains this unique position because of the indissoluble bond between the temporal institution and the Church in its central religious meaning, that is, the kingdom of God in the hearts of all those who truly live in Christ.

To operate with ideal types of church and sect—as we find them in Troeltsch's well known work *The Social Teaching of the Christian Churches and Groups,"* written under the influence of Max Weber's method of investigation—has properly evoked sharp criticism. Troeltsch's construction of a church-type and a sect-type was based on the assumption that, within what he called the "basic religious idea of the Gospel," there is an inner tension between an absolute religious individualism and an absolute religious universalism. The church-type he founded on the universal tendency of the Christian religion to bring the entire world under its dominion. Religious universalism demands a hierarchic organization of the [church] offices. It is not founded on the personal conversion of the office bearers. It is a compromise between the radical demands of the Sermon on the Mount and worldly regulations. The sect-type, by contrast, is, according to Troeltsch, rooted in the individualistic tendency of the Christian religion, which places the individual in a direct relationship with God and demands personal conversion. The sect is based on personal conversion of its members; it thus rejects infant baptism. It seeks to meet the radical demands of the Beatitudes absent any compromise with worldly regulations, particularly with the compulsory institution of the state.

This whole construction of an ideal type of church and

[72. Ernst Troeltsch, *Die Soziallehren der christlichen Kirchen und Gruppen* (Tubingen: 1912), translated by O. Wyon as *The Social Teachings of the Chris-Ilan Churches* (New York: 1931; reprint ed., 1950), 2 Vols. Cf. Dooyeweerd's critique of Troeltsch's "church-type" and "sect-type" in supra note 3, Vol. 3, pp. 529-534.]

sect is founded on a fundamental misconception of the central ground-motive of the Christian religion. In radical contrast to unbiblical religious ground-motives, the Christian religion spurns all dialectic tension which arises from absolutizing what is relative. Troeltsch's church-type is clearly rooted in the hierarchic Roman Catholic Church institution in its powerful medieval form. The whole distinction between church-type and sect-type is rooted in the basic dualistic theme of nature and grace, which Troeltsch unjustifiably ascribes to the Gospel itself.

To be sure, this religious theme has played and continues to play a central role both in Roman Catholic and in various Protestant views of the relation between the church institution and the state, and between the church and other social worldly spheres. Likewise, Christian sects have undoubtedly arisen under the central influence of this dualistic ground-motive, with its typical dialectic tensions. The inner nature of the church institution, however, cannot be defined on the basis of such unbiblical ground-motives. Its normative structural principle cannot be supplanted with a sociological ideal type. For, even according to Max Weber, we may not ascribe normative significance to any such ideal type.

An Analysis of Non-Institutional Social Organizations

HAVING DISCUSSED THE INSTITUTIONAL social organizations, we shall now investigate non-institutional social organizations as well as the various types of modern social relationships.

These organizations and relationships exhibit a wide variety of forms. Some associations, in which members barely know each other because they only assemble rarely, have only a peripheral significance for the lives of their members. Other associations, however, such as trade and youth organizations, political parties and the like provide a much stronger mutual bond between the members, particularly when they are based on a world-view.

The organizational forms of free associations are, by their very nature, democratic; the highest authority rests with the general assembly of the members. There are other social organizations of a non-institutional type, however, which do not belong to the category of associations. Although they do have members in their internal community sphere, these members are not bound, in a juridical sense, by a law of association. To this category of social, non-institutional organizations belong: (1) labor organizations *[arbeidsverbanden]* of the marketplace, which are typically qualified by the economic function of the enterprise; (2) various organizations for scientific education; (3) encaptically related administrative organizations,

academic hospitals, etc.; (4) schools of non-scientific education; and (5) various cultural institutions, created by (a) the state or its subdivisions; (b) the organization of the United Nations, which is qualified by international law; (c) churches; (d) enterprises; (e) trade unions; (f) political parties; and others.

The organizational forms of all these organizations are not democratic but authoritarian. The authority exercised within the organizations is imposed from above by an external institution. The highest office bearers of this subservient organization are accountable for their management to this external institution. It makes no difference that such organizations can also be created by free association, or are democratically organized inside their own sphere. The external institutions are not part of these free associations but have only a close encaptic intertwining with them in their social genetic and existential forms. One can enter such organizations by a variety of means: by accepting an appointment from the founders (like the directors of a foundation), through a contract of registration (such as are required of students), through a labor contract, and other means.

Non-institutional social organizations are usually characterized as purposeful organizations, based on voluntary entrance and departure. Yet here we must also distinguish—at least when we can speak of a real communal bond, not of a purely formal juridical bond constructed for a certain purpose—between the subjective statutory purpose laid down by the founders and the internal leading function of the social structural organization. This distinction is necessary because the purpose of the organization is usually bound up in its relationship with an external institution. Thus the internal communal functions intertwine with the external social functions. Take, for example, the purpose of creating a large store. A store is internally characterized as an economic labor community established as an organization with capital and labor power. In its relation towards society, however, its purpose is selling to the public. The internal work organization is merely a means for the creators of the store to realize their purpose.

Another reason to distinguish between the internal leading function of non-institutional organizations and the purpose(s) of their founders is that such a distinction offers the only basis for gaining insight into the noteworthy affairs of criminal organizations. Criminal organizations are those whose external operations are in

conflict with the basic principles of law and morals accepted by all civilizations. This definition does not include organizations which simply violate the legislation of a certain state (for instance, an underground political party in a totalitarian state which has proscribed free party formation). It is widely known that actual criminal organizations in their internal organization recognize certain communal norms of a social, juridical, and moral character. Though in their relations with outsiders these organizations trample underfoot the norms of every ordered society in pursuit of their criminal aims, they, nevertheless, have an internal structural principle that, as such, cannot be of a criminal nature. This structural principle can be that of an industrial enterprise, a commercial enterprise, a political party (for instance, of the Nazi or anarchistic variety), or another. It is in the purpose, and in the means used for achieving that purpose, that the internal structural principle is given positive form. Since such a purpose and means are essential for giving form to the structural principle, they give the organization itself a criminal direction when they are of a criminal character. It is impossible, however, to keep the internal bond of a criminal organization intact without accepting a number of typical communal norms. Such norms, in accordance with their nonarbitrary principles, are also valid in a normal enterprise, in a normal party organization, etc. They are qualified by the internal leading function, not by the subjectively defined purpose

of the organization. The positive form of these norms, however, will doubtless depend largely upon the criminal purpose and determination of the means of the organization.

In his "theory of the institution," the well known French sociologist and constitutional theorist Maurice Hauroui' has, like us, emphasized the fundamental difference between (1) the purpose *(plan d'action)* of an association, regardless of whether this has an institutional or non-institutional character in the sense intended by us; and (2) a leading principle of the internal organization, *(plan d'organisation).* But Hauroui does not recognize the internal structural principles of social bonds by which our investigation was directed. Thus he resorts to a semi-Platonic doctrine of ideas to account for this fundamental difference. According to him, there is an eternal world of ideas, which originates in the Divine Spirit. This world includes specific ideas for human communities, which have the power to recruit human intelligence and human will. Such ideas Hauroui calls institutional *"idees d'oeuvre"* (ideas for work). They arouse and guide human behavior inside the communal sphere. Hauroui sharply distinguishes these ideas from the specific concepts in which man tries to grasp them intellectually.

These ideas are first discovered by an elite who undertake to implement them in temporal reality, which is itself constantly subject to change and development. But these ideas tend eventually to become internalized in the minds of all members of a community.

We cannot further elaborate here on this doctrine of the *idees d'oeuvre,* but merely wish to point out that Hauroui's theory makes it difficult to explain criminal organizations. To explain such organizations, he feels compelled to distinguish between good and more or less

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[73. Maurice Hauroui, *Cours de science social. La science social traitionelle* (Paris: 1896). Cf. also Id., *Les facilites de droll el la sociologic* (Paris: 1893).]

bad ideas in the world of ideas. The bad ideas would then play a leading role in the communal behavior of the criminal organization. But we must establish that there is still another problem, apart from the speculative metaphysical and internally contradictory character of this doctrine of ideas. It cannot account for the state of affairs indicated above that the internal sphere of a criminal organization recognizes and maintains certain communal norms, which, at least in principle, are also valid in noncriminal organizations with a similar internal structural principle."

To demonstrate further the importance of the distinction between the purpose and internal leading function of non-institutional social organizations, let us deal briefly with political parties.

Sociological definitions of political parties usually dwell upon their formulated purpose, to which a program and a formal criterion of each organization are simply added. In some cases it is not even mentioned that a party's primary purpose must be of a political nature. Sorokin, for example, writes as follows in his aforementioned book *Society,, Culture, and Personality: A System of General Sociology:*

> "Political parties have existed in practically all historical societies and in less crystallized form in many preliterate populations. As soon as two or more organized factions appear, each endeavors to attain this or that political, economic, or other goal . . . All such groups have the basic characteristics of a political party as a temporary league with one central goal and program. As soon as such groups are organized and

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74. By distinguishing between good ideas and bad ideas, we submit the metaphysical world of ideas to a normative criterion which can itself not be located within this world of ideas. This cannot be reconciled with the absolute character of ideas in their traditional metaphysical sense, In Hauroui's view it would lead us to seek the origin of the bad ideas in God. [Dooyeweerd offers a thorough critique of Hauroui's theory of institutions in "De `Theorie de l'institution' en de staatsleer van Maurice Hauroui," 14 A.R.S. (1940), pp. 301-347; 15 A.R.S. (1941), pp. 42-70.]

endeavor to realize their purposes, political parties are established and the population differentiates along party lines."[75]

By such a definition the concept of political party would include: organized ecclesiastical parties, labor unions (particularly those founded on a world view), associations which aim to found universities, associations in education and the practice of science which are based on a particular religious and world view, and philosophical associations which aim to practice a philosophy in Thomistic, Kantian, Hegelian or some other spirit. This, in itself, proves that this definition of a political party is unserviceable. In common parlance, the word "political" is certainly ambiguous. But when we enumerate the possible purposes of political parties and begin to distinguish political purposes from all other possible purposes, and if we then look for the material essence of a political party in its central purpose, then it is internally contradictory to call those party organizations political which have adopted a non-political main purpose.

The primary purpose of a truly political party is tied to its internal structural principle, to which it must give a positive form. Its aim is to give form to a common conviction concerning the principles and guidelines, which, according to the judgment of the party, must be followed in the political conduct of a government. For this it must recruit an increasing number of members using its external propaganda.

In formulating its primary purpose this internal structural principle of a party organization is already intertwined with that of a typical social relationship, that is, with the relation of recruiting non-party members. This social relationship, in turn, is complemented by a typical communal relationship of membership in a national community and citizenship in the same state, though this corn munal relationship is still clearly distinguished from the internal communal sphere of the party.

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176. Dooyeweerd, supra note 3, Vol. 3, pp. 611-626
75. Sorokin, supra note 4, p. 219.

The internal structural principle of a political party characterizes it as a typical moral community established on a distinctive conviction about principles and guidelines that rule the political conduct of a government in a country. The internal community of the party gives organized formative power to this conviction on a typical cultural-historical foundation.

This definition of the concept calls forth various fundamental questions, on which we cannot elaborate in this context. I have discussed these questions in my work *A New Critique of Theoretical Thought."*

We must emphasize here, as was emphasized in the description of this concept, that the internal structural principle of political parties is founded unilaterally on the principle of the state. Without a real state, therefore, no system of political parties, in the true sense of the word, can exist. In an undifferentiated society, of course, which has no defineable state, parties form which strive after political purposes in a wider sense. But while both social organizations and social relationships are still undifferentiated, and no distinction between public and private interest can be made, we cannot yet speak of a differentiated political party system with its own internal structural principle.

Therefore, no matter how closely the political party is related to the state in its internal structural principle, it never forms a part of the state organization. For its structural principle is radically different from that of the state. A clear insight into this state of affairs has still further significance. For, as we already remarked in our analysis of the structural principle of the state, the political party has extremely important encap tic functions in parliamentary democracies, and especially in the totalitarian states of

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our time. To these functions the secondary purposes of the party are directed.

In parliamentary democracies, parties play an obviously important role in elections and cabinet formation. But, in so doing, parties cannot be considered as parts of the state organization, for we recognize the principle of freedom to form parties and to join and leave them.

In totalitarian states only one political party is tolerated, which at the same time functions as the central organ of government. In such a case the apparent part-whole relationship between party and state is even more deceptive. Yet close structural analysis will soon teach us that even here there is no real part-whole relationship, but only an extremely close encaptic intertwinement of structures. Within the state-territory the party has a monopoly on propaganda for its political conviction. As a result, the totalitarian ideology of the party permeates the legislative, administrative, and judical branches of the state. Nevertheless, in accordance with its inner nature as a political party, it remains an organized community of a political conviction. It surely cannot coercively impose this conviction upon those within the state territory who think otherwise.

In its function as the central organ of state organization, the party can order that students and compulsory youth organizations be subjected to an education and teaching of the world view and the social and political views of the party. However, the party derives the power to enforce this order from the state; it does not possess such power of itself. Such means, employed to spread the ideology of the political party, are undoubtedly fearsome and extremely dangerous. But they cannot guarantee the totalitarian state a common political conviction among its citizens. The state can, therefore, never absorb the monopolistic party, for such action contradicts the inner nature of both the party and the state.

On the other hand, when a political party is made into a central organ of government, its position of power threatens to degenerate the party itself. For the position is foreign to the inner nature of the party. The prohibitions against forming other political parties as well as limiting the number of members in the one party are contrary to the inner nature of the political party system. The Communist Party in Soviet Russia, for instance, has resorted to the latter measure, abandoning the principle of freedom of admission

for all citizens who agree with its world view and political conviction. Party dictatorship in the state renders the freedom to form a political opinion an illusion, even in the internal relationships of the party. For it provides the party leadership with the means to use force against recalcitrant party members, which it derives from the compulsory state apparatus. But force can beget no real political conviction.

In their genetic forms, non-institutional social organizations are one-sidedly and encaptically founded in modern social relationships, which are markedly individualized and differentiated. In their existential forms, however, these organizations relate to social relationships in a correlative encaptic fashion.

Social relationships, too, though they do not unite people in communities, do exhibit internal structural types of a supra-arbitrary character. Thus the free market, with its typical phenomenon of free competition, is a combination of social relationships that typically are economically qualified and historically founded. Other social relationships are typically qualified by the aspect of social interaction (courtesy, courteous conversations between strangers, sportsman-like relations between competing people and clubs, the markedly differentiated relationships in society, which are typically guided by fashion in clothing, entertainment, etc.). Still other social relationships are typically juridically qualified (for instance, the typical relationship between the parties in a civil or international lawsuit). Still others display a typical moral or faith qualification (for ex-

ample, the charitable relationship between donors and needy people, who are unknown to them and accidentally placed on their path; the religious dialogue between people with different beliefs). Other relationships are of a typical scientific or artistic nature (e.g., the unorganized scientific relationships between colleagues—beyond the internal sphere of any organization—which in sociological terminology are called unorganized group relationships; the aesthetically qualified social relationships between an artist, the critics, and a public interested in art.)

All these types of differentiated social relationships have a typical cultural-historical foundation. They are encaptically intertwined in a variety of ways with social relationships of a similar or different structural type.

The process of differentiation in modern social relationships, just as in the organized communal relationships, is accompanied by a strong integration and individualization, obviously in its own peculiar manner. In a closed, undifferentiated primitive society, peaceful relationships are generally limited to the members of the same clan. A nonmember has no security and no rights if he has not been incorporated into the household of a clan member or has not managed to attain the friendship of the clan leader. By contrast, in a mature, differentiated society, relationships are clearly inclined toward horizontal integration. This crosses the boundaries of institutional organizations, both of the state and of the church institution, and thus allows for recognition of man's value as an individual, independent of his institutional bonds.

In this process of integration, leading social groups, whether or not organized, fulfill an important role. These groups as such have no authority whatsoever in social relationships; they can demand no obedience from others. But through their historical position of power, they have a function of leadership in the developing process of differentiated social relationships. Their example is generally followed by those who lack this position of power.

In social relationships qualified by the aspect of social interaction, fashion and international exchange play a very important role in the process of horizontal integration. They have an integrating influence upon the way people dress and in general upon behavior patterns. Yet they also leave ample room for individual taste and personal preference.

Fashion in clothing has a pronounced international character, in sharp distinction to ethnic garb, which is an isolated ethnic phenomenon. The extremely variable norms of fashion, which in turn

are strongly differentiated according to the typical function of clothing (evening wear, apparel for strolling, bathing and beach wear, etc.) and the season in which they are worn obtain their positive form from leading houses of fashion in Paris, London, Vienna, New York, etc. and influence all of western society. These norms remain tied to certain principles of good taste, decency, and environmental demands. Extravagance in fashion design, which ignores these principles, can never have a normative function in clothing.

The manner in which people greet one another in the differentiated social relationships of the western world, which are regulated by norms of courtesy, are internationally integrated. When the Nazi and Fascist party dictatorships attempted to oppose this horizontal integration by introducing a German and an Italian greeting, they met with extreme reaction. Because of their totalitarian political ideologies, they reverted to a primitive and undifferentiated model of social relationships, even in their personal interactions.

The correlation between modern tendencies towards integration and differentiation also strongly reveals itself in typical economically qualified social relationships. The tremendous development of modern technology and of the commercial world has greatly influenced the process of integration. Various branches of trade and commerce have been differentiated in a way similar to the way in which

organizations formed horizontally. The leaders in the international development of such social relationships have always been bankers, internationally organized trade and commercial enterprises, and the powerful international trusts and cartels of the industrial world.

This also explains the predominant role of traditional rules, standard contracts, general conditions, etc., in typical economically qualified agreements. These terms of agreement leave precious little room for the parties' civil right to autonomy.

In so-called adhesion contracts the content of individual agreements is almost unilaterally dictated by the organized entrepreneurs (on the advice of their commercial lawyers). Those who wish to avail themselves of the services of such enterprises are forced to accept these standard contracts; they have no other choice. We are not dealing here with contractual relationships at civil law, but one part of the internal commercial law that deals with economically-qualified social relationships. This internal commercial law is only encaptically bound in civil private law. It therefore remains by its inner nature, sharply distinct from the civil law. Civil private law is a common law *[ius commune]* which will not allow itself to be bound by a specific, extra-juridical leading function. Rather, this private law encaptically binds economically qualified legal relationships—those of both an organized communal and social character—into the civil law order of the state. Through legislation and adjudication the state can guard the observance of general legal principles of private interaction.

From a biblical Christian point of view, it certainly makes no sense to dismiss modern, strongly differentiated and integrated social relationships as expressions of individualistic egotism. It would be wrong to believe that only the social relationships found in temporal communal relationships, at least in institutional relationships, meet with the Lord's approval.

All relationships in the temporal world order, both those

of a communal and a social character, have been corrupted by sin. Sin has corrupted their factual side as well as their law side, to the extent that sinful man gives form to their normative structural principles. Nevertheless, these typical structural principles, which define their inner nature, are founded in the divine order of creation. [77] They are directed by Christ Jesus to the central command of love in its religious fullness of meaning as the fulfillment of the law in all its temporal modalities and idionomies. To absolutize temporal communal relationships is as idolatrous as to absolutize the human individual in social relationships. The human community has its common origin in

creation. It shares in the fall and its need for redemption. Because it has this central, religious nature, the community of man transcends both the temporal communal and temporal social relationships. But, according to the demands of the central command of love, this common religious nature of mankind ought to come to expression in both relationships. It is, therefore, of special significance that Christ Jesus answered the question of the Pharisee, "Who is my neighbor?" with the parable of the merciful Samaritan. For Jews and Samaritans entertained no private communal relationships. The Samaritan encounters the Jew, robbed and injured, in a temporal social relationship of a typical moral qualification. He shows that he understands the central significance of neighborly love better than the Jewish priest and Levite, who found their fellow countryman in a helpless state and passed him by.

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77. Some have denied, from a theological viewpoint, that the sword-wielding state or general office of government is rooted in creation and have argued that it was instituted on account of sin. I refer proponents of this view to Col. 1:16. [Cf. Dooyeweerd, supra note 3, Vol. 3, pp. 423ff.]

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